

TOWN COUNCIL MEETING

OCTOBER 12, 1999

6:30 P.M.

AGENDA

Blessing

1. Pledge of Allegiance and Roll Call
2. Correspondence
3. Consent Agenda
 - a. Consider and Approve Tax Refunds Totaling \$9,309.48 – Tax Collector
 - b. Approve and Accept the Minutes of the September 14, 1999 Town Council Meeting
 - c. Approve and Accept the Minutes of the September 21, 1999 Public Speaking Meeting
 - d. Approve and Accept the Minutes of the September 28, 1999 Town Council Meeting
 - e. Approve and Accept the Minutes of the October 1, 1999 Special Town Council Meeting
 - f. Consider and Approve a Re-Appropriation of Funds in the Amount of \$3,705 to Project Graduation – Contributions Acct. #109-9001-9061 and to Project Graduation Appropriation from 1998/99 Fund Balance Acct. #109-1041-900-1001 – Youth & Social Services
 - g. Consider and Approve a Transfer of Funds in the Amount of \$390 from Office Expenses & Supplies Acct. #012-9000-401-4000 to Furniture & Equipment Acct. #012-9000-999-9904 – Youth & Social Services

- h. Consider and Approve an Appropriation of Funds in the Amount of \$61,746 to Revenue and to Expenditures in the Title VI Class Size Reduction Budget - Mayor's Office
- i. Consider and Approve an Appropriation of Funds in the Amount of \$45,230 to Revenues and Expenditures in the School to Career – System wide Conversion Budget – Mayor

4. Items Removed from the Consent Agenda

5. PUBLIC QUESTION AND ANSWER PERIOD

6. Report Out from the Housing Authority on the Progress Made to Date with the Dept. of Economic Development Commission Pertaining to the Housing Authority's Interest in the Former Simpson School Building as Requested by Councilor Geno J. Zandri, Jr.
7. Consider and Approve a Transfer of Funds in the Amount of \$4,300 from Contingency General Purpose Acct. #8050-800-3190 to Copier & Accessories Acct. #8060-999-9906 Probate Court
8. Consider and Approve a Transfer of Funds in the Amount of \$2,500 from Misc. General Expense Acct. #930-000 and \$2,000 from Supplies, Communication & General Expenses Acct. #921-000 for a Total of \$4,500 to Unemployment Compensation Acct. #926-001 Water Division
9. Consider and Approve a Transfer of Funds from Various Accounts Within the Sewer Division Budget Totaling \$4,500 to Unemployment Compensation Acct. #926-001 Sewer Division
10. Consider and Approve a Budget Amendment in the Amount of \$30,000 Increasing the Maintenance of Transmission & Collection Lines Acct. #673-000 and the Source of Funds Section Appropriation from Emergency Maintenance Reserves Acct. #301-010 – Sewer Division
11. Discussion and Possible Action Regarding the Release of an Easement Across Land Owned by John and Ann Kranyak and the Building of a Driveway by the Kranyaks On Town Property Contingent Upon Approval of all Town Agencies Including Utilities, Planning & Zoning and Inland Wetlands – Mayor

12. Discussion and Possible Action Regarding the Acquisition of Real Estate by Strict Foreclosure – Town Attorney
13. Executive Session Pursuant to Section 1-200(6)(B) of the CT. General Statutes with Regards to Pending Litigation in the Matters of Thomas Stash v. Town of Wallingford and Ronald Rossi v. Town of Wallingford – Town Attorney
14. Consider and Approve Settlements in Workers Compensation Matters as Discussed in Executive Session – Town Attorney
15. SET A PUBLIC HEARING on an Ordinance Repealing Ordinance No.157, “An Ordinance Establishing Fees and Penalties Pursuant to the State Building Code” And Ordinance No. 439, “An Ordinance Amending Ordinance No. 383 Establishing Fees and Penalties Pursuant to the Authority of the State Building Code” entitled, “Building Department Fees” – October 26, 1999 – 7:45 P.M.

TOWN COUNCIL MEETING

OCTOBER 12, 1999

6:30 P.M.

A regular meeting of the Wallingford Town Council was held on Tuesday, October 12, 1999 in the Robert Early Auditorium of the Wallingford Town Hall and called to Order by Chairman Robert F. Parisi at 6:32 P.M. Councilors Centner, Farrell, Knight, Parisi, Renda, Rys, Zandri and Zappala answered present to the Roll called by Town Clerk Rosemary A. Rascati. Councilor Papale was ill. Mayor William W. Dickinson, Jr. arrived at 6:38 P.M. and Comptroller Thomas A. Myers arrived at 6:46 P.M. Corporation Counselor Adam Mantzaris was also present.

A blessing was bestowed upon the Council by Rev. Sydney Parker (Ret.).

The Pledge of Allegiance was given to the Flag.

ITEM #2 Correspondence

No items of correspondence were presented at this time.

ITEM #3 Consent Agenda

ITEM #3a Consider and Approve Tax Refunds Totaling \$9,309.48 – Tax Collector

ITEM #3b Approve and Accept the Minutes of the September 14, 1999 Town Council Meeting

ITEM #3c Approve and Accept the Minutes of the September 21, 1999 Public Speaking Meeting

ITEM #3d Approve and Accept the Minutes of the September 28, 1999 Town Council Meeting

ITEM #3e Approve and Accept the Minutes of the October 1, 1999 Special Town Council Meeting

ITEM #3f Consider and Approve a Re-Appropriation of Funds in the Amount of \$3,705 to Project Graduation – Contributions Acct. #109-9001-9061 and to Project Graduation Appropriation from 1998/99 Fund Balance Acct. #109-1041-900-1001 – Youth & Social Services

ITEM #3g Consider and Approve a Transfer of Funds in the Amount of \$390 from Office Expenses & Supplies Acct. #012-9000-401-4000 to Furniture & Equipment Acct. #012-9000-999-9904 – Youth & Social Services

ITEM #3h Consider and Approve an Appropriation of Funds in the Amount of \$61,746 to Revenue and to Expenditures in the Title VI Class Size Reduction Budget - Mayor's Office

ITEM #3i Consider and Approve an Appropriation of Funds in the Amount of \$45,230 to Revenues and Expenditures in the School to Career – System wide Conversion Budget – Mayor

Motion was made by Mr. Rys to Approve the Consent Agenda as Presented, Items #3a-i, seconded by Mr. Farrell.

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

ITEM #4 Withdrawn

PUBLIC QUESTION AND ANSWER PERIOD

Pasquale Melillo, 15 Haller Place, Yalesville objected to the placement of items #3h & #3i on the consent agenda because they consisted of large sums of money, \$61,000 and \$45,000., respectively. The items should have been discussed.

With regards to the proposed power plant, Mr. Melillo stated that PP&L would have to operate successfully for over twenty-five years before they would make a profit in the venture, in his opinion. He was opposed to the plant. He stated that the Town Charter states that no contract should be entered into for more than ten years. It has been reported that Wallingford has the worst pollution out of all the towns. We don't need a power plant to add to it.

Regarding the Tyler Mill land deal, he felt that since an attorney has pointed out that the Charter was violated in the matter, the land deal should be voided.

Pertaining to the Cooke Property, Mr. Melillo stated that the land was purchased and now we find out after the fact that the State is telling us that the property is in a watershed area and therefore we may not be able to build a golf course on it. He asked if anyone can report out on the matter?

Mr. Rys answered, I don't know.

Mr. Parisi stated, good question. He asked the Mayor if he had an answer to the question.

Mayor Dickinson stated, there is discussion between the Town Attorney and the Attorney General's Office regarding the jurisdiction of the Health Department. There was a recent meeting with other people, so we have not heard any results beyond that.

Mr. Melillo next asked, why doesn't the Fire Department have infra-red helmets? There have been studies which prove that this type of equipment saves lives. It allows the fire fighters to see through the smoke. This could result in a savings of lives. Why aren't our fire fighters equipped with them?

Mr. Parisi answered, I don't believe that they have requested them.

Mayor Dickinson stated, I don't think we have received any requests from the department. The Fire Department takes safety very seriously and we have not had discussions or any requests regarding different helmets than those currently used.

Mr. Melillo stated, I think the Mayor, Town Council and Fire Department should get together and get going on the matter. We spend a great deal of money on buying property and other projects. We have wasted millions of dollars over the years on other things when we factor in all the projects. The safety and the lives of the people of Wallingford come in a distant last. It is time that stopped.

With regards to the Goldfedder Property, Mr. Melillo stated, it is still in limbo. People's health and lives affected to tremendous degrees and yet what's happening? What hasn't that hazard been taken care of yet? There is still no fence around it, no protection whatsoever. Little kids can find ways to get in there. What is going to be done about it? When will the people's safety and lives be put before the almighty dollar?

No answers were offered.

