

TOWN COUNCIL MEETING

JUNE 13, 2000

6:30 P.M.

AGENDA

Blessing – Jay Cretella, Deacon, The Most Holy Trinity Church

1. Pledge of Allegiance and Roll Call
2. Correspondence
3. Consent Agenda
 - a. Consider and Approve Tax Refunds (#393 & #394) in the Amount of \$5,570.08/Tax Collector
 - b. Consider and Approve Execution of a Deed Conveying Two Parcels of Land on Both Sides of a Residential Lot on Center Street, One Parcel 5'x25' and One Parcel 5'x20', to Habitat for Humanity/Mayor
 - c. Consider and Approve a Transfer of Funds in the Amount of \$100 from Seminar & Dues Account #001-7011-701-7990 to Transportation Reimbursement Account #001-7011-300-3201/Environmental Planner
 - d. Consider and Approve a Transfer of Funds in the Amount of \$1,500 from Health Insurance Account #001-8035-800-8300 to Office Supplies Account #001-1600-401-4000/Personnel Director
 - e. Consider and Approve a Transfer of Funds in the Amount of \$1,200 From Regular Salaries & Wages Account #001-2030-101-1000 to Purchased Services-Secretary Account #001-2030-901-9000/Fire Chief
 - f. Consider and Approve a Transfer of Funds in the Amount of \$1,451 from Regular Salaries & Wages Account #001-2030-101-1000 to Overtime Account #001-2030-101-1400/Fire Chief
 - g. Consider and Approve a Transfer of Funds in the Amount of \$1,000 From Swings Account #001-4001-999-9917 to Scoreboard Pat Wall Field Account #001-4001-999-9906/Recreation Director

- h. Consider and Approve a Transfer of Funds in the Amount of \$405 from Snow Plow Truck w/Equipment Account #001-5015-999-9901 to Paint RR Station Account #001-5015-999-9948/Public Works Director
 - i. Consider and Approve the Minutes of the May 23, 2000 Town Council Meeting
 - j. SET A PUBLIC HEARING to Consider and Approve Adopting An Ordinance Entitled, "Ordinance Exempting Certain Motor Vehicles from Taxation" for June 27, 2000 at 7:45 P.M.
4. Items Removed from the Consent Agenda
 5. PUBLIC QUESTION AND ANSWER PERIOD
 6. Consider and Approve an Appropriation of Funds in the Amount of \$1,250 To Young Astronaut's Club Special Revenue Account to Receive Contributions from St. Paul Companies in the Amount of \$1,000 and CYTEC in the Amount of \$250/Youth and Social Services
 7. Consider and Approve a Transfer of Funds in the Amount of \$7,000 from Snow Plow Truck w/Equipment Account #001-5015-999-9901 to Purchase Svs.-Tree Contract Account #001-5015-901-9023/Public Works Director
 8. Consider and Approve a Bid Waiver for Short Term Fuel Supplies through September 30, 2000/Finance Department
 9. Consider and Approve Annual Bid Waiver List for Fiscal Year 2000-2001/Mayor
 10. Report Out from the Economic Development Commission Regarding the Plans, Goals and Procedures, if any, to Attract Businesses to Wallingford and to Revitalize the Downtown Area, Together with a General Discussion of the Commission's Accomplishments During the Past Twelve Months as requested by Councilors Brodinsky, Papale, Vumbaco and Zappala
 11. Consider and Approve the Execution of a Proposed Warranty Deed to Convey a Parcel of Town-Owned land on South Turnpike Road to David Barberino for \$5,000/Law Department
 12. Consider and Approve Contract for the Purchase of 70 Lake Street/Law Department
 13. Consider and Approve a Transfer in the Amount of \$38,000 from General Purposes Account #8050-800-3190 to Land Acquisition Account #001-1320-999-9909, \$33,000 and to Purchased Profession Svs Account #001-1320-901-9003, \$5,000/Law Department

14. Executive Session pursuant to Section 1-200(6)(B) to Discuss Pending Litigation Involving the Matter of Town of Wallingford v. High Hill Realty and to discuss Strategy and Negotiations with Respect to a Pending Claim by Cattaruzza LLC, dba Olympus Construction against the Town/Law Department
15. Motion to Approve matters Involving Pending Litigation with High Hill Realty as Discussed in Executive Session/Law Department
16. Motion to Consider and Approve the Settlement of a Pending Claim of Olympus Construction as Discussed in Executive Session/Law Department
17. Consider and Approve a Transfer of Funds in the Amount of \$45,000 as Discussed in Executive Session from Fire Dept. Regular Salaries & Wages Account #001-2030-101-1000 to Law Department Self Insurance Claims Account #001-8030-800-8280/Law Department

TOWN COUNCIL MEETING

JUNE 13, 2000

6:30 P.M.

