

TOWN OF WALLINGFORD, CONNECTICUT

TOWN COUNCIL MEETING

February 27, 2007

6:30 P.M.

MINUTES

The following is a record of the minutes of the Wallingford Town Council at its regular meeting held on Tuesday, February 27, 2007, in the Robert Earley Auditorium of the Wallingford Town Hall. Town Council Chairman Robert F. Parisi Called the Meeting to Order at 6:37 P.M. Responding present to the Roll Call given by Town Clerk Barbara Thompson were Councilors Michael Brodinsky, Vincenzo M. DiNatale, Lois Doherty, Gerald E. Farrell, Jr., Robert F. Parisi, Rosemary Rascati, and Mayor William W. Dickinson, Jr. and Adam Mantzaris, Corporation Counsel were also present. Stephen W. Knight was absent for jury duty and business reasons. Iris F. Papale and Vincent F. Testa, Jr. arrived late after attending a function for Dale Wilson, the new Superintendent of Schools. Mr. Testa arrived at 6:43 P.M., and Ms. Papale arrived at 7:16 P.M.

There was a Moment of Silence during which Chairman Parisi asked that people remember Frank Wasilewski in their thoughts. Mr. Wasilewski, who recently passed away, was a well-known Wallingford resident, who had great love for the Town and who participated in Town Council meetings. The Pledge of Allegiance to the Flag was said. The Roll Call taken.

2. Correspondence

None

3. Consent Agenda

3a. Consider and Approve Tax Refunds (#565-#590) totaling \$2,767.63
Acct. #001-1000-010-1170 - Tax Collector

3b. Consider and Approve a Transfer in the amount of \$2,500 to General
Expenses Acct # 461-8920-930 from Sludge Disposal Acct # 461-8640-
645 – Sewer Division

3c. Consider and Approve a Transfer in the amount of \$3,200 to Maintenance
Structures & Improvements – Treatment Plant Acct # 461-8640-651 from
Property Insurance Acct # 461-8920-924 – Sewer Division

3d. Consider and Approve a Transfer in the amount of \$4,000 to Office and
Expense/Supply Acct 6030-401-4000 from Contingency General Purpose
Acct # 001-7060-800-3190 – Town Clerk

- 3e. Consider and Approve a Transfer in the Amount of \$8,000 to Utilities – Traffic Signals Acct. # 001-5010-201-2010-00 from Regular Salaries and Wages Acct. # 001-5010-101-1000-00 - Engineering
- 3f. Consider and Approve a Transfer in the amount of \$5,000 to Purchased Services – Engineering Consultant Acct #001-5010-901-9040-00 from Regular Salaries and Wages Acct. # 001-5010-101-1000-00 - Engineering
- 3g. Acceptance of Woodman's Hill Road as a Town road – Planning and Zoning
- 3h. Acceptance of a .0726 sq. ft. piece of property along Cheshire Road – Planning and Zoning
- 3i. Consider and Approve minutes from Special Town Council Meeting of January 18, 2007

Ms. Rascati made a motion to accept the Consent Agenda 3a. through 3i. Mr. Farrell seconded. Ms. Doherty said that she would have to abstain for the minutes for 3i. because she did not attend that meeting. Ms. Rascati restated her motion to accept the Consent Agenda 3a. through 3h. Mr. Farrell seconded.

All Councilors (6) present voted aye. Mr. Knight, Ms. Papale and Mr. Testa were absent.

The motion passed.

Chairman Parisi asked for another motion to approve 3i.

Ms. Rascati moved to accept agenda item 3i. Mr. Farrell seconded. Chairman Parisi asked for a Roll Call vote.

ROLL CALL VOTE:

Mr. Brodinsky abstained as he was not in attendance at the January 18, 2007, meeting. DiNatale – yes; Doherty – abstain;

The vote was stopped since there would not be five affirmative votes to pass the motion.

Ms. Rascati withdrew her motion, and Mr. Farrell withdrew his second.

Chairman Parisi scheduled the item for the next Town Council meeting.

4. Items Removed from the Consent Agenda

None

5. PUBLIC QUESTION AND ANSWER PERIOD

Jason Zandri, Lincoln Drive, asked about putting the Charter on the Town's website.