Wes Lube, 15 Montowese Trail asked, are we planning on having Virginia Philips on the agenda of the next Council meeting to discuss the Senior Minibus?

Mr. Parisi answered, no. I was not planning on it, no.

Mr. Lube asked, you received my letter, Bob, right?

Mr. Parisi answered, I have several, I have more than one letter. What is this that you want to question?

Mr. Lube explained, the letter from the Greater New Haven Transit Authority to Ms. Philips was copied to me and the Chairman of the Committee on Aging.....the letter, itself, confirmed what I had told you, that the Greater New Haven Transit Authority had not been consulted and

that Ms. Carter, the Executive Director of the Transit Authority, was unaware of the fact that the policy had been in effect since July. That is a very important fact. She said that requiring a paid senior center membership was in error and the policy had to be discontinued. Ms. Carter also asked that the membership not be renewed at a future date but that she receive assurances from the Administration that such was the case. In view of that letter and exactly what I just enumerated, I had suggested to the Council that not knowing that we had been collecting these mandatory fees since July, it would behoove us to automatically refund those fees with an accompanying letter of explanation. That would take the onus off of us for having collected the fees unbeknownst to the authorities. If the rebate recipient then turned around and voluntarily requested to become a member of the senior center, that is not a problem. But, in no way should we by inference or implication indicate that such a membership would be a pre-requisite for riding on the bus. For that reason I thought you ought to have a discussion about this with Ms. Philips who has in the newspaper said, "hey, nobody's asked for a refund". These people have pride, they are not going to do that. I think this is something that we should automatically do and it can only come about if you put it on the agenda.

Mr. Parisi stated, it has been stopped, hasn't it already?

Mr. Lube stated, I am referring to the fees that were collected between July and today.

Mayor Dickinson stated, I have not had a conversation with Virginia as of yet. I will find out what their plans are.

Mr. Parisi stated, technically, I agree. It should be done.

Mr. Lube stated, it is more to it than that. In her letter, Ms. Carter went to some length to explain that this is public transportation. There are other rules that would not be appropriate for public transportation. I don't think this is the time to discuss that but if you were to have Ms. Philips come before you, we can bring them up.

Mr. Parisi stated, I don't know that it is necessary to bring her here. If there are other things that are to be followed up on, they should be done down there with the Committee on Aging.

Mr. Lube answered, they should be but if they are not being done by an organization that we contributing 100% of the funds to.....

Mr. Parisi stated, has it been made clear as to what cannot be done?

Mr. Lube replied, no.

Mr. Parisi asked, that has not been made clear?

Mr. Lubee answered, because Ms. Carter is unaware that we have been collecting these (fees) since July, she does not refer to that because she was not aware of it. I am saying.....

Mr. Parisi stated, I thought you said that there were some other things that should be corrected?

Mr. Lubee answered, yes. Sometimes we get the idea that because the Committee on Aging is a separate corporation that we are removed from this responsibility. This is not true. The Transit Authority leases the bus to you, not to the Senior Center. You, in turn, sub-lease it and you are responsible as the designee on that lease and I think if you agree with me, Bob, then you ought to see to it that your wishes are carried out, particularly in view of the fact that you (Council) are putting up 100% of the money to fund this mini-bus; this is not part of the Senior Center budget.

Mr. Parisi replied, what I am saying is, if there are other things that are not being properly done or administered, most definitely they must be followed up, I don't have a problem with that. I agree.

Mr. Lubee asked, can we put it on the agenda.....

Mr. Parisi answered, all I am saying is, I don't know that this is the forum for that to be done in. I think that can be done right down there with Ms. Philips and the Committee on Aging. Am I wrong?

Mayor Dickinson answered, right. And I think that if there are things beyond the fees, if there are items beyond that, if they are brought to the attention of the Committee on Aging staff and they do not want to act on that, certainly those matters can be taken up. Unless they are presented to them for action, that is the appropriate place for them to form a judgment as to whether they feel there are other items in error or not.

Mr. Parisi stated, I think they should have a shot at correcting it. That is all I am saying.

Mr. Lubee asked, do I understand correctly that if the Committee on Aging and the director do not refund the fees collected that that would justify their coming before the Council?

Mr. Parisi asked, what is the ruling.....do they have to refund?

Mayor Dickinson stated, we can form a judgment on that. I thought we were addressing items beyond the fees issue. If there are items beyond the fees issue that have not been brought to the Committee on Aging's attention, they should be brought there.

Mr. Lubee replied, I would expect that any new items would be treated in the same manner as the fee item is being treated; if it applies to one, it applies to the other. If that be the case, using

your line of logic, if they do not refund....since this has been brought to their attention and Bob agrees with me then, is it not proper to come before the Council?

Mayor Dickinson replied, for us to form a judgment here without having benefit of hearing what the Committee on Aging believes or has been told or understands is unfair to them. We need to hear what their position is. It may very well be something that you would agree with. We don't know and for us to say, "well if they don't do something, even though they are not here we are going to take other action" does not seem to be appropriate under the circumstances.

Mr. Lubee replied, I appreciate your line of thinking and I would mention that six weeks ago the Council was of the opinion that we should have this on the agenda and you (Mayor) interjected that you would like to first request an explanation of the rationale from Virginia and, on the basis of that rationale, which you received three weeks ago, we would decide whether or not to put the item on the agenda. Now, you have received it, have had ample time to discuss it with her, why is it not on the agenda? In that response to your request, there were two and one-half typed pages which included only one sentence in one paragraph which was an explanation of the policy on the mandatory membership fee.

Mayor Dickinson replied, I may have misunderstood but I believe the request involved the bus fares.

Mr. Lubee responded, no. I wrote you a letter to make that very clear, Mr. Mayor.

Mayor Dickinson responded, but I understood the focus of the inquiry was regarding bus fares....

Mr. Lubee interjected, regardless of what my letter said to you?

Mayor Dickinson replied, I am saying, I may have misunderstood. I understood the discussion here at the meeting to be revolving around the fares; some towns charge, some towns don't. It was a matter of the fare on the buses and it had gone up. That is what I thought the issue had involved.

Mr. Lubee commented, that was a secondary issue, the primary issue, which I made very clear in my letter, was a mandatory membership fee, has been resolved as far as the policy is concerned and that has now stopped. The next thing that I would hope that the Council would discuss would be the question of, are the fees merited; why are our seniors in Wallingford paying far, far more than the seniors in any of the surrounding towns, being ten in number? I agree with you, that is another problem. What are the Councilor's thoughts on this subject? This is not being addressed at all.

Mr. Parisi answered, if you have more items that you want, they should be brought up down there. If they don't do anything with them then I believe we should call them in here and find out what the problem is. I think they should have the opportunity to resolve the questions first themselves. If they choose not to and we determine that it is something that should, in fact, be resolved.....

Mr. Lubee stated, I will try to have this done before you have your agenda prepared for the next meeting.

On a separate matter, Mr. Lubee stated, two weeks ago you (Chairman) had mentioned that you had forgotten about the sound system. Did you have a chance to check on it?

Mr. Parisi replied, I was going to call today but I got sidetracked so I did not. I thought of it. Kathy, would you please (check on it)?

Mr. Lubee asked the Mayor, through the Chair, how do we stand on the 66 Barnes Road easement?

Mayor Dickinson answered, I am not aware of any new development, nor is Atty. Mantzaris. Janis Small (Town Attorney) has been the one handling it. At this point I don't know of any new developments at the moment.

Jack Agosta, 505 Church Street, Yalesville, stated, no one answered Mr. Melillo about the condition of the Goldfedder Property and what is going on there. I don't know if you read the papers but I spent a couple of hours there on the day they inspected the building and listened carefully to what they said. They started cleaning the building out on September 30th. It is going to take three to four weeks to clean the building out. Then they will power wash the inside of the building. Then they will test the soil and the condition of it and see if there is any more that is going to have to be done. It is not just a simple little thing that we thought about; the town thought about. There is copper, lead and nickel in that building. I have a mess of articles piling up on this subject. In that building, one of the articles in the paper quoted the fire chief as saying, "lead dust.....very small amounts like on countertops or other flat surfaces or floors. They are the things you would expect to find in that industry. This is not something where they rush into it because there is going to be a tragedy." The E.P.A.'s standard for commercial and industrial buildings is 1,000 parts per million (ppm) and in that building there is 6,000 ppm.....six times the standard allowed by the State of Connecticut. Residential is 500 ppm. As far as I am concerned, that is a residential neighborhood and that building was sitting there, no one was concerned about it. That building is going to stay there until someone decides to take it down because of liability. How would you like to live on that street? There is a nice house across the street with a nice family there. They will have to live there the rest of their life now. As long as that building stays up, they will never be able to sell that house. That building and the property is a disgrace. The town has an obligation to take care of that neighborhood. If

they don't take care of that neighborhood, they won't take care of anyone's neighborhood. (applause) On July 20th the Mayor was handed an application form for SCRIPT funds. As of October 7, 1999 the Mayor still had not applied for the funds. The Mayor claims the loan from the State will have to be paid. According to the State, that could be paid back to the Town; they just null it and the Town does not have to re-pay it as long as the property is redeemed to a condition that allows someone to live on it again. You have to think about the people who are living down there and not about that empty lot. There are families down there. I am upset because that could happen anyplace in this town. If the Mayor wants to sit and make all kinds of excuses because of liability, well then he is a liability.

