

TOWN OF WALLINGFORD, CONNECTICUT

TOWN COUNCIL MEETING

November 18, 2008

The following is a record of the minutes of the Regular Meeting of the Wallingford Town Council held Tuesday, November 18, 2008, Robert Earley Auditorium of the Wallingford Town Hall. The Meeting was Called to Order at 6:35 P.M. Responding present to the Roll Call given by Town Council Secretary Sandra Weekes were Councilors Mike Brodinsky, Nick Economopoulos, Jerry Farrell, Jr., John LeTourneau, Robert F. Parisi, Rosemary Rascati, Michael Spiteri and Vincent F. Testa, Jr. Mayor William W. Dickinson, Jr. and Assistant Town Attorney Gerald E. Farrell, Sr. were also present. Councilor Vincenzo M. DiNatale was absent from the meeting

The meeting began with a Moment of Silence, the Pledge of Allegiance and the Roll Call of those present from the Town Council and the Administration.

2. Chairman's Report

Chairman Brodinsky announced that there would be a Special Town Council meeting on Thursday, November 20, 2008 to discuss the status of the CRRRA and Covanta proposals.

3. Consent Agenda

3a. Consider and Approve Tax Refunds (#328- #357) totaling \$6,295.21
Acct. # 001-1000-010-1170 - Tax Collector

3b. Consider and Approve a Transfer in the Amount of \$707 to Backstop – Westside Field
Acct. # 001-5015-999-9163 from Sand Pro with Attachments Acct # 001-5015-999-9160 - Public Works

3c. Acceptance of and Consider and Approve an Appropriation in the Amount of \$70 to Donations Acct # 226-1042-701-7010 and to Expenditures Acct # 226-3070-611-6500 – Youth and Social Services

3d. Acceptance of and Consider and Approve an Appropriation in the Amount of \$16,068 *Meals on Wheels* to Revenue State Grant Acct # 210-1040-050-5000 and to Expenditures – Community Action Agency Acct # 210-3070-605-6800 – Program Planning

3e. *Acceptance of and Consider and Approve an Appropriation in the Amount of \$41,504 Immigrant and Youth Education Program to State Grant Revenues and to Program Expenditures – Board of Education*

Removed

- 3f. Acceptance of Wal-Mart Foundation Grant in the Amount of \$1,000 and PPL Corporation Grant in the Amount of \$3,500 – Fire Department
- 3g. Acceptance of and Consider and Approve an Appropriation in the Amount of \$4,500 to Donation – Wal-Mart /PPL Corporation (Revenue) Acct. # 001-1075-070-7042 and to Data Collection System Acct # 001-2030-999-9046 - Fire Department
- 3h. *Consider and Approve Job Description for Customer Relations Supervisor – Personnel
Removed*

MOTION

Mr. Testa made a motion to Accept Consent Agenda Items 3a. to 3d., 3f. and 3.g., noting that Items 3e. and 3h. have been removed from the Consent Agenda. Mr. Farrell seconded.

All Councilors present (8) voted Aye. Councilor DiNatale was absent from the meeting. The motion passed.

4. Items Removed from Consent Agenda

- 3e. Acceptance of and Consider and Approve an Appropriation in the Amount of \$41,504 *Immigrant and Youth Education Program* to State Grant Revenues and to Program Expenditures – Board of Education

MOTION

Mr. Testa made a motion for Approval of an Appropriation in the Amount of \$41,504 *Immigrant and Youth Education Program* to State Grant Revenues and to Program Expenditures as requested by the Board of Education.

Superintendent Dale Wilson introduced Janice Lautier, Director of Pupil Personnel Services for the Wallingford School System, and Michael Votto, Chairman of the Board of Education.

Mr. Parisi who asked to have this item removed from the Consent Agenda for informational purposes, as he is unfamiliar with this grant. Mr. Wilson said that it a brand new grant, adding that they were notified by the State of Connecticut that Wallingford was eligible for the *Immigrant and Youth Education Program* in the amount of \$41,504. When the award was made the Board of Education approved it and now it needs approval from the Town Council. Mr. Wilson described the purpose of the grant and the types of services that it will afford immigrant children in our elementary and middle schools. Mr. Testa asked, as this grant is for tutors, do they anticipate additional, permanent to the budget if the grant becomes unavailable in the

future. Mr. Wilson said that if it is unavailable, it would go back to what's available in each of the schools.

All Councilors present (8) voted Aye. Councilor DiNatale was absent from the meeting. The motion passed.

3h. Consider and Approve Job Description for Customer Relations Supervisor – Personnel

MOTION

Mr. Testa made a motion for Approval of a Job Description for Customer Relations Supervisor as requested by Personnel. (*Electric Division*) Mr. Parisi seconded

George Adair, Director of Public Utilities; Rick Hendershot, General Manager, Electric Division and James Hutt, Assistant Personnel Director

Mr. LeTourneau said that he removed this item because of the lack of backup and that it did not include any salary. Mr. Hutt responded that the position is Management at Grade 7, minimum salary \$60,815 to maximum \$77,811.

Mr. Hendershot explained why the Electric Division needs this a position. It will provide improved management supervision and direction of the front office customer service section; it will provide direct management supervision of the meter reading function, which is getting more important and complicated; and as the Electric Division grows and evolve their energy conservation and load management program into the residential realm, this position will direct that effort and take if off of the desks of the technical people where it has been because that is where the people power has been. It would place that work into the customer relations arena. He said that this overall effort is exceeding \$1 million a year, and that they are moving aggressively to larger and more extensive 4esidential programs. This position will direct and oversee that effort, and take on the creation and production of communications materials such as newsletters, press releases, maintaining and improving the information on the website.