Bob Gross, 114 Long Hill Road, commented on town appointments to boards and commissions and asked about his request for minutes.

Robert Sheehan, 11 Cooper Avenue, asked about Simpson School.

Wes Lube, 15 Montowese Trail, made comments regarding asking questions about the Consent Agenda.

Phil Wright, Sr., 160 Cedar Street, talked about his friend Frank Wasilewski who lived in Wallingford his whole life except for the time when he was in World War II. He said that Frank told him that played sandlot baseball, and he used to swim in the Quinnipiac River. He said Frank attended the Town Council and P.U.C. meetings, and that the Director of the Public Utilities Commission attended the service for Frank. He said that they became friends when they were in cardiac rehab together, and they fought the losing battle together to keep from having the Parks and Recreation Department located on the southern border of Meriden. He said that Frank was proud to be an independent and that he will miss Frank, and he thinks that the Town of Wallingford will miss Frank.

Applause

David Barbarino, no address given, commented on Simpson School and requested a list of all town lawsuits. Councilor Brodinsky referred him to the State of Connecticut Judicial Branch website for that information, and Kathryn Zandri, 9 Balsam Ridge Circle, said that the Law Department produces an annual report with that information, and a lawsuit log book is available in the Town Clerk's Office.

Mr. Testa arrived at 6:43 P.M.

6. Consider and Approve a Transfer in the Amount of \$17,000

to

Operations – Underground Lines \$2,000 Acct # 584

Operations – Street Lights & Signals \$2,000 Acct # 585

Operations – Customer Installation Exp \$1,000 Acct # 587

Maintenance – Overhead Lines \$12,000 Acct # 593

from

Misc. Distribution – Environmental \$17,000 Acct # 598

- Electric Division

MOTION

Ms. Rascati made a motion to consider and approve a transfer in the Amount of \$17,000 to Operations – Underground Lines \$2,000 Acct # 584; Operations –

Street Lights & Signals \$2,000 Acct # 585; Operations – Customer Installation Exp \$1,000 Acct # 587; Maintenance – Overhead Lines \$12,000 Acct # 593 from Misc. Distribution – Environmental \$17,000 Acct # 598 as requested by the Electric Division. Mr. Farrell seconded.

IN ATTENDANCE

George Adair, Director, Public Utilities

Richard Hendershot, General Manager, Electric Division

Mr. Adair said that this is for the addition of two first-class linemen to the Electric Division.

There were no comments or questions.

VOTE

All Councilors present (7) voted aye. Mr. Knight and Ms. Papale were absent.

The motion passed.

7. Discussion and Possible Action on a plan for the Wooding Caplan Property – Councilors Testa, DiNatale and Brodinsky

Mr. Brodinsky talked about his editorial piece that the Record Journal published in November 2006 that stated and called for a first step towards community-wide agreement on a decision making process that would be an open, fair and transparent process, a road map, to develop and investigate choices in regard to the Wooding Caplan property and for independent, non-partisan research that would address the consequences, impact and legal aspects of the various components of the property in relation to any plan put forth to develop the Wooding Caplan property. He gave parking as an example for the gathering of specific, measurable data. He talked about specific suggestions on investigating certain narrow areas in order to determine how to move forward on the Wooding Caplan property development and to bring back information in a public way and to digest that information publicly.

Ms. Papale arrived at 7:16 P.M.

Mr. Testa said that it is six months since the referendum and that this is a new dialogue to move forward on this property. He mentioned that the budget process, which begins soon, and addressing the solid waste effort will require a lot of meetings and be time-consuming, so he does not want to put this issue off any longer. He would like to see an orderly process of public workshops to discuss various options, review again the study committee report, and ensure that the public has the opportunity to offer input and suggestions. He said that this is the process that we need to follow. He continued that before we can make a decision and before we can begin the process, there is some information that we need to have. He talked about the future needs of the police and fire departments and said that he would like to see reports from both of our public safety departments. He said there is assistance through the International Association of Chiefs of Police

for local police departments, so he is not talking about embarking on a costly, year-long study. He talked about changes in legislation in regard to equipment and specific types of space. He talked about identifying parking needs and location, the existing building, the impound facility and possible expansion. He wants pretty detailed reports from the Police Chief and from the Fire Chief. He said that it is prudent to have this information before any decision is made on what to do with the Wooding Caplan property.