Mr. Parisi closed the public question and answer period at this time.

ITEM #6 Report Out from the Housing Authority on Progress Made to Date with the Department of Economic and Community Development Pertaining to the Housing Authority's Interest in the Former Simpson School Building as Requested by Councilor Geno J. Zandri, Jr.

Mr. Zandri asked if anyone was present to represent the Housing Authority?

Mr. Parisi stated, I think they could not come tonight.

Mayor Dickinson stated, they indicated they could not be here tonight.

Mr. Parisi stated, they wanted to come to the next meeting (October 26th).

Mr. Zandri read correspondence from Executive Director of the Wallingford Housing Authority, Stephen Nere, into the record (Appendix I).

The correspondence states how the WHA has had a long term interest in pursuing funding to renovate and develop the Simpson School site. The Authority's goal would be to provide additional housing for their target population. An initial meeting with a DECD (State Dept. of Economic and Community Development) representative was scheduled for May 13, 1999. The meeting was canceled by DECD due to a reorganization in both program and staff. The meeting was re-scheduled to July 7, 1999. At the July meeting the WHA's proposal was presented to DECD who indicated that it would be an excellent project and would so indicate to their superiors. The first step would be to apply for a planning grant in order to conduct a feasibility study. During the last week of September the Program Planner's Office was contacted by DECD requesting a written proposal prior to inviting the town to apply for the planning grant. The Town will be requesting \$50,000 - \$75,000 to conduct the study. DECD has been unable to provide the Town with a time line on the process, citing personnel and programmatic changes as well as the unique nature of the Town's proposal as the reason.

Considering Mr. Nere's past dealings with DECD, he offered the following "best guess" scenario as a time line:

1. Assuming the Town is invited to apply and the feasibility funds are awarded, they would probably be awarded sometime during the first quarter of 2000.
2. The interviewing and hiring of a consultant by the Town would occur during the second quarter.
3. The study would be conducted over a period of 60-90 days with a final report being issued at its conclusion.

DECD was not clear on what the process would be once the feasibility study was complete. It is expected that another application and review process would occur.

Mr. Zandri stated, it seems to me that this timetable is really a long, drawn out process.

Mr. Parisi replied, it is.

Mr. Zandri went on to say, I don't know if we, as a community, can afford to let that property sit there and deteriorate even further and not think about or look into other alternatives that we may have for that piece of land. My recommendation is, obviously not to stop this process, but I think we should pursue a parallel path and seek a Request for Proposal (RFP) from local contractors to see if there is any interest on their part to develop that site similar to Silver Pond Apartments for seniors, that is another alternative we may want to pursue for that parcel of land. If we do that simultaneously at least we won't wait through a long process which may take almost 1 1/2 - 2 years and there is no telling what the outcome of that process will be. At least if we proceed along this parallel path, we will have two options to look at and we can review them both at the same time. I will entertain discussion on that idea and, if necessary, can make a motion for a formal recommendation if the Council so desires.

Mr. Parisi asked, are you advocating selling the property, is that what you would do?

Mr. Zandri answered, I would like to see if there is any interest on the part of private concerns to see if it can be developed similar to Silver Pond Apartments.

Mr. Parisi asked, then you would sell them the property right?

Mr. Zandri answered, yes.

Mr. Farrell stated, with a lot of these affordable housing, which some of the elderly housing is affordable housing, from what I know of it, there has to be some type of government or non-

Profit entity involved as the developer. In our instance it has been the Housing Authority. I am not sure that a private project would qualify in the same way that the Housing Authority would. I understand what you are saying, in that you want an alternative, but I am not sure that the alternative would come up rating as well because I don't think it is going to be able to take advantage of some of the same grants that might be available out there.

Mr. Zandri stated, I know that there have been federal dollars available through H.U.D. for projects for senior complexes. That is how International Silver Company was converted. It is something that, unless we look into it, we are not going to know. That is my recommendation; let's look into whether or not there is an alternative to this....I am not saying that we should not pursue the present proposal but I hate to go through almost a two year process to find out that it is not going to come to fruition.

Mr. Farrell answered, I think it has changed significantly. I think that project was maybe twenty-five years ago. In most cases they seem to require a non-profit developer to be a part of it and I am not sure that you have that kind of entity other than the housing authority to step forward. We have Habitat for Humanity, we have some of those groups, but I don't know if they are interested in doing such a multi-unit development. It is plausible but I don't think we would get as good a result as we would with the Housing Authority. They are our own entity to begin with.

Mr. Knight asked, if we put out an RFP, are we telling potential private developers that we are interested in selling them the land and having them develop a senior housing complex but if our own housing authority does come up with funding and the mechanism by which they can build housing, the whole deal is off? How many developers are you going to get to come in on a deal when they think they are going to get the rug pulled out from under them if we decide, if our housing authority is successful in attracting the funding for the project?

Mr. Zandri stated, unless you find out, unless you see if it is feasible, maybe no one wants to touch it at all, I don't know but I think you have to pursue it to see if there is an alternative or not.

Mr. Knight asked, would you, as a developer want to pursue something when you knew that the town would better deal you if the town's housing authority can get funding for its own project?

Zandri replied, If I were a developer I would have to see whether it was worth my while to pursue the project. If no one asks me, I wouldn't even think about it.

Mr. Knight stated, from my private sector background, if I even had an inkling that I could have the project taken out from under me after I expended a lot of development money, I would be very....I can't imagine why I would get involved in something like that.

Mr. Zandri replied, that is your opinion.

Mr. Knight answered, yes it is, that's right, it came right from me, Geno.

Motion was made by Mr. Zandri to Recommend to the Mayor that he Pursue Whether or Not a Private Entity is Interested in Developing the Simpson School Site Into Senior Housing Similar to Silver Pond Apartments, seconded by Mr. Zappala.

Mr. Parisi asked, if a private entity develops the property, are the rents subject to control or does it just operate as a free entity? I am thinking about Bella Vista in New Haven. Simpson Apartments were developed by Carabetta and were developed with H.U.D. money. The H.U.D. money is what allows the rents to be controlled, am I correct?

Mayor Dickinson answered, that is correct, it is the federal rules.

Mr. Parisi asked, if a developer used his own money then he is governed by the market place?

Mayor Dickinson answered, that is correct. If a developer purchased the property he would be free to set whatever rents to do so. Either H.U.D. regulations, if federal money were used, or we could impose some kind of standard as to income levels for senior housing, we could impose that but then we would have an ongoing duty to monitor that it was being obeyed. As time goes on there is a necessity to do auditing in order to verify that the terms of the purchase would be complied with.

Mr. Parisi stated, we would have to be careful who develops.....

Mr. Zandri replied, I am not disagreeing. I am just saying that I would like to see us pursue other alternatives, I think they are out there to develop the property for the seniors. Let's look into more than one option especially since the housing authority is going to be a long, drawn out process with no definite conclusions, they don't know whether it will work or not. I hate to see us waste almost two years of time to be right back at square one again. We can take a dual path and investigate both options at the same time.

Mr. Zappala stated, I would like to see something done with Simpson School. Anyone can see the condition the school is in now. It will only get worse two years from now. The Carabetta building which was sold to a private investor, is controlled by the federal government because they were built with federal money. Basically, they are doing the same as the Housing Authority is doing right now; they are rented out to an individual based on what they can afford to pay. Indirectly, we would be achieving the same goal by providing lower rents to seniors. I would like to see something done because I hate to see that building deteriorate to nothing. From what I could see it has not really been checked out or taken care of.

David Gessert, Seiter Hill Road stated, George Cooke will be here later this evening on a separate matter. He is the individual who developed Judd Square and may be able to provide us with some valuable information or insight to this issue. I believe there was some stipulation that a percentage of the units had to be designated for low or moderate income housing. Who

stipulated it and why, I don't know. I know that most of your apartments that Carabetta did were through Section 8 and various type grants and there are subsidies coming back from the federal government and some of these people are paying something like \$250 a month for an apartment. The same apartment anywhere else in Wallingford would cost you \$500, \$600 to \$700 per month. There are subsidies. The property has great potential for senior housing. Mr. Cooke may be able to give you some input from the development he did.