Mr. LeTourneau asked if a supervisor isn't performing customer service now. Mr. Hendershot said that there are three customer service representatives and one senior customer service representative, who is effectively a crew chief. He said that the level of customer service has gotten more complicated. He said that the need this position and that if you compare it to other utilities of similar size, this is something of a glaring absence. Mr. LeTourneau said that it seems to be an awkward time to be bringing a position on. Mr. Hendershot said that the position is in the budget and it was budgeted for the full year and it's November and we are just now approving the job description and it will be a few months longer to fill the position.

Mr. Adair said that the nature of the position and in working with customers directly on a variety of arrangements and referring them for assistance and helping people reduce their bills through the conservation program. He said that this is a function that takes lots of time and that merits the kind of attention that this would provide. He said that

the position is quite appropriate and from his perspective of the in the organization overall they have direct supervision taking place from the business office manager, who is also the division's financial person. He said that although he will be supervising the new person. He said that from his experience it is a very effective business model with the idea of consistently giving customers the best service available.

Mr. Parisi inquired about the number of people are employed in the customer service section. There are four customer service representatives with an average of 20 years service and five-meter readers with an average of 12 years service, and the nine employees are now supervised by the business office manager, which has been forced upon the business manager but as the world and his job has gotten more complicated, the additional duties, that have been described, have occurred, and he is stretched too thin. Currently the office manager is the only management supervisor in the business office and is also the second overflow person for answering phone calls from the public. He said that this is not a way to run a business. Mr. Parisi wanted to know why the customer service representatives were not answering phone calls from the public.

Mr. Hendershot explained that they are not always available, and may be working with other customers, so the queue takes the call to the office manager. There was discussion with Mr. Parisi and Mr. Hendershot regarding the supervision in the customer service area with an explanation of the true need of the customer service supervisor. Mr. Parisi wanted more detail on the functions of the representatives. Mr. Hendershot said that some of this response has to do with collective bargaining issues. He said that what is a better time than now to increase the staff of customer service people to have them be more professional. He said that they are doing more payment agreements, disconnections because of non-payment, the home energy savings program is just beginning, and they have \$141,000 set aside for home energy evaluations just this year, and this position will oversee the program of the work of an outside contractor.

Mr. Hendershot listed the type of work this position would oversee. Mr. Parisi said that he thinks that the Council should have a little better picture of what this individual will be doing and said, with all due respect, he is not saying it's not the wrong thing to do but that he is not solidly clear even with the job description, and he wonders who has been doing this and why they can't continue to do this, especially when people are losing jobs and in the state of the country. It's time to tighten the belt somewhere.

Mr. Adair said that it has been done piecemeal, particularly when discussing the conservation program where funds and budgeting occurred in looking ahead and setting aside money for the programs. He explained about how a distribution engineer is performing tasks more rightly done by someone in a customer service role. He said that he is looking for a higher level of professionalism to the endeavor, recognizing how important the mission is and focusing on a supervisory person. This is a better way to do things and better for the customer.

Mr. Hendershot said that they were mandated by the state to begin collecting in 2006 and to spend it as quickly as they collect it. He said that the amounts they are collecting are increasing to about \$200,000 every year. There was some discussion regarding the

home conservation program and that everyone will be eligible in July. He said that this is only one-third of what this position would be doing. Mr. Hendershot said that they have already spent over \$1 million in conservation efforts that have taken up time for the engineer and himself and that of other staff.

Mr. Adair pointed out that one-third of the position's salary is coming from conservation load-management because of the nature of these duties. There was discussion regarding light bulbs, school retrofitting, incentive payments by businesses and a variety of other initiatives.

Mr. Economopoulos commented on possible budget constraints in the coming year and asked if this would be the first position to go. Mr. Hendershot talked about taxpayers and ratepayers, which are different, saying that 10% of their customers don't live in Wallingford. He said that their rates support their budget, including this position, and that they run in the black even after they pay our payment in lieu of taxes back to the town's general fund, and even after they pay the proportionate charges for their share of the law department, finance and personnel. To answer the Councilor's question, Mr. Adair asked Mr. Hutt if it would fall under collective bargaining agreements, if there were a riff. Mr. Hutt said that it would be an item subject to a negotiation, if there was a reduction in force but that those decisions are made by the management on who should be retained or laid off.

Mr. Economopoulos said that because they are a department with rates in money making that they wouldn't be subject to any cuts. Mr. Adair said depending on the revenue stream and the services that they provide, they have to have a budget that makes sense while keeping the rates within bounds. He said that there is a difference between the general fund and the enterprise fund, and it is subject to the same concerns.

Mr. Hendershot offered another approach to the question. He said the concern is that if tax revenues and other forms of governmental revenue are down, then government may need to trim its operation, and the same could happen to the Electric Division, like the departure of a large customer that didn't have a large tax base but had a large revenue impact. He said that if the happened to the Electric Division unilaterally of any governmental action, the Electric Division would have to trim out expenses so as to continue to operate profitably.

Mr. Economopoulos said from a Councilor's perspective, a hire probably won't be made until after December, so that is six months without it, and they are now before the Council for approval on a position that the Electric Division has gone six months without. Mr. Economopoulos asked why he should not say no now, when it is easier, than removing it in next year's budget. Mr. Hendershot said in that case that their cash reserves would get larger and that they are maintained within a certain bandwidth, and it would be the same payment in lieu of taxes to the town, which is a function of how many kilowatt hours they sell.

Chairman Brodinsky said that the point that they are trying to make is that ratepayer dollars are being discussed, not taxpayer dollars which are not reflected in the mill rate.

Mr. Parisi said that this is no reflection on the Electric Division and that he understands that the money will still be collected but that the money doesn't necessarily have to be spent for a salary. He suggested that it go for a program instead of a salary, which is part of his point. He said that he questions whether the position is necessary.