Mayor Dickinson said he thinks both departments are able to give a pretty good indication of their needs regarding the Wooding Caplan site. He asked Mr. Testa if he meant just that site or something more global. Mr. Testa said that he is really looking for a more global report for a longer period of time. Mayor Dickinson said that he thought that was asking a lot of the departments to try to determine what they might need in the next five to ten years on a very grand scale and that it is a fairly significant issue. Mr. Testa said that as it relates to the current facility and an idea of what they are going to need in the future in a report in the next 30 to 60 days, so that when discussion begins, the information is there.

Mr. Farrell said that he thinks that the request is reasonable and that in meeting with the Chief, that the Chief has a good idea of the legislative mandates that have been placed on the Police Department and some of the things that may be coming in the future with regard to square footage. He said that the Council could be provided with some reasonable numbers of square footage and types of space that the Police Department needs since the Police Chief has already given the Council some of this orally. He said that to have an initial planning document is reasonable and helpful to get the process going. He said that one of the stumbling blocks toward the end of the other process was the discussion of the line for the Police Department and how it has now changed and that now he may need additional spaces.

More discussion centered on the many facets of information gathering from the Council, from the public and from department heads and that it will become part of the dialogue with the public but that the data gathering should come first so that it can be understood before moving forward into the emerging options for the property. It was agreed that the public would hopefully be part of this every time the Council talks about the Wooding Caplan site.

Lucille Trzcinski, 25 Turnberry Road, spoke about the Police and Fire Department reports in relation to other information reports that are generated by the town for possible future needs.

Richard Krombel, 38 North Elm Street, read a prepared statement proposing to the Council that different types of plans for the site plans be brought forward. He said that different plans could include residential, Town Square, commercial and parking and that each plan developed be presented to the public and finally to let the people decide.

Joseph Otti, 25 Killen Road, commented on a plan that would add to the downtown as its highest and best use and at the same time to not obstruct individuals that live or work downtown.

Tony DeBaise, North Main Street, proposed a six-month moratorium on the disposition of the property.

Bob Hogan, Grieb Road, spoke about the Police Department and the department's needs for the future in relation to the development of the property and that a decision cannot be made without knowing the boundaries of the property. Both Chairman Parisi and Councilor Testa responded that this is the first step in a process to discover what the Police Department needs.

Mayor Dickinson asked about the timing of the reports from the Police and Fire Departments. Mr. Testa said that he has not called for the reports solely as a Wooding Caplan property issue because this is something that we will be dealing with in the near future anyway.

Robert Sheehan, 11 Cooper Avenue, said all you want to do is sell that property for a fair market price or hold it for the Police Department. He said that the Police Department has been in the same spot for roughly 200 years. He said that the time is coming to talk about building a new Police Station, and that the Mayor buys open space for what the town will look like in 100 years. He said that he favors the Police and Fire Departments being located where they are now.

David Barbarino, 1179 Yale Avenue, talked about the selection process.

Kathy Avery, 42 North Elm, said that she was confused about an independent plan or proposal that she has been reading about in the newspaper that is being developed. She asked what the plan was.

Geno Zandri, 9 Balsam Ridge Circle, said that he was a Town Councilor when the property was purchased and that it was purchased solely for Police Department and Fire Department expansion and that the town can't move forward until those two needs are defined.

Dawn Thomas, 110 North Whittlesey Avenue, likes the report plan as it will educate the public and bring people together.

Lucille Trzcinski, 25 Turnberry Road, believes that the key is education on every aspect of every plan or proposal for the development and long-term ramifications on downtown and on Wallingford for each plan should come forward, and that it is incumbent on the people of the town to participate in this process in order to be prepared to vote in an intelligent manner. She urged people to educate themselves and to participate in the meetings.

Robert Avery, 42 North Elm Street, commented on department heads knowing their future needs.

John LeTourneau, 3 Regent Court, as a member of the Wooding Caplan Committee, who engaged the Jonathan Rose Company, said that the public input at the meetings that the Jonathan Rose Company held was disheartening. He said that he would like to see people from all over town attend the workshops regarding this issue, to speak their thoughts on the issue, or to send someone who can speak for them, and to write letters to the Councilors. He said somehow, "Be heard."