SUMMARY

<u>Agenda Item</u>	<u>Page No.</u>
2. Correspondence - No items presented.	
3. Consent Agenda – Items #3a-I	1-2
4. Items Removed from the Consent Agenda – Item #3j	2-3
5. PUBLIC QUESTION AND ANSWER PERIOD – Employee Salaries and Method of Review; Bristol Myers Squibb Tax Rebate; Blight Ordinance; Remarks re: Mayor’s Comments at 5/9/00 Meeting Re: Air Conditioning in Schools; Goldfeder Factory; Tree on Wallace Dam	3-7
6. Approve an Appropriation of \$1,250 to Young Astronaut’s Club Special Revenue Acct. to Receive Contributions from St. Paul Companies in the Amt. Of \$1,000 and CYTEC in the Amt. Of \$250 – YSS	8
7. Approve a Transfer of \$7,000 to Purchase Svs. Tree Contract – Public Works	8-9
8. Approve a Bid Waiver for Short Term Fuel Supplies Through Sept. 30, 2000 – Finance	9-17
9. Approve the Annual Bid Waiver List for F.Y. 2000-2001 – Mayor	18-20
10. Report Out from the Economic Development Commission Regarding the Plans, Goals and Procedures, if any, to Attract Businesses to Wlfd. and to Revitalize the Downtown Area, Together with a General Discussion of the Commission’s Accomplishments During the Past Twelve Months as Requested by Councilors Brodinsky, Papale, Vumbaco & Zappala	20-34

<u>Agenda Item</u>	<u>Page No.</u>
11. Approve the Execution of a Proposed Warranty Deed to Convey a Parcel of Town-Owned Land on S. Turnpike Rd. to David Barberino for \$5,000 – Law Dept.	34-36
12. Approve a Contract in the Amt. Of \$33,000 for the Purchase of 70 Lake Street – Law Dept.	36-37
13. Approve a Transfer of \$33,000 to Land Acquisition Acct. and \$5,000 to Purchased Profession Svs. Acct. – Law Dept.	37
14. Executive Session – 1-200(6)(B) – Pending Litigation – Town of Wlfd. v. High Hill Realty; Pending Claim – Cattaruzza LLC, dba Olympus Construction v. Town of Wlfd. – Law Dept.	37-38
15. Approve Settlement of Pending Litigation Involving High Hill Realty as Discussed in Exec. Session	38
16. Approve Settlement of Pending of a Claim Involving Cattaruzzo, LLC dba Olympus Construction as Discussed in Exec. Session	38
17. Approve a Transfer of \$45,000 as Discussed in Exec. Session to Law Dept. Self-Insurance Claims Acct. – Law Dept.	39
18a. Approve Appropriations to the B.O.E. Special Rev. Grants (F.Y. 1999-2000 Budget) in an Amt. Totaling \$319,665 to Program Expenditures	39
18b. Approve Appropriations to the B.O.E. F.Y. 1999-2000 Budget in an Amt. Totaling \$66,160 to State Grant Rev. Program Exp.; \$2,140 to Tuition Revenues Program Exp. and \$10,174 to Grant Revenues Program Exp.	39-40

Waiver of Rule V

Executive Session – Section 1-200(6)(D) – Purchase, Sale and/or Lease of Property	37-38
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TOWN COUNCIL MEETING

JUNE 13, 2000

6:30 P.M.

A regular meeting of the Wallingford Town Council was held on Tuesday, June 13, 2000 in the Robert Earley Auditorium of the Wallingford Town Hall and called to Order by Chairman Robert F. Parisi at 6:36 P.M. Councilors Brodinsky, Centner, Farrell, Knight, Papale, Parisi, Rys, Vumbaco and Zappala answered present to the Roll called by Town Clerk Rosemary A. Rascati. Mayor William W. Dickinson, Jr. arrived at 7:52 P.M. due to his appearance at a D.A.R.E. Graduation; Corporation Counselor Adam Mantzaris arrived at 6:37 P.M. and Thomas Thompson, Accountant, was in attendance to represent the Comptroller's Office.