Mr. Hendershot said that another program needs to be designed, implemented, monitored and there would be one less staff person to do that additional work. Programs are getting harder to do with the present staffing. Mr. Adair added that there is another cost-savings measure having to do with one of the functions that is across divisions and the subject, potentially, of collective bargaining discussions so they are between a rock and a hard place. He said that this particular job function would potentially have a role in facilitating that. Mr. Hutt added that there have been discussions that at this time are privileged.

Mr. Testa said that he thinks it is important to be clear that we are not talking about an operation and personnel that are funded with tax dollars. He compared it to the Board of Education position, which is with tax dollars and the need for the Council to get their hands around that. The Council is more removed from the Electric Division in that we are not talking about tax dollars, and, he added, that he thinks that this discussion is getting too much into the management of the division. Mr. Testa stated that the cost savings justifies the position in that it is an opportunity for efficiencies and improved performance, better collections. This position will more than pay for itself.

Mr. Parisi responded that he is not trying to micromanage but we have a responsibility when it comes before us. He said that it's always taxpayers' dollars, public money. He said that he isn't saying that this position isn't needed and let's look at it at budget time. He pointed to the state of the economy.

Mr. Hendershot reminded the Council that it was identified in last year's budget with the Council and that it took this long to get the position description crafted with Personnel. He said that the need was identified the better part of one year ago. He said that this is just the time that the process got us here. He said that they wanted the job earlier than now.

Mr. Spiteri said that sometimes we forget that they are a separate entity. Mr. Parisi, Mr. Testa and Mr. Spiteri discussed the state of the economy and the need to be diligent. Mr. Economopoulos stated that he understands that they are a revenue-producing department.

Ben Martin, Ward Street, made comments regarding the economy as a reason not to hire this person but that people losing their jobs cause current economic problems, and large institutions are holding up the cash that they could spend. He said that if this is budgeted then we should be creating jobs and not denying them.

Ms. Rascati reviewed the number of customer service and meter reader positions in regard to coverage. Mr. Hendershot explained that it is a staff person who covers absences and that right now it is the Business Manager.

ROLL CALL VOTE:

DiNatale – Absent; Economopoulos – yes; Farrell – yes; LeTourneau – yes;
Parisi – no; Rascati – no; Spiteri – yes; Testa – yes; Brodinsky – yes.
6 Aye; 2 No; 1 Absent

The motion carried.

5. PUBLIC QUESTION AND ANSWER PERIOD

Geno Zandri, 9 Balsam Ridge Circle, asked who is responsible for the bridges that go over I-91 that support town roads and said that they are in bad shape. He also said that the John Street bridge road way has some large potholes. Chairman Brodinsky said that he would look into it and contact Mr. Zandri with a response.

Robert Gross, 114 Long Hill Road, asked about the pension fund in relation to the state of the stock market and the \$30 million loss. Chairman Brodinsky said that Mr. Spiteri asked for an item on the state of the pension and that it is scheduled for the December 16, 2008 meeting and that some time will be spent on this issue. Mr. Bowes said that the actuarial determination is still in process for the 2009-10 budget year and that an evaluation happens as of July 1, 2008 and that contributions of the pension fund next fiscal year will be based on that actuarial review. Mr. Gross is people of the pension board will be present for questions on the philosophy and the standards on which the pension board acts and re-acts. Chairman Brodinsky said that the consultant will be here and added that as always there is a period where the public can ask questions.

Phil Wright, Sr. 160 Cedar Street, complimented Mr. LeTourneau and Mr. Parisi for initiating a couple of lively discussions. He spoke about an oak tree on South Main Street and using it for a dedication that Jason Zandri asked about a few months ago. He asked for a response on whether or not this is going to happen. Mayor Dickinson said to contact his office with some specific information.

Mr. Gross wanted to know if the public would be able to ask questions at the Special Town Council meeting on November 20, 2009. Chairman Brodinsky said that the normal rules would apply. Mr. Gross asked for the objective of the HDR report. Chairman Brodinsky said objective to have a professional set of eyes review the proposals and give the town some advice on how to handle or address the proposals from CRRA and Covanta. Mayor Dickinson said it was to review the CRRA proposal and that there was no proposal from Covanta at that time, so it was to evaluate their figures and business plan. Mr. Gross said that it was his opinion that both proposals should have been reviewed and that it was a waste of \$33,000.

6. Executive Session pursuant to §1-200 (6)(E) of the Connecticut General Statutes with regard to strategy and negotiation with respect to Collective Bargaining – Board of Education

Withdrawn

7. Discussion and Possible Action regarding the Wallingford Education Association (WEA) contract effective September 1, 2008 to August 31, 2012
- Board of Education

Chairman Brodinsky said they will proceed with the item but if there is a need to go into Executive Session, then one will be called.

Dale Wilson, Superintendent of Schools, Michael Votto, Chairman of the Board of Education and members of the Board of Education, Valerie Ford and Roxanne McKay, appeared before the Council to discuss the WEA contract. Mr. Wilson said that they finished negotiations with the Wallingford Education Association and that they ratified the contract about two weeks ago and that same evening the Board of Education approved the contract.