Bob Gross, 114 Long Hill Road, said that this issue is important for all residents.

Wes Lube, Montowese Trail, read prepared remarks.

Bob Hogan, Grieb Road, wants Council and townspeople to think outside the box. He said ask yourselves, "Why not and what if," and then he suggested a new police facility in the Mortgage Lenders buildings and spoke about the huge number of parking spaces available.

Phil Wright, Sr., 160 Cedar Street, said that he is listening for talk about a process or a plan and that all he is hearing is about Police and Fire Departments and asked if there is more information that is needed.

Mr. Brodinsky and Mr. Testa said that there is more, and this is just the first round.

Ms. Doherty agreed with getting information from the Police Chief and the Fire Chief and would like to add to request the Town Attorney to look into the SNET availability.

Sharon Mooney, Taylor Lane, agreed with the beginning of this process.

(1) MOTION

Mr. Testa made a motion that the Town Council request that the Mayor direct the Chief of Police to prepare a long-term needs analysis report for his department. The report should be all-inclusive, including but not limited to facilities, space and parking requirements and completed and presented to the Council within 60 days.

Mr. Brodinsky seconded the motion.

Mr. DiNatale said the report should include some of the Chief's specific needs for parking of equipment, for employee parking and for visitor parking.

ROLL CALL VOTE

Brodinsky – yes; DiNatale – yes; Doherty – yes; Farrell – yes; Papale – yes; Rascati – yes; Testa – yes; Parisi – yes. Mr. Knight was absent
8 – yes; 1 – absent.

The motion passed.

(2) MOTION

Mr. Testa made a motion that the Town Council request that the Mayor direct the Fire Chief to prepare a report on the future use and needs of the stationhouse on North Main Street. This report should be all-inclusive, including but not limited to facilities, space and parking requirements to be presented to the Council within 60 days.

Mr. Brodinsky seconded the motion.

Mr. Testa asked for specifics for the firehouse on North Main Street; whereas, the other motion was for the Police Department as a whole.

There were no other comments.

ROLL CALL VOTE

Brodinsky – yes; DiNatale – yes; Doherty – yes; Farrell – yes; Papale – yes;
Rascati – yes; Testa – yes; Parisi – yes. Mr. Knight was absent
8 – yes; 1 – absent.

The motion passed.

Mr. DiNatale said he would like to make a motion that is two-fold - it relates to access. (1) The SNET property and the potential for accessing their property and (2) The alternative access, 390 Center Street, and the feasibility of 390 Center Street as an access point. He said that it is somewhat complex because there is currently a narrow, public, right-of-way, and he would like to know the potential to widen that access and whether it is possible to relocate the structure, or tear it down in relation to it being an historical building.

Mr. Parisi asked if that wasn't a little premature.

Mr. DiNatale said that the Council looked tonight at the boundaries of the property and that he would like to know from the Town Attorney what the status of the building is – is it something that we can even consider as an alternative for access because going back to the RFP, there was some confusion about how to get into the site, and there were proposals that looked at SNET access and others that looked at Wallace Row, and he would like direction and feedback from the Town Attorney. Mr. DiNatale said the status of the building and utilizing it as an access point to the property. Chairman Parisi said in other words whether it can be removed, torn down. Mr. DiNatale said torn down, relocated because of its status as an historical building. Chairman Parisi said that he thought that was determined, the moving of it. He said that he thought that it could be moved. Mr. Brodinsky said that's why we are discussing it because there is question, so let's nail it down.

Mayor Dickinson wanted to know if he asking for a report from the Town Attorney. Mr. DiNatale said that he was, yes. Mayor Dickinson said to provide an outline of the property and what has to be done in order to accomplish a given purpose for it and that is all they could really do. He said so you want to know what legal impediments, what legal issues are at hand in order to either tear down or remove the building and provide access. Mr. DiNatale said for access purposes

and that it has been talked about but is it something that can still be considered. Or, he said, is the SNET access all that's left as access to the property. Mayor Dickinson said that it basically becomes a negotiation. Mr. DiNatale said that he is asking that contact be made with SNET to see if it is something that is negotiable, or if it's something that they don't want to consider. Mayor Dickinson said that could be found out.