A blessing was bestowed upon the Council by Deacon Jay Cretella of the Most Holy Trinity Church.

The Pledge of Allegiance was given to the Flag.

A moment of Silence was observed for Sonya Kischkum, who served as Judge of Probate for the Town of Wallingford from January 7, 1987 to August, 1993.

ITEM #2 Correspondence

ITEM #3 Consent Agenda

ITEM #3a Consider and Approve Tax Refunds (#393 & 394) in the Amount of \$5,570.08
- Tax Collector

ITEM #3b Consider and Approve Execution of a Deed Conveying Two Parcels of Land on Both Sides of a Residential Lot on Center Street, One Parcel 5' X 25' and One Parcel 5' X 20' to Habitat For Humanity - Mayor

ITEM #3c Consider and Approve a Transfer of Funds in the Amount of \$100 from Seminar & Dues Acct. #001-7011-701-7990 to Transportation Reimbursement Acct. #001-7011-300-3201 - Environmental Planner

ITEM #3d Consider and Approve a Transfer of Funds in the Amount of \$1,500 from Health Insurance Acct. #001-8035-800-8300 to Office Supplies Acct. #001-1600-401-4000 – Personnel

ITEM #3e Consider and Approve a Transfer of Funds in the Amount of \$1,200 from Regular Salaries & Wages Acct. #001-2030-101-1000 to Purchased Services – Secretary Acct. #001-2030-901-9000 – Fire Chief

ITEM #3f Consider and Approve a Transfer of Funds in the Amount of \$1,451 from Regular Salaries and Wages Acct. #001-2030-101-1000 to Overtime Acct. #001-2030-101-1400 – Fire Chief

ITEM #3g Consider and Approve a Transfer of Funds in the Amount of \$1,000 from Swings Acct. #001-4001-999-9917 to Scoreboard Pat Wall Field Acct. #001-4001-999-9906 – Recreation Director

ITEM #3h Consider and Approve a Transfer of Funds in the Amount of \$405 from Snow Plow Truck w/Equipment Acct. #001-5015-999-9901 to Paint RR Station Acct. #001-5015-999-9948 – Public Works Director

ITEM #3i Consider and Approve the Minutes of the May 23, 2000 Town Council Meeting

ITEM #3j SET A PUBLIC HEARING to Consider and Approve Adopting an Ordinance Entitled, "Ordinance Exempting Certain Motor Vehicles From Taxation" for June 27, 2000 at 7:45 P.M.

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

VOTE: All ayes; motion duly carried.

ITEM #4 Items Removed from the Consent Agenda

ITEM #3j SET A PUBLIC HEARING to Consider and Approve Adopting an Ordinance Entitled, "Ordinance Exempting Certain Motor Vehicles From Taxation" for June 27, 2000 at 7:45 P.M.

Mr. Brodinsky stated that he had requested this item be removed from the Consent Agenda due to the fact that the proposed ordinance exempting certain motor vehicles from taxation

was intended to tract a 1999 Public Act. He has just become aware that the 1999 Public Act was amended as of June 1, 2000. Some of the language of the statute was changed and if there is any question as to whether or not the proposed ordinance was intended to tract the state statute, it should be discussed. Most, if not all of the work of the Ordinance Committee, was done before this new Act was passed. Therefore, the committee did not have a chance to know about the language change. The new Public Act is #214 and broadened the scope of the proposed ordinance.

Mr. Parisi noted that this item is only to set the public hearing. Mr. Brodinsky's comments are well-taken but there is ample time for the corrections to be made and reviewed.

Mr. Brodinsky explained that he wanted to err on the side of safety. He noticed that the proposed ordinance was attached to the notice of public hearing and if there is any argument to be made that the proposed ordinance would go hand in hand with the notice, he wanted to bring it to the attention of the Council.

Mr. Parisi stated, there is ample time for the item to be reviewed by the Town Attorney's Office and referred back to the Ordinance Committee and brought forward on the public hearing date. If it is too involved, we can remove it from the agenda or just set the public hearing date now and let it go forth.

Mr. Brodinsky asked Corporation Counselor Adam Mantzaris for his opinion on the matter; is it criticle that the precise language of the proposed ordinance be approved tonight along with the notice of the public hearing or can that be separated out?

Atty. Mantzaris answered, it is not critical. It can be changed at the time of the actual hearing.