Mr. Rys stated, we purchase open space out on the east side of town a lot. There is not a lot of open space left in town. This is property that we already own. There can be open space still by taking down the building. We don't have to take care of the building anymore. The neighbors in that area objected strongly to any type of industry going in there. If the Housing Authority doesn't have the ability to get the funding or to be able to use the housing in that areas, we should take down the building and create a small central park. I have said that before. I don't see any reason why we can't do it. That is open space also and we own it, we don't have to buy it.

Mr. Zappala stated, my mother lives in Savage Commons. When I signed my mother up to be a resident, the waiting period at that time was one and one half years. For an elderly person who cannot afford housing, the waiting period is two years. We need housing for the elderly who are on fixed incomes. I don't believe that the building should be brought down to nothing. The park is a great idea but it should be used as elderly housing. We should encourage the idea of senior housing being developed there.

Reginald Knight, 21 Audette Drive stated that he was pleased to read the article by Mr. Parisi about putting a little sitting park where Simpson School now stands. He was glad to hear Mr. Rys approve of the same thing. However, on June 23, 1998, I suggested that instead of buying large parcels of land out in the middle of nowhere, that we have small parks dotted around the town where people could sit in a quiet atmosphere, not just the elderly but everyone. I was looked at askance and \$3.8 million went east. I am very sorry to see that this would go on to a point where the building has deteriorated to the degree that it has. I would have liked to see, if nothing else, we could use it for a purpose. There must be people who are homeless, who need help and Heaven forbid that we have disasters...it could be used as a Red Cross station where you could set up cots and things like that. All you would need are bare minimum resources to help people in distress to get them through a short period of time. The building should not be torn down in that respect.

Robert Sheehan, 11 Cooper Avenue stated, it is all well and good that we use it for senior housing but given our record of maintaining empty buildings, a year or year and one half is too long to wait. Private concern, maybe they can do it but we have a private concern somewhat in this town.....we had the Recreation Department in there for years and with how fast the Board of Education is growing, we will have to change the name from Sheehan High School to Board of Education. Being how Simpson School is my alma mater forty-five years ago, and the front part of that building right now is the oldest standing structure of a school building in town, maybe with the exception of Holy Trinity School....it would be a shame to tear it down. You should consider moving the Board of Education offices to that building. They can expand all they want and not take classroom space up.

Jack Agosta, 505 Church Street, Yalesville stated, the small little park idea is great and I agree with that. It is very interesting that we have a little piece of land over on Grove Street that we can turn into open space and no one is concerned about it. But they are concerned about making small parks. We have a building that we can sell and make good money off of it.

Ern Stancuna, 450, 456, 464, & 462 North Colony Road stated, excuse me for jumping out of character at the last meeting. In regards to Simpson School, I did not know it was vacant for one and one-half years, I used to box there with the Police Athletic League about twenty years ago. We should keep the building for emergency purposes. If there is a crises situation somewhere in the world or country, just like the hurricane in Florida.....we should keep it and re-habilitate the building. I don't think the building is worth that much if they knock it down. It is old and dilapidated. I would be worried if, after the town knocked the building down then sold the land on us....something like the Tyler Mill scandal...that was a mess. There is a lot of funny things going on with land in Wallingford. With you and other Council members and Tyler Mill situation, Simpson School....

Andy Kapi, 14 N. Turnpike Road stated, it might be helpful to hear from George Cooke on this matter for if we were to go the route of an RFP, you might find people being able to respond to this that have knowledge already in the area of how to go about achieving funding and you could possibly have an unstructured RFP that was not very spelled out and have them define a plan for us. It would be instructive if people with building knowledge could come in an assess the building and at least make estimates of what the conversion would cost and the feasibility of some sort of rent controlled after for seniors. I support the motion of at least exploring that motion to see what kind of response you get.

Pasquale Melillo, 15 Haller Place, Yalesville asked, why was this building allowed to deteriorate?

Mr. Parisi answered, that building was old several years ago before the recreation center moved out of there. I remember Susan Duryea (former Councilor) very adamantly concerned about the

condition of that building and that who ever is in there should be moved out of there and that was about ten years ago.

Mr. Melillo stated, there are a lot of old buildings. Most old buildings are not neglected allowed to deteriorate.

Mr. Parisi replied, I don't think it was neglected as much as it got to a point where it was beyond repair at least. If I recall there was an assessment done of the building and it was just in terrible shape.

Mr. Melillo stated, yes but that relates to the lack of proper care.

Mr. Parisi stated, it was not so much a question of care as just old age catching up with it, and

Mr. Melillo replied, there are a lot of older buildings that have not deteriorated to the degree and impact that this former Simpson School has. Why isn't anyone from the Housing Authority present tonight? I am sure that Mr. Zandri gave the proper individuals notice and plenty of time to reciprocate and show up at the meeting tonight. Why is it that there is no one from the Housing Authority at this meeting tonight?

Mr. Parisi replied, they said that they could not make this meeting, they would make the next meeting, October 26th. Maybe they had something else scheduled to do.

Mr. Melillo asked, how many members are there on the Housing Authority?

Mayor Dickinson replied, the Commission is made up of five and there is one director who is the full time staff person. I think you need the full time staff person for discussion on any of the details.

Mr. Melillo asked, is it possible that politics has been played here one way or the other? I wonder about that. I don't think it should be turned into a park but should be fixed up. It can be rehabilitated into housing for seniors who cannot afford a normal rent.

Mr. Parisi stated that the discussion has gone far enough on this item and ended discussion at this time.

Mr. Parisi asked that the motion be read back to the Council at this time.

VOTE: Papale was absent; Zandri and Zappala, aye; all others, no. Motion failed.

ITEM #7 Consider and Approve a Transfer of Funds in the Amount of \$4,300 from Contingency General Purpose Acct. #8050-800-3190 to Copier & Accessories Acct. #8060-999-9906 – Probate Court

Probate Court Judge Philip Wright, Jr. stated, the copier that the department has had for about five years stopped working in May and the staff has been using a loaner from the vendor who provided his office with a service contract. The copier was a hand-me-down and there is no realistic way of keeping it going at this time.

Mr. Farrell asked, when I visit the Probate Court, the cheapest copy that I can get is in the range of \$5.00. With the town subsidizing the copier, will the fees be any less?

Atty. Wright answered, I wish. What ever our statutory fees are go into the Probate Court earnings and the greatest majority of those funds are taken back by probate administration. The copy fees are set by State Statute. There is no way I could give a break on that.

Mr. Zandri asked, do you have a service contract on the existing machine?

Atty. Wright replied, we did which expired in July.

Mr. Zandri asked, these repairs are not under that contract?

Atty. Wright answered, back in May when the machine broke down I asked the provider of the service contract to cover the repairs. They informed us that they could not get the parts any longer that were needed to make the repair. Rather than repairing it they gave us a small copier we could use temporarily and that is what is still in there. It was technically under the service contract at the time of the break down but it no longer is under a service contract. We have been told by an independent repairman that the parts are available out of state and quite expensive; probably double what you would normally expect to pay for those parts. Even if the repair is done, the likelihood of other fairly major repair work needing to be done between now and the end of this fiscal year is pretty great. Without a great deal of difficulty, those parts are not available.

Mr. Zandri asked, are parts including in the service contract or just the labor?

Atty. Wright answered, I am not really sure.

Mr. Zandri stated, if parts and labor are covered and if we obtained the parts then I would think we would want to get it fixed. The next time it goes, then you would be in a situation to spend the money to get a new one. If under our existing service contract parts and labor are included and it would not cost the town any dollars to get it fixed so it is operational, then we would go that route until the next time it went down. At that time we can get a new one.

Atty. Wright replied, we no longer have a service contract on the machine, it expired in July.

Mr. Zandri reminded Atty. Wright that the break down of equipment occurred while still under the service contract period.

Atty. Wright agreed.

Mr. Zandri asked once again, did the service contract cover parts and labor?

Lucy Brann, Probate Court Clerk explained, there are certain parts of the copier that are covered and certain parts that are not. The one that failed is covered by the service contract. We waited a long; we called the vendor several times to find out when and if, and are you, and we were told definitely that the part was not available and they would not be fixing the machine. They let us use the little desktop copier to fill in for the part that they could not fulfill the service contract but it is woefully inadequate. It takes us forever to make copies, it has not automatic document feed so everything has to be done manually and we don't know how long they are going to let us have it because they could come tomorrow and say they are taking it back. We need a copier.

Mr. Zandri did not disagree. He asked, what you are telling me is the part that you need to fix this is not available, therefore it cannot be fixed?

Atty. Wright and Ms. Brann replied, that is right.

Mr. Zandri asked, if we are under contract for the parts and they cannot deliver, I wonder if we would have any recourse and whether it would be worth pursuing a rebate of our service contract fee if they are unable to comply with the contract?