Mr. DiNatale said that it would be two-fold that the Town Attorney look at both of those points of access to the property and to give us some direction.

Chairman Parisi asked that the motion be repeated.

(3) MOTION

Mr. DiNatale asked to direct the Town Attorney to give the Council an opinion on essentially two points of access to the property, the first one being the SNET access and to make contact with the authorities who are responsible for the real estate with SNET, and second to give us an opinion in utilizing 390 Center Street as a point of access given the historical status of that property within 30 days. Ms. Papale seconded.

Lucille Trzcinski, 25 Turnberry Road, asked who initiates and participates in the negotiations with SNET as she thinks that is critically important because negotiations go one way or another depending on the approach. Mayor Dickinson said that as he understands the motion, we aren't negotiating that we are determining whether there is a willingness on the part of the owner to negotiate, if they open to discussion regarding purchase of an access. He asked if that was correct. Mr. DiNatale said that was a starting point and that her point is valid and if when we make first contact, we will find out if there is some interest or if there is no interest at all. Ms. Trzcinski said that she is concerned about how that happens. She said there is a world of difference in how it is presented and that is what she is concerned about -- who and how is that approach going to be made. Mr. DiNatale asked if perhaps a letter of interest should be sent to SNET. He said that negotiations are complex and how do we do that. Mayor Dickinson said that the Council could send a letter to SNET inquiring as to SNET's interest in negotiating for a public access to the property. He said that the Chairman could sign it or the Council could request that administratively they send a letter and that the Council could see before it is signed. Chairman Parisi suggested that the entire Council sign it.

Mr. Brodinsky talked about the advantages and disadvantages to a letter, in that a letter might not be answered months but if one makes a phone call you can find out in five minutes. He said he understands the importance of who makes the phone call. He said that it would seem to be somewhat practical to initiate it with a phone call, and he has confidence in the Law Department to make that phone call without undermining the interest. He said that the Law Department could call SNET and express the thought that the town is extremely interested in finding out whether access might be available, and who does the town talk to and open up discussions in a neutral way. He said that if it is a possibility, the duty then would be to report back to the Council. He said that a letter could confirm that interest.

Chairman Parisi expressed that he thinks a letter first and then a phone call within a week so as to not let a letter sit for a month. He said it would give them a chance to understand where the town is coming from. He said it's an introduction. This was agreeable to everyone.

Mr. Testa said regarding the intent of the motion how far do we want to go with SBC regarding this motion. Chairman Parisi said that we want to see if there is any interest.

Mayor Dickinson said this is technical issue but that it's not SNET or SBC but that it's AT & T and said that all of the players have changed and that it will require research to find out whom to contact.

Ms. Papale asked how 390 Center Street will be done. Mayor Dickinson said that the Law Department would report on what would have to be accomplished to make any changes with regard to 390 Center Street -- move it or tear it down -- what steps would have to be followed in order for the town to accomplish the purpose that the town decides for 390 Center Street.

Mr. Hogan asked about a timeline on the motion items.

Chairman Parisi said he thinks it will be expediently worked at and that it won't sit around.

Mr. DiNatale said a 30-day period. Chairman Parisi said to put it in the motion.

Mr. Hogan asked what would be negotiated with AT & T.

Mr. DiNatale said just to clarify -- utilizing their property as an access point and that this gets complex and that this would be a starting point with an AT & T negotiation to see if we can utilize their property at all as an access point to our property. Mr. Hogan said they own the alley way and that we aren't talking about the building at all for any reason under the sun. Mr. DiNatale said correct. Mr. Hogan noted that "technology" is buried under the ground on the AT & T property.

Mr. Gross asked about upkeep at 390 Center Street. Mr. DiNatale said that if we receive a response in 30 days then depending on the response, it may call for protecting the building.

John LeTourneau, 3 Regent Court, reminded everyone that there are two other points of access (1) the public right-of-way between the Police Department and Academy Street, and when the Police Department needed parking that came off the table, and if in the future the Police Department moves, then this could become an issue and (2) the alleyway between the Caplan Building and the church. He said that nobody knows who owns that alleyway, and it should be looked at also. He suggested perhaps another motion and that this alleyway should not be forgotten. He said that we (the Wooding Caplan Committee) heard

that half was owned by the church and half owned by Caplans but no title search was done and that nobody knows who owns it. Mr. DiNatale asked if he had knowledge about that access way as to whether the public has a right-of-way over it. Mr. LeTourneau said that they don't know and that there were proposals that had that as a pedestrian right-of way. There was talk of another motion to address this right-of way. Mr. Brodinsky suggested that the information gathering is just beginning and that they two accessways can be addressed in another round of data gathering, that this is a first step and that a list is being compiled.