Motion was made by Mr. Farrell to Approve Setting the Public Hearing, seconded by Mr. Centner.

VOTE: All ayes; motion duly carried.

ITEM # 5 PUBLIC QUESTION AND ANSWER PERIOD 6:42 P.M. – 7:12 P.M.

Philip Wright, Sr., 160Cedar Street raised the issue of salary ranges once again (see minutes 5/23/00). He felt that the present method used to review department heads yearly did not produce normal curve results.

Mr. Parisi stated that the Merit Review Committee has made every effort to assure the public that the department heads are meeting the Town's expectations of them.

Pasquale Melillo, 15 Haller Place, Yalesville was not happy to read that Bristol Myers Squibb was given a \$565,000 tax rebate from the Town.

Corporation Counselor Adam Mantzaris explained how Bristol Myers took an appeal of a decision in favor of the Town. There are no guarantees that one party or the other will come out the winner in an Appellate Court. It turned out that Bristol Myers won a 5% decrease in tax assessment for the tax years they appealed. In the meantime, Bristol Myers had paid 100% of the amount due by them in each one of the years they were appealing. The \$565,000 figure represents the 5% they over-paid to the Town during those years.

Jack Agosta, 505 Church Street, Yalesville asked if all the homes had been vacated on Garden Road?

Henry McCully, Director of Public Works replied, all but one, #11. The resident will be out by the end of this month.

Wes Lube, 15 Montowese Trail stated that he was unaware of the fact that the Ordinance Committee had been considering a Blight Ordinance until he had read an article in the newspaper about it. It is unfortunate that the committee has decided not to adopt one, he stated, and encouraged the group to re-examine the issue. He wondered if anyone had attempted to collect sample blight ordinances from those towns that have been using them.

Mr. Parisi stated, the issue is not dead.

Mr. Knight, Chairman of the Ordinance Committee, stated that he is trying to take the matter in an orderly fashion so that any ordinance which may be drafted would not be duplicative of ordinances that currently exist on the books. Some of the committee members had a meeting with the Mayor and Atty. Mantzaris and have decided, as a first step, to collect all the regulations that would deal with quality of life issues, including Town ordinances, Health Department regulations; Building Code regulations; Planning & Zoning Regulations; that all deal with the same issues, essentially – attacking unsightly residences and commercial establishments and violations of blighted properties. The committee is hoping to have the “collection” done by the beginning of July. At that time the committee can better examine where there may be loopholes or gaps where none of the regulations seem to address some of the more grievous problems seen around town. Perhaps then, enforcement actions can be stepped up, eliminating a good many of the

problems seen around town. If the committee finds that it is inadequate, the committee is fully ready to move forward with a more comprehensive ordinance. Yes, data has been collected from other towns and is being considered. Enforcement of something as sweeping as a blight ordinance is a tricky animal so the committee is approaching it as methodically as they can.

Mr. Lubee stated that he can appreciate the fact that the question of private property is paramount but, by the same token, some of these owners have challenged the community in the manner in which they have managed their own properties. Right along Colony Street, which is the one that most visitors see, there are probably 50 abandoned vehicles, unregistered. He was under the impression that was against the law; one could not retain unregistered vehicles. There is a property located across from Christian Street that has 6 such vehicles in the back yard.

Mr. Parisi stated, they have to be reported.

Mr. Lubee pointed out that a patrolman can report them.

Mr. Parisi stated, they have to be reported....other Councilors have turned those in. I haven't seen those; I am not aware of them.

Mr. Lubee stated, there is a greyhound-size bus back there.

Mr. Parisi asked that Mr. Lubee call and report it so someone can react to his complaint.

Philip Wright, Sr., 160 Cedar Street stated, at the May 9th meeting a question was asked by Mr. Melillo about the air conditioning in the school system. A very quick response of "that is a problem for the Board of Ed" was given. At that time I agreed with the response. As the subject continued, the Mayor stated, to his knowledge there had been no threat of harm to the health of the children due to the lack of air conditioning in the school system. We don't send our kids to school to be uncomfortable, we send them to learn. We don't want them in conditions that are just short of threat of harm to their health. We want them in an atmosphere where they can learn. There are lots of things that can be done about that, temperature is one of them. I know there are certain parts in certain schools in this town where a kid is not going to learn anything; we just as well should send them home; on the hot days because their attention span is zero; their comfort span is sub-zero; it is not a subject that should be passed off so lightly, in my opinion.