Mr. Wilson gave a report of the highlights on the next three years of the contract. He reviewed salaries giving the percent on increase (Year 1 – 4.2%, Year 2- 4.2 % and Year 3 - 4.1 %) and its cost, premium cost sharing in the present contract 2007-08 is 15% and that teachers will pay an additional 1% each year –(Year 1-16%, Year 2 -17% and Year 3-18%); life insurance increases from \$40,000 to \$80,000, one less school day and that presently 190 days and will be reduced to 189 days, and they have language that enables the Board of Education to bid for medical insurance giving greater flexibility to shop for alternative medical coverage. He said that they are bound by language in the WEA contract that specifically states not less than what the current what the current program is. He said that both sides agreed to adjust the salary schedule that would re-distribute a portion of the increase to the beginning and middle steps and that overall the top step in the sixth year is competitive but that beginning and middle steps were not. He said that this was very important for the WEA, and important for us as well, and one was the first item to discuss on the table. He said that although this does not cost any additional money, they added a step and decreased the overall percentage of the top step would get. He referred to the salary schedule information that he forwarded to the Council, and reviewed it with the Council. He said it is important for starting salaries in recruiting and retaining new teachers. In the year 2008-09 (Appendix C), it takes a teacher to step six to reach \$52,000. In the first year of the new contract (Appendix A, 2009-10), it takes to step 3 to reach \$50,000. He said that it is very important for teacher retention. He compared Wallingford salary schedules to Branford, Rocky Hill, Cheshire, Ledyard, Woodbridge, Darien, and Farmington and that Wallingford is competitive in this comparison. He highlighted, in closing, the percent of salary increase over the next three years and that it came in lower, the increase in cost-sharing; and the ability to bid for insurance, which he thinks is or can be a model or a blueprint for all unions. He said that it is a fair settlement for both sides of the table.

Mr. Votto also pointed out that the Board wants to attract and keep good teachers and thinks that the new contract will accomplish this.

Chairman Brodinsky wanted to know if the Council takes no action if that equals approval, to which Mr. Wilson responded yes. Chairman Brodinsky asked what if the

Council does not approve the contract, what happens. Mr. Wilson said that it goes to arbitration with two arbitrators, one for BOE and one for WEA. The arbitrators review the contract components and look at the last best offer, which historically is what the arbitrator eventually determines. In the end, if the contract is rejected, the arbitrator then decides.

Mr. Testa was pleased to see that the Board of Education has the ability to bid for insurance and that there is an increase in the premium cost-sharing. He asked about the rates for single, family and 2-persons. In regard to the increase in the premium cost-sharing over the next three years, Mr. Testa asked if a calculation has been done on what we would be saving on the insurance side as a result of that concession, and if one could be forwarded to him. Mr. Wilson agreed to forward such a report, saying that the 4.2, 4.2, 4.1 are likely to be less because of the co-sharing in the premium.

Mr. Spiteri asked about the value of giving up one day. Mr. Wilson said they did not calculate that and said that it was a package to do that and that they got 4.2,4.2,4.1, to get the co-sharing to 3% over three years, to get the language for bidding medical benefits, that it was necessary to throw that in there to get what they wanted. Mr. Spiteri expressed his concern in regard to the state of the economy. He said we talked about a \$1 million cut. He continued saying that the BOE revenue at the federal and state levels are shrinking, and that the burden is increasing on Wallingford taxpayers. He said that it is \$1.7 million for the first year up to almost \$1.8 million for the third year. He is concerned that there will not be revenue to cover it, and he thinks that someone will have to go, and that it could be the teachers with the least amount of experience. He asked if this assumption was correct. Mr. Wilson said that at this point he is not making any recommendations. Mr. Spiteri stated that this is why he asked of a union rep was present. He expressed again his concern of the impact of the state of the economy on the town's and the BOE's future budgets. He asked about re-negotiation and if there is a period of time to talk a little longer. He talked about the length of the contract.

Valerie Ford addressed going back to the bargaining table and said after a lengthy amount of negotiating hours, both sides feel that it was a fair and well-negotiated contract. She said if they had to go back into arbitration because the Town Council votes it down, the only people who would be suffering would be the town's people. She said that lawyers and arbitrators cost money and it represents the BOE and the Town Council as in bad faith. She referred to what the Council told the BOE during the past budget workshop regarding austerity. She said that there are areas where austerity can be applied but we have to negotiate contracts, and we have to negotiate fair contracts. She reminded the Town Council of the invitation extended by the Operations Committee, Chaired by Roxanne McKay, to look at the beginning of the BOE's budget process.

Mr. Spiteri said that he is concerned about the increments.

Ms. McKay said that she thinks it is important to go back to the BOE attracting and retaining solid teachers, as pointed out earlier by Mr. Wilson and Mr. Votto.

She addressed the one-year contract in a town that historically has offered a three-year contract, and how that would appeal to a teacher searching for a teaching position. She added good-faith needs to be demonstrated to the union in the three-year and in contract negotiations everybody needs to give a little and that the Board gave and the union gave and that it was a reasonable negotiation process with compromise on both sides and that the Board needs to be responsible. She said that the Board responds to town's people regarding their budget as well.

Mr. Spiteri suggested that the union look at putting this off for a year and drop the other four days to be back to a 180-day calendar, running the schools five days less and saving money there. The teachers would be getting something of value because they have already negotiated their raises. They would only need to step back for one year. He said that they could be back at the drawing board in August with a clear view of where the country is going economically. He is looking at this as common sense and as reasonable.

Mr. Wilson said that if the Council feels as Mr. Spiteri does, then the Council needs to reject this contract, and then they would go to arbitration.

RECESS MOTION

Chairman Brodinsky entertained a motion to recess by Mr. LeTourneau. Mr. Testa seconded the motion, and all voted Aye except Mr. DiNatale who was absent. The Council began the short recess at 8:14 P.M. and returned at 8:28 P.M. when the Chairman called the meeting back to order.

Mr. Spiteri said that he feels we should take a step back for one-year and see where the dust settles. He is attempting to represent his constituents and he does not want to convey any confrontation with the Board or the Superintendent. He asked about incremental costs and where they would fall, including the six-year drop.

Mr. Wilson explained that there was a reconfiguration. He talked about the step increases, saying that for the first year, from this year to the next year, steps one through eleven are frozen in that someone on step one this year goes to step one next year and this applies through step eleven. He said that step twelve goes to thirteen, which is at the top step. This reconfiguration allowed for equity between the steps to which both parties agreed after long discussions on the salary schedule. He said that it eliminates large gaps and allowed new teachers reach the \$50,000 sooner, rather than in six or seven years.