Atty. Wright replied, I was very upset about the fact that they weren't fixing it because it did break down under their service contract. When they told us it was impractical to be able to fix it they did provide us with the little copier since May. We have been using it since that time and our service contract expired the first week of July.

Mr. Parisi asked, how old is the machine?

Atty. Wright replied, we bought it used five years ago. We got a lot out of it.

Mr. Zandri stated, if you can't get the parts, there is nothing you can do about it.

Atty. Wright stated, the fact that they have allowed us to use this other machine for five months is a wash.

Mr. Centner asked, what account did you use in the budget process to obtain the machine?

Atty. Wright replied, I would have no idea; five years ago...it must have been a capital account. We did not have a copier at the time; this was the first one in the court.

Mr. Centner stated, I don't recall much activity (purchasing) in your office there and I was wondering if you had any other accounts from which to draw off for the funds to purchase your own copier. This transfer is coming from the Contingency account and it is a large item, \$4,300. This should have been handled at budget time and I thought there may have been other accounts in your office that could have accommodated the transfer.

Atty. Wright answered, our total budget is approximately \$11,000 to \$12,000. We don't have anywhere from which to take the money. It collates and sorts; the necessities that allow us to work efficiently, without all the bells and whistles.

Mr. Centner asked, does the one you have still work?

Atty. Wright answered, yes, but we don't know when they are going to show up and take it.

Mr. Zappala asked, are you buying the new copier from the same company?

Atty. Wright answered, no.

Mr. Zappala asked, you will not be getting a service contract from the same people will you?

Atty. Wright answered, I will do my best.....it is not the same company.

Mr. Zandri asked, are you under a time restraint for this purchase?

Atty. Wright answered, yes.

Zandri asked, are you going out to bid?

Atty. Wright answered, as it was explained to me, this is a copier that is under the Town contract and we can utilize that without going out to bid, is that correct?

Mayor Dickinson answered, the question is whether we have a bid out there for copiers. We would not know off hand. If the Purchasing Department is telling you that there is an existing

Public bid that has resulted in a price on this type of copier, you probably would not have to go out to bid.

Pasquale Melillo, 15 Haller Place, Yalesville stated that the item should be approved.

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

ITEM #8 Consider and Approve a Transfer of Funds in the Amount of \$2,500 from Misc. General Expense Acct. #930-000 and \$2,000 from Supplies, Communication & General Expenses Acct. #921-000 for a Total of \$4,500 to Unemployment Compensation Acct. #926-001 –Water Division

Motion was made by Mr. Rys, seconded by Mr. Farrell.

Correspondence from Roger Dann, General Manager of the Water & Sewer Divisions states that the divisions were unaware of the liability for unemployment compensation payments at the time of budget preparation, hence the need for the transfer.

Centner asked if this situation was the same one discussed at a recent meeting?

Mr. Dann answered, no.

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

ITEM #9 Consider and Approve a Transfer of Funds from Various Accounts Within the Sewer Division Budget Totaling \$4,500 to Unemployment Compensation Acct. #926-001 – Sewer Division

Motion was made by Mr. Rys, seconded by Mr. Knight.

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

ITEM #10 Consider and Approve a Budget Amendment in the Amount of \$30,000 Increasing the Maintenance of Transmission and Collection Lines Acct. #673-000 and the Source of Funds Section Appropriation from Emergency Maintenance Reserves Acct. #301-010 – Sewer Division

Motion was made by Mr. Rys, seconded by Mr. Centner.

Correspondence from Roger Dann, General Manager of the Water and Sewer Division states, during recent storm events the Sewer Division experienced a backup in a section of pipe serving Jodi Drive and Ridgeland Road areas. Upon investigation the division found that the backup

had been caused by significant root intrusions at numerous joints in a run of pipe. These same sections of pipe had previously experienced a backup due to root intrusion approximately eighteen months ago. The most appropriate remedy for this problem is the installation of a liner within the affected pipe sections. This will prevent continuing problems with root intrusions and provide some beneficial increase in capacity.

Mr. Knight asked, is this a very common problem; do you encounter this a lot?

Mr. Dann replied, this one is unusual in the amount of root growth and the number of joints that were impacted by it. Perhaps it is a consequence of a very dry summer and the roots preferentially grew towards the moisture that was available in the sanitary. To my knowledge this was extremely rapid and significant growth.

Mr. Knight asked, is this something that we should be thinking about more often even though there is an expense involved?

Mr. Dann answered, I don't recollect, since I have been here, that we have had the same sort of root regrowth take place. I don't know what the norm would be in terms of an expectation. It probably varies somewhat from case to case. I, personally, looked at the videotapes on this one and it was quite significant and unexpected given that I had looked at the videotapes after we cleaned it eighteen months earlier.

David Gessert, Chairman of the Public Utilities Commission explained, a lining is placed inside the entire length of the concrete pipe. It measures approximately 1/4" in thickness and is seamless.

Mr. Centner asked if any of the pipes were leaking due to the root intrusion?

Mr. Dann answered, I don't believe so. The intrusion typically is going to occur in the upper portion or "crown" of the pipe and from that point continues down in. If an opening exists, it is above the normal flow line in the pipe and not subject to leakage.

Mr. Centner asked, do you expect to lose any trees with this? Do we have to remove any or will any be damaged by the way you have to clear pipes?

Mr. Dann answered, I don't expect so. I have not driven up the easement itself to see if any of the trees in the easement have to be removed for access. The means by which the liner is placed is essentially from manhole section to manhole section. There is no excavation work involved. That is one of the real advantages of this type of repair. You can get in, make the repair and get back out.

Mr. Centner asked, does that type of liner need a curing time?

Mr. Dann answered, yes, there is a minimum period. You have to unroll the uncured resin liner into the pipe. Once it is in place you then heat it, bringing it up to temperature for a four hour duration and then go into a cool down process at the end of that to have a cured, hard liner. The final step is, if there are any lateral connections in that run of pipe you have to go back in and cut those back open. It is a structural liner that has structural integrity. The thicknesses vary depending on the diameter of the pipe. For a twelve inch pipe, you are probably going to have a cross-section of about ¼" thickness of hard, cured, fiberglass resin so the roots don't come back through them.

Mr. Rys stated, a lot of development has taken place uphill in that area and it appears that the capacity may be coming to an end. In other words, some of them feel that at some time in the near future we may have to go ahead and put in larger pipes. What is your feeling on that?

Mr. Dann answered, in reviewing this we have done the hydraulic calculations of the pipe capacity on both with and without the liner. One of the benefits of this type of liner is, although it reduces the diameter of the pipe, it is a slippery material, more slippery than the clay pipe so you actually pick up a slight bit of capacity. We have looked at that capacity both to serve the existing connections as well as existing peak flows that we might experience after storm events. We have had flow monitor equipment in this area for a lengthy period of time so we have picked up some high rainfall events. With this liner installed, we feel we have adequate capacity there for any of the existing conditions. Absent some major hurricane, 15-20" type rain event that wouldn't be the norm. In the future there is a possibility that when the full drainage area builds out that the size of this line will have to be upgraded. The remaining areas to develop are basically Hall, a parcel owned by one property owner on Gaylord Farms Road. It has been our discussion with them in the past as well as anyone who has come in looking to develop those properties that, in fact, should they be looking to develop them, they may be subject to some downstream improvements because of this very capacity issue. Should those properties develop and place capacity at risk, we would then be looking to those entities to provide the necessary upgrades or to seek some alternate route to bring their flow out that did not pass through this particular pipe.

Mr. Rys asked, if this doesn't work, would you be looking at putting in larger lines?

Mr. Dann answered, if we were to find in the future that, in spite of our calculations and our flow monitoring we still had a capacity issue, we would have to go back to revisit that and see whether or not a second pipe or larger pipe was necessary, yes.

Mr. Gessert stated, there is water coming into the system from other places and I know that a lot of work has been done over the years to look at manholes that may be leaking or taking in additional water but as I look at this problem, there is still some up there that is getting in and I think we are going to have to go back and look at some of those areas and see if we can keep

some of that surface water out of the system. It is not just normal sewer flow, it is coming in from the outside, which is what will happen when we get 6" of rain. There are a number of techniques we can use to try and find where leaks are.

Mr. Zappala asked, if a problem with root intrusion occurred eighteen months ago, how do you explain that you did not use the plastic liner to correct the problem then?

Mr. Dann answered, what we saw eighteen months ago was a much more limited root intrusion. There was only to my recollection one or two joints that were affected at that point in time. After the pipe had been cleaned and re-televised, it looked to be in generally good condition. We did not anticipate the roots growing back as significantly as they did nor as quickly as they did. We did not envision the magnitude of the problem that developed.

Mr. Zappala asked, when you find a problem and have a solution to it, why wait? Why can't you take care of it (permanently) when it happens?