Mr. Parisi stated that he discussed the matter with the Superintendent of Schools. His feeling was, at that time of the year, school is out, in June. That was part of the reasoning I was given and it is not a health hazard.

Mr. Knight asked Mr. Wright, having served on the last Building Committee...what was the response from the committee when that subject was brought up? I believe it was similar.

Mr. Wright answered, the response was, the third floor of the two middle schools, particularly Dag Hammarskjold, are the ones that are worse. At that time the Superintendent said that he felt that he couldn't air condition those areas without air conditioning the whole school because it would cause such a ruckus; not that it couldn't be done from an engineering standpoint. I didn't agree with it that time and, things change of the years and I still don't agree with it. We send kids to school to learn and I think we should have them in a reasonably decent atmosphere for learning.

Mr. Parisi stated, I am not passing the ball but it really is a Board of Education issue.

Mr. Wright acknowledged the fact that the Council cannot twist any arms or move any heads. They can, however, speak their minds on the subject. The justification given last meeting was what bothered Mr. Wright the most; it cannot be justified.

Pasquale Melillo, 15 Haller Place, Yalesville inquired about the status of the Goldfeder Property. Can anyone come up with information on the status of the chemicals in the building?

Mr. Knight answered, the D.E.P. has gone through the building and has spent a fortune cleaning up what needed to be cleaned up. I think they deemed the property to be under control and not imminent danger to anyone. The Town is applying for special grants, along with many other towns, to try and help pay for the final mitigation of the problem. That is where it is right now. I think once you sift out the rhetoric, the reports that were submitted by the State, as difficult as they were to interpret, seem to indicate that there was no immediate threat to persons or the aquifer, our groundwater, that the situation could proceed through the State grant process and that we would move when we were able to get funding, or at least if it is determined whether or not we would get funding. That seems to be the upshot of it.

Mr. Melillo asked, who really owns the property?

Atty. Mantzaris answered, the Goldfeder Corporation owns the property.

Wes Lube, 15 Montowese Trail spoke to the issue of the tree on Wallace Dam (see minutes of 5/23/00). At the meeting of May 23rd the Mayor stated that he was not sure the dam belonged to the Town. It has been determined that the Town owns to the crest, or top, of the dam, which flies in the face of the comments made by Mr. Wasilewski that he did not think it belonged to the Town. Mr. Lube checked with the Town Engineer to see if he did the research to determine who owns the dam, the Town Engineer stated that a local attorney had performed the search. It has been determined that it is the Town's dam; the Town's responsibility. He stated that he was not concerned about the potential impact on the bridge or the pipes under the bridge. It is the appearance of the Town that he is concerned about as one enters the western approach. It is time the Town accepted the responsibility of maintaining what is ours; our dam; our appearance; our image. He hoped someone on the Council would care enough to follow up on the matter.

Mr. Parisi noted Mr. Lube's position.

Mr. Lube asked, has anyone consulted the Town Engineer regarding this issue?

Mr. Parisi answered that he has spoken to Mr. Thompson (Town Engineer) who is inundated with work at the present time. This is not the highest priority the Town Engineer has to deal with right now.

Mr. Lube stated that he appreciates how busy the Town Engineer is but, he is not the one who is going to take the tree off the dam. He assumed it would be a duty of the Public Works Dept. since they have the equipment.

Mr. Parisi stated, it is not the top priority for either one of those departments at this time. At some time it may get done. He advised Mr. Lube not to look over to his left when crossing the bridge heading into town for it is a very irritating subject for Mr. Lube.

Mr. Lube asked if Mr. McCully was available this evening to discuss the matter?

Mr. Parisi did not want to discuss the matter with Mr. McCully in the meeting. He has spoken to Mr. McCully, personally, on the matter and Mr. McCully stated that he would make an attempt, at some point, to deal with the tree.

The public question and answer period was declared closed at this time.

ITEM #6 Consider and Approve an Appropriation of Funds in the Amount of \$1,250 to the Young Astronaut's Club Special Revenue Acct. to Receive Contributions from St. Paul Companies, in the amount of \$1,000 and CYTEC in the Amount of \$250 – Youth and Social Services

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

VOTE: All ayes; motion duly carried.