ROLL CALL VOTE

Brodinsky – yes; DiNatale – yes; Doherty – yes; Farrell – yes; Papale – yes;
Rascati – yes; Testa – yes; Parisi – yes. Mr. Knight was absent
8 – yes; 1 – absent.

The motion passed.

Mr. Brodinsky brought up putting the choices on a referendum. He said that it may not be legally possible and is a question that needs to be addressed legally. He said that he is not going to make a motion on this subject but asked the law Department to look into this. He posed two questions -Can we vote on this? Is it legally possible? He said that he researched this subject, and it's not in the Charter or the Statutes but the Law Department may find a way to put it on the ballot. He asked that this be addressed as soon as possible. Attorney Mantzaris asked if he had a specific proposal. Mr. Brodinsky responded - an advisory referendum, the question is whether or not an advisory referendum is permissible under the statutes when it's not in our Charter.

Mr. Brodinsky addressed the light attendance at some of the meetings held by the study committee. He said that lots of factors have to come up and the risk factor is Wooding Caplan fatigue. He said that this will be long and detailed and will take patience in listening to a variety of views. He said that he is committed to the "road-map" process where the public can see the steps that the Council will take well in advance of the eventual step. He gave the reports requested as an example and pointed out that now the public knows that this is coming – this is the road-map- no surprises, the steps the Council will take are laid out, dates are set into the future and step by step we get there. He asked that the public stay with the process and the Council for each of the steps. In order to move this issue along, he suggested to the Chairman that at every single meeting of the Wallingford Town Council, the Wooding Caplan issue is scheduled on the agenda for a catch up on what's been developed, on the information that they have learned, where we are. We need to compile a list of all of the things that we need to talk about and begin to get them on the calendar.

Mr. Brodinsky said that there has been an idea of a park, and it has attracted attention. He said that this idea needs to be developed. He said that because he brought up a park that people should not infer that he feels one way or another about a park. He said that the Park and Rec Commission are investigating a park – we will need to raise the issue, to discuss the impacts, the benefits, the pros and cons, the tax impact, the cost, who is going to use it – all of the details. Perhaps

the time is after the Police and Fire Chiefs report, and after we learn about 390 Center Street, and after we hear back from the Law Department on the AT & T access may be the time to hear some ideas about the park and start that discussion, which is about two or three months from now. That's the road map. The said that his idea, and he asked for comments, is do we want to hear from Park and Rec as a way to start the discussion about a park, having them report out as to what they found and where they are with their opinions and the meeting following the Police and Fire Department reports would be the timeline for this report from Park and Rec.

Mr. Farrell said that we need to solve the Police issue first, and whether or not a park is feasible stems from some resolution of the Police question. He said that Park and Rec would not know the perimeters of a park until the Police issue is resolved. Mr. Brodinsky said that decisions won't be made when reports are due and that it is an introduction of the topics and ideas, and that the Council can handle multiple reports at the same time. Mr. Farrell said that there has to be an acknowledgment that the concept of a park would be elastic and pointed out that it is only 2.9 acres that we are working with. Mr. Brodinsky said that everything is flexible and is up for discussion - size and everything else.

Chairman Parisi said that it is his observation that he was hoping for a more clear process like A, B and C. Mr. Brodinsky said that there are lots of things that need to be discussed and that this is the beginning. Chairman Parisi asked if there is a step-by-step process. Mr. Brodinsky said that hopefully all nine Councilors would agree to put this on the agenda next meeting and the discussion can be continued. Chairman Parisi said putting it on the agenda is not a problem. He said that if they have a procedure, a process, that it would be put forward, and he said that he would like to see it and have time to think about it, and it might be that it's fine. He asked if they had a process that they want to follow - does Mr. Testa have one and does Mr. DiNatale have one and if they have one, would they care to put it forward. He said that if they do he thinks that they should see it.