He next explained about educational degrees to answer Mr. Spiteri questions regarding degrees in relation to, for instance, 'six-year', and how it related to the salary reconfiguration. He pointed out the decrease in percentages in various steps at the top, for instance, the increase in the step at the top in the third year is only 2.5%. This allowed them to move money into the lower steps to bring about the equity they wanted.

Mr. Spiteri said it is important for people to see that the people at the top are sacrificing. He said that if we go to arbitration we lose control on what has already been negotiated. Mr. Wilson said that in arbitration, arbitrators usually do not want to get into re-doing present language in the contract. That is for both sides. If there are language changes that are presented, the other side would say 'present language' and nine out of ten times the arbitrators go to 'present language'. He pointed to the component in the contract with respect to the ability to bid for medical insurance and said that this is the first union that has this language and that it gives the town flexibility to do so. He said that it is very important both for the Board and the town. He talked about components from fifteen years ago that are manifesting their benefits now, for example, no new employee receives longevity.

Mr. LeTourneau asked about the length of the current contract. Mr. Wilson said that it was for three years and that the percentages in those years were 4.55%, 4.55% and 4.55%, a higher percentage that is negotiated in the upcoming contract.

Robert Sheehan, 11 Cooper Avenue. Mr. Wilson responded Mr. Sheehan's questions. Starting pay for a new teacher is \$43,500 and that the average salary for a teacher in Wallingford is \$66,000, which is the median for 610 teachers and that there are 335 teachers at the maximum at step 12.

Geno Zandri, 9 Balsam Ridge Circle, wanted to know if the Council conveyed to the Board of Education ahead of time the percentages they expected to see. Chairman Brodinsky said that the Council had met with the Board of Education in Executive Session perhaps in August before the negotiations began. At that time the Council stressed the point of hard times and for the BOE could do the very best they could in the negotiations. Mr. Zandri said that eventually the dollars for increasing salaries wouldn't be there.

Mr. Economopoulos, 3 Woodman's Hill Road, standing on the public floor and speaking as a resident, and not as a Town Councilor, stated that Wallingford has the longest school year in the state, starting two days earlier, and that the increases in the new contract are below the state average in increases.

Chairman Brodinsky reviewed the contract components illustrating a good contract and what would be lost if the town returned to go into arbitration and that the most prudent alternative is to let this contract of into effect.

No one responded when Chairman Brodinsky asked if anyone wanted to make a motion.

NO ACTION WAS TAKEN BY THE TOWN COUNCIL

8. Discussion and Possible Action regarding UPSEU Local 24 Unit 18B Contract effective July 1, 2007 to June 30, 2009 - Board of Education

Dale Wilson, Superintendent of Schools, Michael Votto, Chairman of the Board of Education and members of the Board of Education, Valerie Ford and Roxanne McKay, appeared before the Council to discuss the UPSEU Local 24 Unit 18B Contract.

Mr. Wilson said that this is a two-member technology union that includes a Network Administrator and a Technician. He said that salary increases for the next three years are 3.5%, 3.5% and 3.25%. He spoke about medical benefits and that at present they are salary employees and they will go to hourly wage, which is something that the Board wanted. He said that two and one half years ago they decided to unionize, which can be done with more than one person and it longer to negotiate than with any other union that Mr. Wilson has been involved with. Mr. Spiteri asked about going to hourly versus salary with respect to pay and overtime. Mr. Wilson said that there is very little overtime involved. Mr. Votto asked if the Council does not take a vote if that means that thirty days has to go by and then it will be accepted. They discussed the timing. Mr. Wilson reviewed arbitration once again.

No one responded when Chairman Brodinsky asked if anyone wanted to make a motion.

NO ACTION WAS TAKEN BY THE TOWN COUNCIL

RECESS MOTION

Chairman Brodinsky entertained a motion to recess by Mr. Spiteri, seconded by Mr. LeTourneau. All voted Aye except Mr. DiNatale who was absent. The Council began the short recess at 8:57 P.M. and returned at 9:03 P.M., when the Chairman called the meeting back to order.

9. Discussion and Approval of Space Needs Assessment for the Wallingford Police Department provided by Jacunski Humes Architects, LLC – Mayor

Police Chief Douglas Dortenzio was in attendance to respond t questions regarding the report

(For the record, a copy of the Jacunski Humes Architects, LLC report called 'Space Needs Assessment for the Wallingford Police Department' is attached to the copy of the minutes that are filed with the Town Clerk. It is noted as Appendix I)

Chairman Brodinsky reviewed what led up to the report of the police facility and its future needs as it relates to the future use of the Wooding Caplan property. An RFP was issued and rewarded to the architectural firm of Jacunski Humes Architects, LLC in Berlin, Connecticut to assess police expansion. Their contract does not provide for them to be in attendance tonight but it does provide for a public presentation of their report, which includes drawings and a scale rendering what a building might look like based upon the square footage that would be approved by the Town Council.

Mayor Dickinson added that it was a public bid.

In referring to page 2 of the report, "Growth Estimates," Mr. Testa was concerned with how the stated population projections might have influenced and be the basis for the square footage requirements and other future projections reflected in the overall report. With Chief Dortenzio, he confirmed the source of the statistics used were found on the State of Connecticut Department of Health website. Mr. Testa said that he it doesn't make sense to him, given that the town is buying up as much open space as possible and preventing development, that the population in 1970 at 36,000 could be 56,000 in 2020. He noted that the population increased by only 3,000 from 1990 to 2000, right after a housing boom, and by less than 2,000 in six years, so how can it be assumed that the growth increase will be 12,000 to 56,000 by the year 2020. He asked if these population statistics are the basis for the projections. This is his first concern.