ITEM #7 Consider and Approve a Transfer of Funds in the Amount of \$7,000 from Snow Plow Truck w/Equipment Acct. #001-5015-999-9901 to Purchase Svs. – Tree Contract Acct. #001-5015-901-9023 – Public Works Director

Motion was made by Mr. Rys, seconded by Ms. Papale.

Mr. Centner asked, with this transfer, what will the total amount be for tree removal for the year?

Henry McCully, Director of Public Works responded, approximately \$45,000.

Mr. Centner asked if the utilities do any tree trimming of their own?

Mr. McCully answered, in an emergency they will help out the department. If he needs someone on short notice, they will help. They do not remove trees for Public Works. If a resident calls in that there is a limb on a wire, they will help to remove it. The complete take down of a tree is contracted out.

Mr. Centner asked, is most of the tree work contracted out or does Public Works do it?

Mr. McCully answered, we take down some of the smaller trees. It is up to the discretion of the Public Works Dept. We have trained people working for me but they are usually busy on other projects. In the winter if there are trees in an open field that can very easily be taken down, we have done that in the past but most of our trees are taken down by contractors.

Mr. Centner asked, with the recent inclement weather, do you think we have done well with the way the trees have previously been trimmed in terms of the Town's utility services and all?

Mr. McCully answered, as far as the loss of electricity, Wallingford has done quite well, however it does increase the amount of trees I have to inspect and ultimately have to tag for removal. This transfer, with this budget, will not cover everything. I will go over July 1 because we will have removed 142 trees.

Mr. Centner stated, I lost power last week for one hour; the first time in maybe 11 years.

Mr. McCully stated, the Electric Division aggressively utilizes their contractor to cut back the trees in a 10' from the wires year round. A lot of it is...it butchers a lot of trees but that is the trade-off.

Mr. Zappala asked, is there any way the Public Works Dept. could coordinate with Asplundh, the firm that does the tree trimming for the Electric Division?

Mr. McCully answered, tree trimming is a very small part of it. We don't have a bid done it; it is usually done on a fee basis as is needed. Throughout the course of the year it is not a lot. It is simply removing the dead wood from the tree. Unless it is totally rotted where it is going to cost more to trim it to save the tree, then we opt to remove it. The trimming is a very small part of the tree maintenance on my end. I spend a lot of time examining the high traffic/highly-populated areas during the winter months for trees that are hazardous. The same company (Asplundh) who bids on removal also bids on trimming. WE have a very good bid this time; we pay \$350 per tree for any size tree.

VOTE: All ayes; motion duly carried.

ITEM #8 Consider and Approve a Bid Waiver for Short Term Fuel Supplies Through September 30, 2000 – Finance Dept.

Purchasing Agent, Robert Pedersen, was in attendance to speak to this issue.

Correspondence from Mr. Pedersen to the Council states how the current fuel contracts will expire on June 30, 2000. The Town's present suppliers are unwilling and unable to renew their fixed price contracts for another year due to these current market conditions. In the short term, the Town would contract with the incumbent suppliers to continue furnishing fuel at market prices in accordance with the option in our existing bids (except without a cap price). Under this option, the Town would purchase gasoline, diesel and No. 2 fuel oil during this interim period as needed at current market pricing. This pricing is based on a fixed price differential offered in our existing bid over the "New Haven Harbor Tank Car Low" price. The delivered price per gallon is determined by combining this

differential with the stated, "Tank Car" price per gallon (a variable price) as posted in "The New York Journal of Commerce" under the heading "Oil Price Information Service" on the actual date of delivery. As the market fluctuates from day to day, so too would our purchase price per gallon on any given day. According to industry sources and published reports, petroleum prices should decline to more stable, mid-level prices by late summer. The Town will continue to monitor the petroleum market until conditions improve, but does not anticipate delaying bidding later than September.

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

Mr. Pedersen explained, presently we are paying the highest ever average gas prices in CT. (\$1.74/gal. - unleaded regular). News reports state that Milwaukee and Chicago are paying over \$2.00/gal. for gasoline. Gasoline prices have gone up \$.09/gal. in the past three weeks; \$.12/gal. in the last month; \$.18/gal. in the last 10 weeks. This is normally the time we go out to bid for our fuel contracts, when we consider the market to be at a good spot. For crude oil, the spot market, the close on Monday (yesterday) for a barrel of oil was \$31.74 which compares to the Friday close of \$30.20. Just from Friday to Monday, the price of a barrel of crude oil was up \$1.54. Under these present market conditions, due to the uncertainty of obtaining reasonable fixed prices for our fuels, and due to the uncertainty of variable price in over a full year... we believe the prudent course of action is to postpone bidding until the market settles down, which we hope will happen. At that time we will go out to bid. The bid waiver will carry the Town through the summer months.