Mr. Brodinsky said that he will make a rough draft of a list of things to consider and that he will release it to the Town Council Office and be available to everyone in the public simultaneously, and if he has time, he will do that before the next meeting. Mr. Testa said that they laid out in general what they would like to see without writing out a formula and that he hoped to establish that process as a group at a meeting of the Council. He said that is why he said that we'll get started now with the philosophical point being made that there be workshops and that we will start at the beginning and gather data up front and perhaps 60 or 30 days from now that we will be able to talk and ask how do we want to do this and that it doesn't need to be real strict. He said who knows how the dates are going to work. He said that if we all agree on that as a principle on that as a process that by the very nature of what we are talking about that it has to be made up as you go.

Chairman Parisi said he hoped they wouldn't rely on "as we go."

Mr. Testa added that he sees the information from the Park and Rec Commission as another piece of information and with the understanding that the Park and Rec Commission would know that they were not coming here to propose a park and have it voted on. He said that with their expertise, they would present an idea to be considered and that would be no different than the information that they are getting from Police and Fire. He said that they are a town group that came forward with some information.

Michelle Russo, 16 Doherty Drive, said that she like the open process and putting information forward to the public.

Ms. Rascati asked if the Park and Rec report out would include a cost. Mr. Brodinsky said that he is interested in their thought processes, concept and basis for their position and how a park might fit in, something theoretical but the more date they bring the better. He said he is expecting something conceptual.

(4) MOTION

Mr. Brodinsky made a motion to ask the Parks and Recreations Commission to come to the Council to report out concerning their thoughts on a possible park and the approximate time of that report out would be the meeting next following the report from the Police and Fire Departments.

Mr. Farrell seconded the motion.

Mayor Dickinson clarified if it was the Commission or the Department, pointing out that the Commission is only advisory and the Parks and Recreation Department makes the decisions. Mr. Brodinsky said that he means the Commission.

Chairman Parisi called Mr. Gelo to the mike and asked if the Commission was prepared to make a report. Mr. Gelo said that they are looking into the idea of making a Town Square, that they are having drawings made and that they can make a presentation. Mayor Dickinson asked how the drawings were being paid for, and Mr. Gelo said that it is free. He said that this is the last remaining open space in the center of town, and they do not want to see it sold. He said that they envision the development of a park for the future or something that the town residents can use from now on.

Mr. Farrell asked that the access ways and streets that Mr. Letourneau mentioned not be forgotten and that at some point the Town Attorney's Office needs to determine for the Council if abutting landowners have any rights in alleyways or streets and that his recall from doing a title search in that area is that there was a series of lawsuits between the property owners over the property rights to alleyways and streets in that area. He asked the Town Attorney's Office to make a report.

Jason Zandri, Lincoln Drive, commented on a referendum and listing Wooding Caplan on the agenda.

Kathryn Zandri, 9 Balsam Ridge Circle, complimented the Chairman on the conduction of the meeting and asked that Wooding Caplan be listed early in the agenda in the future.

John Bradley, 49 Academy Street, discussed parking with the Mayor and referred to a recommendation from the Jonathan Rose Report.

ROLL CALL VOTE

Brodinsky – yes; DiNatale – yes; Doherty – yes; Farrell – yes; Papale – yes; Rascati – yes; Testa – yes; Parisi – yes. Mr. Knight was absent
8 – yes; 1 – absent.

The motion passed.

The Chairman called a five-minute recess, which reconvened at 9:30 P.M.

(5) MOTION

Mr. Farrell made a motion that the Town Council instruct the Town Attorney's Office to make a determination of what rights, if any, any of the commercial properties abutting along North Main and Center Streets have in any alleyways or streets on the interior of that block, the so-called Wooding Caplan parcel. In essence we need to know what private or public rights-of-way exist; map it out for us if there are any such rights of way.

Ms. Doherty seconded.