Police Chief Douglas Dortenzio said that it is the consultant who developed and reported the numbers from the Department of Public Health. He said that the projected build-out is from documents supplied by the town and that there are other documents, previously published by the town, regarding the planned future of this community, provided the land under the current zoning requirements of the town is developed. He thinks that is where the number comes from.

Mayor Dickinson said that with current zoning, the maximum population is around 56,000 but associating that number with a particular year distorts it. He said that historically the town grows at a rate of about 2,500 to 3,000 every ten years. the number of 56,000 is not tied to a year, and it isn't known why it is in the report.

Chief Dortenzio said it was asked of the architect if the numbers in the report drove everything else in the report, and it was asked also that if the projected population or staffing levels don't grow as much as reported by the architect, then could the size of the building be reduced. The architect responded very little. He said that through a series of meetings with the architect met with the chief and police staff and asked comprehensive questions on what works in the configuration of the building and what the deficits are in the present and how they see them in the future.

Chief Dortenzio said that the architect is renowned and has designed more than three quarters of new police facilities in New England in the last ten years. Chief Dortenzio said that the only things that change in the building based on staffing are the number of lockers in the locker rooms. If the police department did not to reach the staffing levels in the report, then there could be a reduction in square footage. After that the building size is based upon the actual business functions and not necessarily the number of people who work there.

Chief Dortenzio said that square footage, solely determined by the architect and without consultation with him, was based upon his interviews with the chief and police employees regarding their business functions and their location, how work flows in the building and how the flow of work might be related to wasted time. Structural issues, mechanical issues, safety issues in the cell blocks, types of lock security, fire suppression systems and how many people worked in specific offices at the present time were discussed, and the architect indicated that at the very last minute square footage would be assigned using an architectural formula based on the number of

individuals who occupy those offices. He said that the first time he saw the square footage was when the final report was published but said that he did review business functions and offices in detail regarding how much file storage, shelving or desks or how many visitors chairs are in that office. He said that there have been several drafts of the report but that the square footage was not noted in those drafts.

Mayor Dickinson said that the state law that requires 16 to 18 year olds to be treated as juveniles and not as adults has impacted the plan and that currently there is no money from the state to implement that law. He said that we are taking the position that the law should be repealed by the State of Connecticut because it would save some space issues if that were repealed. He said that in 2010 at the cost of millions dollars, the state will be looking to implement that, and it is an example of a cost that gets visited upon the municipalities that could be eliminated and result in our needs being less than stated in the report. The new law would require an additional booking area, etc., and it multiplies the number of functional areas because you have to treat a new kind of population differently than they are being treated now.

Mr. Testa asked how much of the space was dependent upon staff level and was the staff level driven by case volume, and was the case volume driven by population.

Chief Dortenzio said that he did not do the projections. He cautioned the Council not to read too much into crime statistics because he has seen so many fluctuations for different reasons. He said that case-load for them is a combination of service calls and self-initiated work in an era where they are pre-occupied with calls that are generated to them as opposed to those that they might do proactively and then proactive work goes down. He said that it fluctuates with labor because they are a labor driven business, so numbers can go up rather dramatically from year to year that are not necessarily tied to crime statistics. He said that he thinks that is why it is worded in such a way as calls-for-service. He said historically when economic times are tough, police work volume goes up and sometimes dramatically.

Mr. Testa repeated his question, asking how much of the space requirement was a direct function of calculating out from the population projection.

Chief Dortenzio said that there is a pending law in the State of Connecticut that goes into effect in January 2010 that will treat juveniles differently than now and in the past. He said that because of there is a projection for an additional youth officer and that they will see a difficult and more time-consuming set of requirements to deal with that client base. He said that if the law is repealed, then they would not need that one position and would reduce the need by one desk.

He said that the vast majority of employees in the police department are not in the building, which is why the building doesn't expand and contract to a great extent solely based on the number of employees. The majority of officers are in radio cars working in the street and not in offices and that is where the locker space comes in, all the tools, devices, uniforms and other accoutrements of the job need to be stored and that space expands or contracts. He said that one of the problems with the existing building is that when it was designed, the Police Department only employed one female police officer

and today that percentage is 13% and growing. In a sort period of time the department will exceed the capacity of the locker room with no option in the present design to expand. He said that with the new law, the youth division cellblock design would be greatly different than they currently have.

He said that many laws did not exist when the building was designed, including the American Disabilities Act and to comply with federal law they need cells that are handicapped accessible and there are a variety of health concerns with the HVAC systems for cell blocks, communication centers, IT rooms, which are all different. He said that some of the clients that they have in custody have airborne, communicable diseases, which calls for an isolated HVAC system. Those concerns all account for the complexity and cost of a building.

Mr. Testa spoke about the size of the fleet, which adds to the overall footprint requirement. He asked how much of the finished product is a direct result of calculations based on the population projection and whatever role that played in the calculations, if it was a great extent and that it did make a difference, then plug in 48,000, and see if it would make a difference of that much of an acre so that he can get a better understanding of that question.

Chairman Brodinsky, looking at Page 3 of the report "Fleet Inventory Projections", asked assuming 44 cars how many would be parked at one time accounting for shifts.

Chief Dortensio said that they all need parking spaces at the shift changes; other wise, eight or ten might be on the road at a given time and that they essentially have three shifts with some of them being split shifts and that manpower is not the same on those shifts. He gave some shift scheduling examples. Chairman Brodinsky asked, given that 8 to 10 are on the road at any one time and the parking spaces are not needed, then how many need to be parked at any one time. Chief Dortenzio said to back out the number.