Mr. Knight asked, does the State have a contract for fuel that we can share ?

Mr. Pedersen answered, the Capital region does put out fuel bids and that is a consortium of talent in the Hartford region. We could take advantage of their pricing if we participated and gave them our fuel requirements. We have looked at that a few years ago and found that our fixed prices at the time were actually lower than their prices.

Mr. Knight asked, are we exempt from Federal taxation?

Mr. Pedersen answered, we are exempt from taxation except for gross receipts tax which is a percentage imposed on diesel fuel and gasoline but not on no.2 fuel oil.

Mr. Knight pointed out that diesel fuel and no. 2 oil are essentially the same product.

Mr. Pedersen agreed stating, usually there is a slight difference in pricing.

Mr. Knight replied, pricing yes, but product, no. What would you owe that to? Because of the taxation private businesses...there is an additive that is put in diesel fuel to give it a different color from no. 2 fuel oil, specifically so inspectors can determine if you are running a truck if you are pouring fuel oil into...that is the dye that is added to diesel. If we are exempt from taxation, why wouldn't we consider using no. 2 oil in the first place? It is a little cheaper. We are exempt from taxation, anyway. I guess the State would frown on that.

Mr. Pedersen stated, I think that would be the case. There is probably a statute or law on the books that addresses that. There are differences. They pay closer attention to the sulfur content in diesel fuel. Depending on its specifications and the parameters it falls within, you could possibly run diesel fuel as home heating oil, although it would probably be more expensive, but not all no. 2 oil can be run as diesel.

Mr. Zappala asked, if we waive the bid, how much would we be paying for no. 2 oil?

Mr. Pedersen answered, I could not tell you because I don't have access to what the New Haven Tank Car Low is. That price is obtain online and then is added to the differential to arrive at our pricing from day to day. In my memory, since we haven't employed the variable pricing, in order to check on the pricing that we are receiving every time we order fuel, we will be asking for a copy of what the New Haven Tank Car Low pricing is on that day of delivery and we will be receiving that with our invoice from the supplier.

Mr. Zappala stated, last week I called four different companies to check on the price of oil. The price ranged from \$.95/gal. to \$1.15/gal.

Mr. Pedersen stated, today I can only tell you what the fixed price would have been. No. 2 fuel oil would have been \$.85/gal.; diesel is \$.87/gal not including the gross receipts tax; and gasoline would be \$.95/gal.

Mr. Vumbaco stated, this is a fiscally-responsible thing to do. We are shortening our bid up on the fuels because of the fluctuation on the price. What would happen if we do not waive the bid? Would we get spot market price? We are going to be putting ourselves in a position to pay spot price anyway, so why do we need to waive the bid for a three month period of time? Did you get the assigned pricing from Tunxis-Ohr's?

Mr. Pedersen answered, yes, differential pricing. We don't know...it is possible that the differential may change if we go out to bid. Supposing August and September comes

around and we go out to bid and don't achieve an optimal fixed price? What we would be compelled to do then would be to opt for the other option which would be the differential pricing.

Mr. Vumbaco asked, what do you mean in your letter when you state, "we cannot exercise the fixed price renewal clause", and why can't we exercise it?

Mr. Pedersen explained, in all of our bids we try to put in clauses for renewals on the recurring/continuing-type of bids we have for commodities and otherwise. We have a renewal clause in this contract but what tends to happen is, when it is to our advantage to renew the contract at that price, the supplier can't and when it would be in their best interest to renew the clause, we would not want to opt for that renewal. We don't impose this on the suppliers, it is a mutual decision even though we have final say. We do ask the present contractors, as we did presently, if they would care to renew their price and they decline because of the run up in the pricing. We would not want to be in a position of taking advantage of the market and having a supplier deal with us at a loss. At this kind of pricing it would be a huge disparity.

Mr. Vumbaco asked, so there is a fixed price renewable that the Town could exercise the contract if it chose to?

Mr. Pedersen answered, if we could.

Atty. Mantzaris stated, these contracts have to be consented to by either side.

Mr. Pedersen stated, it has to be mutual consent. We enter into a contract for a year's period of time and technically would be precluded from entering into a longer term contract.