Mr. Gessert explained how Mr. Dann took the most cost-effective, logical solution to deal with the problem, based on past history. To everyone's surprise the method did not last, maybe because of the unusually dry weather. If Mr. Dann had come before the Council with a \$30,000 proposal to line the pipes, he would most like have been asked why he wasn't taking the conservative method of cutting out the roots first. Hindsight is 20-20.

Pasquale Melillo, 15 Haller Place, Yalesville asked if the developers are being educated at all on the types of trees they should be planting so as to avoid this problem in the future?

Mr. Rys explained, a lot of these trees are on open space property. The trees have migrated into our sewer system just by being open space.

Mr. Gessert stated, the Town could hand out a one page flyer when someone takes out a building permit saying "know where your sewer line is through your property or adjacent to it" so as to keep from planting something like weeping willows or some other tree near it. It could suggest the planting of small shrubs that have roots that will not go that deep.

Mr. Rys stated, this is not a problem unique to the Town's sewer lines; I have seen it happen more than once on private property as well.

Mr. Zandri stated, we have to be concerned with the issue of contamination. We have had wells in this community that have developed problems over the past couple of years and whether it is coming from the sewer lines or not, we always are accused of it. Maybe when we notice roots intruding into the system, we might want to discuss whether or not the best thing to do would be to implement what we are doing here, right up front. It is something that we should kick around

a little bit more right from the beginning knowing the potential problems you might have, especially when we are being accused of the sewers causing the problems.

Mr. Gessert agreed to take a stronger look at it.

Mr. Dann commented, when we did get done with this and we did go back and televise the lines after cleaning, we were looking to see whether or not the general condition of the pipe warranted further action as well. If we had found that the pipe had numerous cracks and was deteriorating significantly than eighteen months ago, we probably would have proceeded to line it. That was not the case. It was limited strictly to a couple of spots where root intrusions had been observed and removed and it did not seem to warrant the additional work. Even now the pipe is generally in sound condition. If it weren't for the significant root intrusions, we probably would not even be looking to line it now. But now we have a little more evidence that we are not going to keep the roots from coming back again, we don't want the problem to re-occur and so now it is really warranted to look at that additional expenditure. This entire project is going to cost \$50,000. That is a significant expenditure and not one that you would necessarily do as a first step. We are competing for the dollars to put them where we think at any given time we think they are best utilized. Ideally, we would have a lot more dollars to put towards the lining program and we may look at that in the future to see if we can step up the footage of pipe that we can re-line in a given year to try and get a little more ahead of it.

Mr. Zandri stated, I don't disagree. Again, maybe the other consideration would be is if in the neighborhood there were wells. That may cause us to take a real close look at it, even if you feel it is o.k., we are always going to have a person out there who is going to believe that that is where the problem is coming from. It is just a heads up so-to-speak when you notice future root problems, you may want to take a look at it the first time around.

VOTE: Papale and Parisi were absent; all others, aye; motion duly carried.

ITEM #11 Discussion and Possible Action Regarding the Release of an Easement Across Land Owned by John and Ann Kranyak and the Building of a Driveway by the Kranyaks on Town Property Contingent Upon Approval for All Town Agencies Including Utilities, Planning & Zoning and Inland Wetlands – Mayor

Motion was made by Mr. Knight, seconded by Mr. Centner.

Correspondence from George Cooke states, "The Water Department is requesting that the Town Council allow the building of a 12' wide driveway on the Town's property that goes from Cooke Road along a 50' Town property that runs along the water department pipeline from Pistapaug Pond to the town. The reason for this is the present easement given by John and Ann Kranyak to be released to the three new property owners who purchased lots from the Kranyaks and will not have to have a Water Department easement through these properties. The

Kranyaks will pay for the building of this driveway at no cost to the Town. This was discussed between Roger Dann and the Mayor. The Mayor stated that the Town Council is in charge of Town property. Allowing this to be done will allow it to be a walking trail to the woodland that the town has purchased in 1999 for the public. This road will be built to the same specifications as the one built for the Kranyaks on their property about four months ago. Inland Wetlands will have to review this also and provide us with the necessary instructions for drainage.”

Mayor Dickinson stated, you should have a letter that John Thompson, Town Engineer prepared with some estimates. It may have come in after the agenda packet was sent out.

Mr. Rys stated, I don't have that.

Mayor Dickinson stated, they were estimates on the cost of the road. It varies from a gravel unpaved surface; it is approximately 650' long for a total of \$50,570. which equates to \$77.80 a linear foot. A paved surface would be \$67,070. at a \$103.20 a linear foot. The utilities have said that they are neutral on it so long as their access remains constant. There would have to be Planning & Zoning and Inland Wetland approval and what ever other agency might be involved in the process. That is the situation.

Mr. Centner asked, if we are going to cross wetlands then the type of the road that was specified to us.....would we specify it be better than the specified porous-like crushed stone kind of road to minimize the impact on wetlands?

Mayor Dickinson answered, the Wetlands Commission will have something to say about what they expect if they were to grant it. We would not take an application there unless there was agreement that there is interest on the part of the Council on seeing this happen. We could specify anything and ultimately Inland Wetlands would probably have to rule on the nature of the road that they would like to see assuming there is substantive impact on the wetland.

Mr. Centner stated, it is hard for me to pick out of this letter that they are looking for an asphalt driveway or something of this sort; it is not really clear.

Mayor Dickinson answered, the letter makes reference to a driveway similar to what they have now which is a gravel...it is not paved, it is nothing very formal, I don't believe. What is the nature of the right-of-way that you have now?

Mr. Dann answered, it is a gravel stone based road. The farmer used it to access his fields and we also utilized it to access our easement.

Mr. Centner asked, are you then responsible for maintaining the road in terms of keeping the gravel at grade and all of that?

Mr. Dann answered, it is a shared responsibility. Typically our easements require us to maintain these rights-of-way or easements to the condition that they existed in. If we do damage to it during the use of it, we would be obligated to go back in and make a repair.

Mr. Centner asked, is your preference for asphalt because they are going to handle heavier vehicles in wet weather? What is your preference?

Mr. Dann answered, I am not sure there really is a necessity for an asphalt driveway. That determination might be predicated more on what other utilization the town expects that road to be put to. It is not something that we go over on a real frequent basis but we need to get heavy equipment back there, if necessary to do maintenance in the easements. We will be looking at it in terms of its structural capability to make sure that it is wide enough for all of our vehicles to utilize.

Mr. Farrell stated that he has to abstain on the matter because one of the clients of his law office is buying lot #2 and the release of the easement would be a benefit to him.

Mr. Zandri asked, they are asking us to release the existing easement and by doing that we are going to be constructing an access road on existing Town-owned property?

Mr. Dann replied, their request to us was to release the right-of-way and our response to that was that we would be willing to consider that provided that we were given equal access to our easement through some other route. Initially there was some discussion about going through one of the driveways to be created as part of that subdivision and then on to the existing road. More recently and perhaps because the Town has purchased that parcel and has some future utilization in mind, the proposal is now, why not put it on that 50' strip the Town owns thereby accomplishing a couple of things; it gives the Water Division an equal or perhaps better access than they had and provides for some access from Cooke Road back into the rear of what is now Town-owned property.

Mr. Zandri wanted to make sure he clearly understood the situation; there is an existing road that is on private property that we have an easement on and what we are going to do is give that easement up and because of that they are going to construct an access road for the Town on Town-owned property.

Mr. Dann answered, that is correct. We have both an easement and a right-of-way on the property. The easement needs to remain; that is where our pipes are located and hits the right-of-way which would specifically be released.

Mr. Zandri asked, there is existing piping in there which will remain there?

Mr. Dann answered, yes. That is our main transmission lines coming from Pistapaug Pond Treatment Plant down to the system.

Mr. Zandri asked, it is just to be able to go over it so that is where the road construction comes in on Town-owned property?

Mr. Dann answered, yes.

Mayor Dickinson stated, so that there is not confusion; the easement where the pipes is not in the right-of-way that you would be releasing. I want to make clear to anyone listening. The pipes are in a separate easement, not in either roadway that we are talking about.

Mr. Zappala asked, is the land you are talking about the same that we just recently purchased from George Cooke? The land that we probably, should it ever happen, would put a golf course on?

Mayor Dickinson answered, it is currently the site of discussion, that is correct.

Mr. Zappala asked, you would be doing work on the land? You would be putting a road in there that I don't think will fit if we propose to do anything with that land?

Mayor Dickinson replied, the road/driveway would run along a 50' right-of-way strip of land that we own that connects the rear portion of the Cooke Property with Cooke Road. There is two ways of accessing Cooke Property, one is off of Northford/Cooke Road intersection; the other way is along this 50' strip of land that takes you to the rear portion of the same piece.