Chairman Brodinsky referred to page 30 "Exterior Considerations," and wanted to know how many parking spaces for 8,000 square feet. Chief Dortenzio said that the report shows 20. Chairman Brodinsky said that Engineering said that in Wallingford an average parking space is 9' x 18', which is 167 square feet and understanding row space, the formula results in about 49 spaces. He also asked about fleet and staff parking at 55,000 square feet and assuming no aisles that is 139 parking spaces. He asked for more detail on the results in the report. The Chief said that he would pose the question. Chairman Brodinsky asked about when there would be a final presentation.

Mayor Dickinson said that he has approval on what this indicates as a space need, he goes to a site evaluation, which reviews the area of the Wooding Caplan property for issues of egress and reviews zoning issues, wetlands, floodplains, environmental assessments, previous or existing structures and whether any additional consulting services would be needed, such as technical, engineering, environmental testing, monitoring, etc. The architect identified site constraints, comparative estimates for associated costs for site development. Following the site evaluation, which provides a report, the Mayor said that then the architect does a schematic design for a new building and/or renovated existing building and translates the space needs into floor plans,

exterior elevation, etc. He said that the owner reviews that and then he provides professional cost estimates for the proposed scheme and prepares anticipated costs communication upgrades, professional fees, testing etc., furniture and equipment, prepares total budget suitable for a turnkey completion. He said that he will speak with the architect on any questions that he have tonight and find out if he has an estimate on the time factor.

Chairman Brodinsky asked Mayor Dickinson what is the significance of this work product, what is the use. Mayor Dickinson said that the report says about 8 months beginning is August, which would put it at sometime in the spring. He said that the significance and what generated the whole need of this is whether the Wooding Caplan would be a suitable site for the potential expansion of the police department. This is meant to show what that would mean.

Chairman Brodinsky asked if he came back with his report and indicated that it was or could be made suitable, what would be the next step after that.

Mayor Dickinson said the next step is the determination, is that a direction that the town wants to go and if it isn't then what other alternatives there are. He said that he thinks that the architect is supposed to provide some general comparisons of cost there versus some other site in general. He said that ultimately it is a question of would quickly we would want to move and to begin a project. He talked about the economy not being supportive of big projects right now and we would have to evaluate all of that.

Chairman Brodinsky recalled that the last time the police department was discussed was in 2007 and that at that time it was not a critical situation but 5 to 10 years out. He asked if this still holds.

Chief Dortenzio said that it would depend on what occurs with the law that is pending. He said that the Police Department with have legal requirements that he does not think they can live up to if that legislation continues through, and beginning in January 2010.

Chairman Brodinsky asked if they thought this plan would have to be fast-tracked in the law passed

Mayor Dickinson said that is possible but we also have to realistic.

Mr. LeTourneau said if this law is enacted, any construction that the Police Station would encompass more than just the cells in that the building would have to come up to code.

Chief Dortensio confirmed this. They discussed retrofitting and the fact that it gets complex in that the department needs to be operating during any retrofitting, perhaps unlike another business where services like electric can be turned off for a period of time, and the difficulty of operating while this kind of retrofitting is going on is very costly. He said that he does not have the cost for this. He discussed what needs to occur first in order to arrive at such a cost and to remember that all this isn't just for present needs but for future needs and to make sure that we don't repeat some of the

present issues. He said that the building while aesthetically pleasing with no potential room for growth, and the footprint of the land is even insufficient to park the police fleet. He said they were parking municipal vehicles neighboring streets and the employees were parking in front of the businesses until the Wooding Caplan property opened up for parking. He said that he would not like to see the town in the same situation 20 years from now but rather to build in flexibility.

Mr. LeTourneau asked about the cost for architect for the second phase.

Mayor Dickinson said he would have to get how each segment is being charged.

Chairman Brodinsky said that he thinks it is a fixed, flat fee payment as work progresses according to the percentage of the work that has been done. the architect is supposed to bill the town.

Mr. LeTourneau suggested another site for a police facility on a 4-acre parcel owned by the town at Old Colony Road and Cedar Lane. He said that he wants the Wooding Caplan along with the existing Police Station to be used for development.

There were no questions from the public.

Chairman Brodinsky said that if he votes in favor of the architect moving forward that it should not be construed that he accepts now or forever all or any of the conclusions or space needs. He said that this is not a vote to bind a building committee from taking a second look at everything, especially if nothing gets started for another five years, considering changes. He said the vote to accept whatever space needs are only for the purposes of moving forward on this to see if Wooding Caplan would be feasible for this station as envisioned. It is just for that very limited purpose.

Mr. Testa asked if the architect would be looking at potential of expanding the current building based on this study. Chief Dortenzio said that is his understanding. Mr. Testa said that if he determines that it isn't feasible, he might put together a drawing on how to fit it on the current space that we own – the Wooding Caplan property.

Mayor Dickinson said that it is his understanding that it may or may not include the existing building but that he would look to show what a new expanded or a new free standing structure and how it would fit and what space it would take up.

Mr. Testa noted that the report states that the current building area is about 28,000 square feet, total space. He said that at the end where the space needs are listed the architect said that the footprint of the building is 16,000 square feet.

MOTION

Mr. Farrell made a motion, seconded by Mr. Testa, to accept the report of Jacunski Humes Architects LLC, so that it may proceed to the next phase of the contract.

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

10. Consider and approve Job Description for Police Network Administrator – Personnel

Chief Dortensio recalled for the Council his memorandum from earlier in November requesting that the Council approve the addition of a single position to their overall operating agency with no funding being requested. He said that they have had discussions on the IT needs of the Police Department and how rapidly it changes and how information is accessed and in sharing, which is the most critical business need that they have in order to run a successful agency, after the diligence of their employees. He said that they have reviewed their particular network and that some of their servers were replaced but others have been operating for ten years, twice their life expectancy. Since the new budget year, migrating to new servers has been studied because it must be done carefully, and, he noted that it is disruptive. He said that for seventeen years the historic manager of the IT systems has been a self-taught, police officer with some training but this is not a substitute for a professional IT manager.