Mr. DiNatale said that he thinks that would imply that they would investigate any general public right-of-way as well. Mr. Farrell added a private right-of-way as well because his recall from the title searches that he had done that there were a series of disputes over private rights-of-way and that was ten years ago, and he doesn't recall what the resolution was but better for us to know going into this that all rights of abutting property owners have been distinguished. Mr. DiNatale drew a scenario of a person coming from Main Street and using the public right-of-way and cross through that alleyway to access Wallace Avenue, which is another right-of-way. Mr. Farrell said yes and the other thing that needs to be kept in mind is that the configuration of the interior of that block is different from what it was years ago when there were buildings back there that are no longer there but that there may exist on the land records, private rights-of-way that run around buildings that no longer exist. We need to know from the town's perspective in developing this if you want to call them imaginary rights-of-way exist. You can't see them but they may exist on the land records, and people may have legal rights that need to be known to the town before we go forward.

Mayor Dickinson asked if this was just from Center or Main Street. Mr. Farrell said yes and said that he doesn't know any coming in from North Elm or Academy Streets.

Corporation Counsel Mantzaris asked if he was talking about the interior of the so-called Wallace Wooding Caplan property rights-of-way inside that area. Mr. Farrell said that his recall is that there may be rights-of-way that run off of the

alleyway between the Caplan building and the church. Attorney Mantzaris asked if that was the area that he wanted to concentrate on, and Mr. Farrell said yes and that Mr. LeTourneau said let us determine who owns that physical space, the 15 feet or so between the beginning of the Caplan Building and the church, and there may be stuff that comes off of that. Attorney Mantzaris said that it may turn out to be a very involved title search.

All Councilors present (8) voted aye. Mr. Knight was absent.

The motion passed.

8. Discussion and possible action with regard to the sale of tax liens in connection with the property located at 928 North Colony Road – Law Department

Ms. Rascati read the item and the letter to the Attorney Mantzaris from Donald J. Nitz and Associates, Real Estate Appraisers. Following a lengthy discussion regarding value, town's expenditures and the worth of the property, there was no action; however, a directive was given Attorney E. James Loughlin to speak with his client and return to the Council with another, higher offer.

9. Discussion and possible action with regard to the sale of tax liens in connection with the property located at 69 North Plains Highway – Law Department

Ms. Rascati read the item 9 - Discussion and possible action with regard to the sale of tax liens in connection with the property located at 69 North Plains Highway as presented by the Law Department.

Mr. Brodinsky made a motion to sell the tax liens to the perspective buyer for the amount of taxes and interest and lien fees due at the time of the sale. Ms. Rascati seconded.

Seven (7) Councilors present voted aye. Mr. Farrell abstained. Mr. Knight was absent.

The motion passed.

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

Withdrawn

11. Executive Session pursuant to §1-200 (6)(B) of the Connecticut General Statutes regarding strategy and negotiations with respect to the following matters:

- a) Town of Wallingford v. Alpine, the Care of Trees, Inc., et al
- b) Town of Wallingford v. Capp, USA

– Law Department

Withdrawn

12. Motion to consider and approve a settlement of the pending matter of the Town of Wallingford v. Alpine, the Care of Trees, Inc., et al as discussed in Executive Session
- Law Department

Withdrawn

13. Motion to consider and approve a settlement of the pending matter of the Town of Wallingford v. Capp, USA as discussed in Executive Session - Law Department

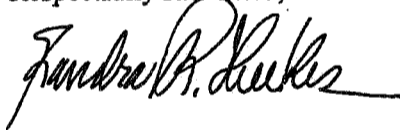
Withdrawn

Ms. Rascati made a motion to adjourn. Ms. Doherty seconded.

All Councilors present (8) voted aye. Mr. Knight was absent.


The meeting adjourned at 10:31 P.M.

Respectfully submitted,



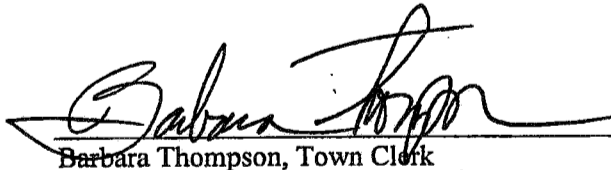
Sandra R. Weekes
Town Council Secretary

Meeting recorded by Sandra Weekes



Robert F. Parisi, Chairman

3-13-07
Date



Barbara Thompson, Town Clerk

3-13-07
Date

RECEIVED FOR RECORD 3/7/07

AT 10 H 45 M A M AND RECORDED BY

Barbara Thompson TOWN CLERK