Mr. Zappala asked, wouldn't that interfere with the aesthetics of the land itself? Won't that change? Are you going to be cutting down trees or whatever?

Mayor Dickinson answered, there may be some clearing in order to have this right-of-way useable. The strip was meant for access; the 50' was meant to connect this rear portion with the property.

Mr. Zappala stated, I don't think a gravel road will be adaptable to the land if you are going to do anything at all with it. I don't think it is to our best interest to allow a gravel road in an area which may be developed for golf or any other recreational activity. It is not to our advantage to have a gravel driveway, for aesthetic reasons alone.

Mayor Dickinson answered, it is not a gravel road now. It will be if we authorize the Kranyaks to put in the road. At some point, most probably if the property is useable at all, the town would be putting in some sort of access road there. This is an opportunity to have someone else pay

for it. This assumes that Inland Wetlands will approve it because it still has to go to Inland Wetlands and has to cross wetlands according to the map. There is a big question there as far as the necessary approval. My guess is, unless there is an objection from Inland Wetlands and unless we never do anything with that property, which I doubt that will be the case, at some point we, the Town of Wallingford, will want to have access along that 50' right-of-way. Whether it is gravel or it can be paved.....a lot of those questions are Inland Wetlands decisions. At some point we are going to want to have an access along that strip of land.

Mr. Zappala stated, we already have that possibility through the easement on their property.

Mayor Dickinson answered, we could not use that, it would only be the Water Division for their easement that could use that easement coming off from the side. I believe the easement is limited to the utilities.

Mr. Dann answered, I would have to have a chance to read through the right-of-way a little bit more. I don't know that it is limited to that however, as a practical matter, you are talking about front yard of two homes. I would think that there could be some real concern on the part of the property owners if that utilization went from once or twice in a six month period to fifty vehicles a day type of utilization.

Mr. Zappala stated, I don't want to see the land scarred and left with a gravel driveway in the event that we are going to develop it into a recreational area. I don't think it is pretty or that it will be maintained clean...it will be an expense to the Town to keep it clean.

Mr. Zandri asked, are the owners willing to go as far as asphaltting this to get the approval?

Mayor Dickinson answered, I have not had contact with the Kranyaks. The letter was sent to the Council Chairman by George Cooke. I spoke with him (Mr. Cooke). I think their (Kranyak's) view....my guess is to create a similar right-of-way to the one that exists now, which is gravel. It really is a decision that is to be made by the Council under what conditions we would release the other easement. It is well within the province of Inland Wetlands to decide what type of surface, if any, should be placed in that right-of-way and that becomes a question of impact on the wetland. It is here for discussion and action and if people feel strongly that it should be one surface versus another, that would be a decision made.

Mr. Zandri asked, the parcel across the street is also Town-owned property as well?

Mayor Dickinson answered, that is correct. At some point along there, I am not sure where, we own another sixty or seventy acres.

Mr. Zandri stated, as I recall, when I took the tour out there, if it was going to be developed for a golf course, this was going to be the right-of-way that was going to be used to get to one side of the course to the other.

Mayor Dickinson answered, that is correct.

Mr. Zandri continued, it will probably ultimately be a paved path, if you will, at that point in time.

Mayor Dickinson answered, that is certainly very possible.

Mr. Zandri stated, what I would like to see done here if we can is, we could propose that at this time we could potentially leave it as gravel but if we develop that site to a golf course see, if at that point in time, the Kranyaks would pick up the cost for the paving of that stretch of land as part of this deal now.

Mayor Dickinson answered, we can propose that. The width is 12' so it is meant as a driveway. Whether something would have to be wider at some future point in time is an open question.

Mr. Zandri replied, even if it was 12', if it is going to accommodate a vehicle for the Water Division's use, it will also accommodate what ever vehicles you might need on a proposed golf course. The only thing I am trying to do is save the Town some dollars. If we can incorporate it as part of the arrangement today.....we would be able to accomplish both things (gravel and subsequent paving) with the Kranyaks picking up the cost at a later date.

Mayor Dickinson responded, given the uncertainties of the time, there would be...circumstances change for all parties, the Town as well as private parties involved. I don't know that we could....it would be difficult to leave it open-ended like that. If we want a given surface, we should request it now. Who knows, it may be a condition that is financially impossible for the parties at some point in the future. To think we had a right that we could never enforce would be questionable.

Mr. Zandri stated, if that is the better way to go, resolve it today, then my recommendation would be to try to get it improved to the point where we feel that if it is going to be developed for a golf course, we could get those costs picked up by a private party at this time.

Mr. Parisi asked, do you have a rough idea as to what the cost for the blacktop would be?

Mr. Dann stated, the Town Engineer developed an estimate predicated on very little available field. The final determination of road width will be somewhat dependent upon how much we have to build up that section to get it above the wetlands area. He did provide an estimate based on a 12' wide surface.

Mayor Dickinson stated, gravel would cost \$50,575.00 and pavement would cost \$67,070.00. If it is paved then it becomes a question of people driving back there, it looks too inviting. I suppose we could block it off with something or put a time frame on it; if we don't tell them within "X" amount of time then they would not have to pave it. We could put a time frame on it that way. I hate to have a nice roadway without having some way of prohibiting traffic on it. I am afraid we will be welcoming all kinds of questionable behavior.

Mr. Parisi stated, the intent is obvious at this point, what we would like to see done.

Mayor Dickinson stated, if you can make a motion as to what you would like to see and if that is passed, then we can have further discussions with them and if things look O.K., then we would go to Inland Wetlands and Planning & Zoning and see what happens. If you feel comfortable enough with it tonight, make a motion, otherwise if you need more information we can try to develop it.

Mr. Zappala stated, I think to leave the roadway as gravel is not in the best interest of the Town. If we do anything, it should be paved and the expense should be paid by the Kranyaks.

Mr. Parisi pointed out that the correspondence states that the road will be built to the same specifications as the road that was built for them a few months ago. He stated, that is pretty specific. If they are willing to pave it, it will be to our advantage, no question.

Mayor Dickinson stated, what ever is decided here, obviously we will go back. If further discussion is needed, we may go back. I expected George Cooke to be here, he is not, so it is hard for me to project what they are going to do.

Mr. Parisi stated, I think we are going to have a tabling motion to allow Mr. Cooke to get to the meeting.

Mr. Zandri asked, is there a time problem?

Mayor Dickinson answered, everything has a time problem but I cannot sit here and say that it is an emergency.

Mr. Centner moved the motion to Table the Item, seconded by Mr. Renda.

VOTE TO TABLE: Papale was absent; Farrell abstained; all others, aye; motion duly carried.

ITEM #12 Discussion and Possible Action Regarding the Acquisition of Real Estate by Strict Foreclosure – Town Attorney

Correspondence from Corporation Counselor Adam Mantzaris explains how his office will move the Court to modify the judgment from a foreclosure by sale to a judgment of strict foreclosure under which the Town would acquire title if the defendants do not redeem by paying the judgment amount.

The first sale was rescheduled on motion of the defendants upon their claim that a refinancing arrangement was under contract and needed more time. That arrangement fell through and the rescheduled sale, which took place on August 21, 1999, produced by one bid of \$500.00 on premises which were appraised at a market value of \$60,000.00 on November 19, 1998. The Law Office objected to confirmation of the sale and on September 20, 1999, the Court sustained the Town's objection and set a new sale for December 10, 1999.

The tax and water-sewer use indebtedness, including the fee and expenses of the Court-appointed Committee for Sale, presently exceeds \$75,000. Atty. Mantzaris has no doubt that the Court will confirm the sale which results from the December 10, 1999 auction no matter what the price. The plan is for Public Works to cause the premises to be tested and, if clean of contamination, for the Town to take title by way of strict foreclosure. With a little cleaning up our own personnel, we should be able to sell the premises for its real value and thereby recoup most, if not all, of our claims.

Atty. Mantzaris explained, this is an irregular piece of property that the Town owns which juts into the frontage of that property which leaves them only a 43' frontage. We can give that up, I don't think we need to keep that. Public Works indicated that it might cost about \$500 to do some testing on the land to determine if it is contaminated. They will take away the broken down building and the other junk on the property and make it a nice presentable piece of property and come close to, if not exceeding, the value and get our money out of it. It is a tremendous loser if we leave it as a foreclosure by sale. I plan to move the Court to make it a strict foreclosure. I doubt anyone will redeem it and we will own the property within several months. We can go about making it presentable and sell it to get our money back. It is not going to happen otherwise. The property is across from the car wash on South Turnpike Road. It was previously a deli and a package store.

Mr. Zandri stated, that piece is on a blind curve and if the Town can take it over and knock that building down, we would probably be better off leaving it as it is. It is a dangerous area as far as exiting the property out onto S. Turnpike. For the amount of dollars that we get, it may not us to sell that thing and have somebody put something there on that blind curb; you might want to leave it as open space.