In the autumn, he said that the supervisor who had been managing their system left on leave, and they have no return date for this person. Chief Dortenzio said that the officer does not want to do that work any longer so they have no one. He said that it is critical because of the network complexity since the system is tied both to the networks in the building and to networks in the cars; to state and federal network systems, which are frequently audited; the 911 system for emergency dispatching in town; all the audio/video monitoring; card key systems; fire control systems and all tied to the same network.

Chief Dortenzio said that he has consulted with Chris Lucht, who the chief said has been invaluable over the last few months, has suggested a variety of things to address certain security issues on the network in the course of replacing the servers, and as a result of Mr. Lucht's insights, he hired a consulting company this fall to look at the network. They recommended certain tools and devices that they need to put in place, which he intends to bid. He said that he is not certain that he has the funding to achieve their bare essentials but will know more following bidding. He said that he might need to make funds transfers later in the year.

Chief Dortenzio said that everyone with whom he has consulted has been surprised that they have been able to operate as they have but that they will not be able to address the management of that particular system. He said that they need a professional to do that. He said that he needs police officers to do police work for which they were trained. He said that he has been working with Personnel to develop the IT job description that is tailored for the Police Department.

He said the department needs to move to a civilian IT manager, someone who is educated in this realm. He said that they have gone from a simple system to this complex one which grows annually with certain requirements. He said he would like approval so that he can advertise the position and that he is not requesting any funding. He said that he has no one to support the existing system and that he needs to move forward.

Mayor Dickinson noted that the Chief needs a budget amendment to amend the number of employees in the police department. It was decided that the budget amendment would be taken up at the next meeting.

Chairman Brodinsky asked about the salary and also that when job descriptions come before the Council in the future that this information be included as part of the job description. Mr. Hutt said that the salary range is a management position Grade 8 annual salary would be minimum \$63,859 to maximum of \$81,702. Chairman Brodinsky asked if when the system is finally setup that perhaps the position is no longer full-time. Chief Dortenzio said that the job is more than 40 hours and that they have paid overtime. He said that daily there are core system requests. He gave several examples of what can happen, as well as the interface with the Fire Department.

Mr. Parisi asked, if this is approved, will this require outside assistance; are we going to hire experts because the police IT person can't handle the situation. He thinks that this should be an exception. Chief Dortenzio explained that they do have service contracts for hardware maintenance but that they intend to hire a very skilled person. Mr. Parisi asked the Chief if he would track the level of expertise with that level of salary. Mr. Hutt offered that they surveyed other municipalities and that the job posting should be able to attract qualified candidates in that salary range.

It was decided that the job could be advertised before the Council approves the addition of one staff person to the personnel line in the police department budget but that no one can be hired until the approval is given.

Mayor Dickinson said that this position with benefits is in the six-figure range and that technology comes with a high price tag.

Chairman Brodinsky asked what other municipalities have full-time IT persons dedicated to the Police Department. The Chief said that in East Hartford there are one half dozen of them, and in West Haven there are two police officers, and that one of them has specific training in computer forensics and the other one has been doing this work for 20 years and has had technical papers published. Mr. Hutt said his survey was not very broad but they looked at Groton and New Britain.

Chairman Brodinsky expressed some concern over the full-time need of this position and suggested that this person be made available to the town as well on an as needed basis. Chief Dortenzio said that he does think it is full-time and police projects cannot be done quickly. Mr. Hutt said that he thinks that the job description under the management of the Chief would cover any other requests from other departments for assistance. Chief Dortenzio said that they have never said no and he doesn't see how it will change.

MOTION

Mr. Parisi made a motion, seconded by Mr. Farrell, to approve Job Description for Police Network Administrator.

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

11. A *brief* report from the Mayor and Town Attorney on the status of:

- a. A trial date for the litigation involving the American Legion Building

Mr. Farrell Sr. announced the date of April 28, 2009 is the trial in New Haven Superior Court.

- b. The Town's website and compliance with P. A. 08-03;

Mayor Dickinson read a memo (*This memo is part of the record of the meeting.*) sent to Don Row from the web design company of WebSolutions, which explained the steps it would be taking in the near future. He said that they are looking at another 2 or 3 weeks.

- c. Appointments to the Conservation Commission;

Nothing to report.

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

MOTION

Mr. Testa made a motion, seconded by Mr. Farrell, to go into Executive Session pursuant to §1-200 (6)(D) of the Connecticut General Statutes with respect to the purchase, sale and/or leasing of property as requested by the Mayor.

All Councilors present (8) voted Aye. Mr. DiNatale was absent from the meeting. The Council entered into Executive Session at 10:13 P.M.

Mr. Farrell made a motion, seconded by Mr. Parisi, to come out of Executive Session.

All Councilors present (8) voted Aye. Mr. DiNatale was absent from the meeting. The Council exited Executive Session at 10:24 P.M.

EXECUTIVE SESSION ATTENDANCE

Eight (8) Councilors, Mayor Dickinson and Assistant Town Attorney Gerald E. Farrell, Sr. Mr. DiNatale was absent from the meeting.

Mr. Parisi made a motion, seconded by Mr. Farrell, to adjourn the meeting. All Councilors present (8) voted Aye. Mr. DiNatale was absent from the meeting. The meeting adjourned at 10:26 P.M. with no further business to conduct.

Respectfully submitted.

Sandra R. Weekes
Town Council Secretary

Meeting recorded by Sandra Weekes

Chairman, Mike Brodinsky

Date

Town Clerk, Barbara Kapi

Date