Atty. Mantzaris stated, what ever happens, we are not going to get much for it in a foreclosure by sale; I have no doubt about it. Even if we leave it alone, it is better if we take it by strict foreclosure than to let someone buy it for \$2,000 or \$3,000.

Mayor Dickinson asked, is there interest in Public Works getting involved in the property? We would either be in a position if the property is clean to be re-selling it, we are then faced with demolition or other repair issues regarding the existing buildings. I would rather not get us into that without knowing where we are headed.

Mr. Parisi asked, we would have to check the land though, wouldn't we?

Mayor Dickinson asked, is your proposal (Atty. Mantzaris) that we test the property and we would not take by strict foreclosure unless it were clean?

Atty. Mantzaris replied, right, Henry McCully stated that he could check the property (for contamination) right away for an expense of about \$500.

Mr. Parisi asked, don't we have to do that?

Mayor Dickinson answered, we wouldn't necessarily have to, we could take the property anyway but rather than end up with further problems, we can test it but at that point we will have a piece of property potentially with buildings on it and if there is an interest in selling it, I would like to know that now. I think we should look to sell the property. Otherwise, we are going to be dealing with demolition and cleaning up what ever is there. We will own buildings that will once again become a question of how you board them up...

Mr. Parisi stated, we can get it clean and then re-visit it.

Mayor Dickinson reiterated, we ought to know now. If we are looking to take title, are we interested in dealing with the sale of it or demolition? It is going to cost us some money if we are going to fix it all up if we are going to hold onto it.

Mr. Zappala stated, the owner has been trying to sell the property for a long, long time.

Atty. Mantzaris stated, the piece of property that the Town owns juts into it and we don't need it. If we abandon it, take down the junk on the property, it (the property) will sell for more than we have into it. Right now there is only 43' of frontage and it is not going to sell under any conditions. It is hilly on one end and the southerly portion is kind of flat.

Mayor Dickinson added, a critical element is as Atty. Mantzaris stated, we would abandon a portion of right-of-way on highway that we don't need. Have you confirmed that with Engineering and Public Works?

Atty. Mantzaris answered, I did not confirm it with those departments. It will be more attractive if it is abandoned; it is an irregular piece of property, the Town owns.

Mr. Knight stated, from what you are telling us it is a "no-brainer" to protect our interest.

Atty. Mantzaris answered, absolutely.

Mr. Knight answered, that is as much as we would have to decide this evening. We don't need to decide the eventual disposition of the property at this point, regardless of what circumstances arose, we would want to go through the strict foreclosure?

Atty. Mantzaris answered, normally all of our foreclosures are for sale because we don't wish to own the property as a town because of problems with landlord and ownership. This comes up now because of an extremely low price that was bid the last time around. By doing some improvements at little or no cost to the Town, except for a small inspection fee, we could sell the property and get our money out of it that we are owed by the taxpayer.

Mr. Parisi asked, can we check with the traffic department and see how many actual accidents were in this area. There is a sight line problem and I am just wondering if, in fact, it is a problem. I would feel better if I knew, in fact.....Geno raised a point about safety. I have had that concern for years but it would be nice to know if there is a safety problem.

Mayor Dickinson asked, what is the time frame on this?

Atty. Mantzaris stated, we have a couple of meetings to go before we are back in on this.

Mayor Dickinson asked Atty. Mantzaris to check with Engineering, Public Works and on sight lines.

Motion was made by Mr. Farrell to Table the Issue, seconded by Mr. Centner.

VOTE TO TABLE: Papale was absent; all others, aye; motion duly carried.

ITEM #13 Executive Session Pursuant to Section 1-200(6)(B) of the CT. General Statutes with Regards to Pending Litigation in the Matters of Thomas Stash v. Town of Wallingford and Ronald Rossi v. Town of Wallingford – Town Attorney

Motion was made by Mr. Rys to Enter Into Executive Session, seconded by Mr. Farrell.

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

The Council entered executive session at 8:55 P.M.

Present in Executive Session were all Councilors (with the exception of Papale), Mayor Dickinson, Atty. Mantzaris and Risk Manager Mark Wilson.

Motion was made by Mr. Rys to Exit Executive Session, seconded by Mr. Farrell.

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

The Council exited Executive Session at 9:12 P.M.

ITEM #14 Consider and Approve Settlements in Workers Compensation Matters as Discussed in Executive Session – Town Attorney

Motion was made by Mr. Rys to Approve Settlements Pertaining to the Workers Compensation Matters of Stash and Rossi as Discussed in Executive Session, seconded by Mr. Knight.

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

ITEM #15 SET A PUBLIC HEARING on an Ordinance Repealing Ordinance No. 157, “An Ordinance Establishing Fees and Penalties Pursuant to the State Building Code” and Ordinance . 439, “An Ordinance Amending Ordinance No. 383 Establishing Fees and Penalties Pursuant to the Authority of the State Building Code” entitled, “Building Department Fees” – 7:45 P.M.

Motion was made by Mr. Rys, seconded by Mr. Farrell.

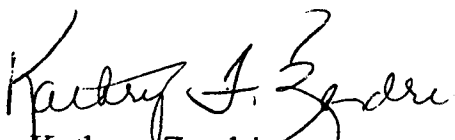
VOTE: Papale was absent; all others, aye; motion duly carried.

Motion was made by Mr. Rys to Adjourn the Meeting, seconded by Mr. Farrell.

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

There being no further business the meeting adjourned at 9:13 P.M.

Meeting recorded and transcribed by:


Kathryn Zandri
Town Council Secretary

Approved: Robert F. Parisi by ee
Robert F. Parisi, Chairman

11 - 17 - 99
Date

Rosemary A. Rascati
Rosemary A. Rascati, Town Clerk

11 - 17 - 99
Date

Wallingford Housing Authority

P.O. BOX 415, 45 TREMPER DRIVE, WALLINGFORD, CONNECTICUT 06492
269-5173

FAX: 269-5150

ROBERT PRENTICE
Chairman

FREDERICK MONAHAN
Vice-Chairman

JOHN SAVAGE
Treasurer

WILLIAM ULBRICH
Assistant Treasurer

CHESTER WOJCIK
Tenant Commissioner

STEPHEN P. NERE
Executive Director

October 8, 1999

Councilman Geno Zandri
C/O Town Council Office
Town of Wallingford
45 South Main Street
Wallingford, Connecticut 06492

RE: Simpson School

Dear Councilman Zandri:

The Wallingford Housing Authority has had a long term interest in pursuing funding to renovate and develop the Simpson School Site. Our goal would be to provide additional housing for our target population.

To this end we have recently renewed our conversations with the Town and the State in an effort to explore funding sources. The following is an outline of our activities:

The first meeting with a DECD, (the State Department of Economic and Community Development) representative, was scheduled for May 13, 1999. The meeting was canceled by DECD due to a reorganization in both program and staff. They indicated they would call and reschedule as soon as possible. Several weeks later, DECD did call and another meeting was set for July 7, 1999.

At the July 7, 1999, meeting our proposal was presented to DECD who indicated that they felt this would be an excellent project and would so indicate to their superiors. It was mutually agreed upon that the most logical step would be to first apply for a planning grant in order to conduct a feasibility study. Upon leaving, the representative did reiterate the DECD review process and stated they would do their best to expedite the procedure.

During the last week of September. Don Roe's office was contacted by DECD, indicating the process had been completed but prior to inviting the Town to apply they requested our proposal in writing.

It is my understanding that the Town will be requesting \$50,000-\$75,000, to conduct the study.

On Wednesday, October 6, 1999, I contacted DECD, requesting a time line on this process. They were unable to provide one to me, citing personnel and programmatic changes as well as the unique nature of our proposal.

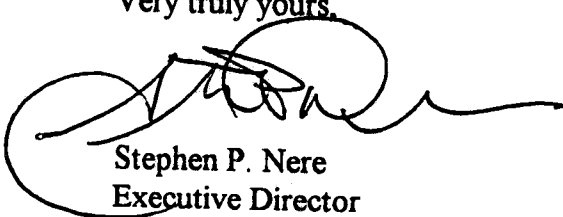
Considering my past dealings with DECD, I would offer the following "best guess" scenario:

1. Assuming we are invited to apply and the feasibility funds are awarded, they would probably be awarded sometime during the first quarter of 2000.
2. The interviewing and hiring of a consultant by the Town would occur during the second quarter.
3. The study would be conducted over a period of 60-90 days with a final report being issued at its conclusion.

DECD was not clear on what the process would be once the feasibility study was complete. My guess would be there would be another application process and review.

I hope the preceding has answered your questions and has added clarity to the process.

Very truly yours,



Stephen P. Nere
Executive Director