Mr. Brodinsky asked, how much money are we talking about on this bid waiver?

Mr. Pedersen answered, the Board of Education used 377,000 gallons of no.2 fuel oil to date for this fiscal year. We use very little over the summer months.

Mr. Brodinsky asked, are we talking about a \$10,000 bid waiver; \$50,000 bid waiver? How much will be purchase during this period of time through September 30th? Is there an estimated dollar amount? I would look at it differently if we are talking \$39.27. If you are talking about \$50,000., \$60,000., or \$70,000., I may have some more questions. I want to get a scope of the consequences of our action tonight.

Mr. Pedersen stated, approximately \$7,000 for no. 2 fuel oil. Gasoline and diesel, we continue to use those products year round. I would have to look up the numbers to see how much we use on average per month.

Mr. Brodinsky stated, If I suggested to you that our purchases, during this period of time for gas, diesel and fuel oil would be \$7,000 - \$9,000., that would be a correct statement?

Mr. Pedersen answered, it could be higher than that. Last year we purchased 113,766 gallons of gasoline.

Mr. Brodinsky stated, that is approximately 10,000 gallons per month. If we were to purchase today, what would the price be gallon be?

Mr. Pedersen answered, \$.95 gallon. We have sent a memo to all departments asking that they top off their tanks before June 30th. That will carry us into the summer for gasoline and diesel at most tank locations. We could probably go into July before having to order.

Mr. Brodinsky stated, in your letter it states that our present suppliers were unwilling and unable to renew their fixed price contracts for another year. Does that reflect market conditions, generally, so that no supplier would renew their contracts on a fixed price basis for about a year?

Mr. Pedersen answered, that is correct; prices that were from one year ago which were very low at the time.

Mr. Brodinsky asked, would a supplier today entertain a fixed price contract? Or are you saying they are too afraid and would not do that if we put this out to bid on a fixed price basis?

Mr. Pedersen answered, yes, we would get bids today on a fixed price basis but we would not be able to accept those bids because I would say that there would be a considerable shortfall in the budget, based on what has been budgeted for the coming year.

Mr. Brodinsky stated, we can either expect to see you in September or have a contract in place by September 30th?

Mr. Pedersen answered, I am very confident that we will be bidding the end of August or early September and we will, at that time, achieve reasonable pricing.

Mr. Parisi stated, that is an awful strong statement. I hope you are right.

Mr. Pedersen replied, I hope I am right.

Geno Zandri, 37 Hallmark Drive asked, our existing contract is going to end June 30th?

Mr. Pedersen answered, yes.

Mr. Zandri asked, from that point on the existing supplier has agreed to sell us what ever fuel we need at fluctuating market prices?

Mr. Pedersen answered, that is correct.

Mr. Zandri asked, is there any language in the contract that precludes us from going out to bid and still have the fluctuating market prices honored?

Mr. Pedersen answered, that supplier would bid if we did go out to bid.

Mr. Zandri asked, if we have an agreement with that supplier right now that he will sell us fuel at the fluctuating market price going forward after June 30th, is there a clause in that agreement that says he will only honor that if we do not go out to bid?

Mr. Pedersen answered, I did not discuss any such scenario with him although he might consider that not to be in good faith on our part. The underlying question here is the consideration of the differential. The differential that we would be basing our pricing on was, in fact, bid last year. I am sure we would be able to renew these contracts except the cap price that was bid at the time to avoid that fluctuating market going beyond balance was the aspect of the bid proposal that none of the suppliers could adhere to. We don't have any way of telling if that supplier's differential or anyone else's differential would exceed this present pricing.

Mr. Zandri stated, if there is no clause in the agreement that says we cannot go out to bid for them to honor their fluctuating market price then, to me, there is no reason not to go out to bid. You can reject all the bids if you want and you still have this variable rate from now until you want to go out to bid again. This is a guessing game. You are thinking the market will go down in September so that is when we are going to go out to bid. Maybe it won't; maybe it will be higher in September. Are you going to come back again and still continue with the variable price? I see no reason why you should waive the bid at this

point; you have a supplier who is willing to supply you with fuel and market price. He will not lose any money and I see no reason why I should waive the bid at all. If they don't come in favorable, you reject them all and continue with the contract. If, in September, October or November, the market looks a little bit better, you can re-bid it again.

Mr. Pedersen stated, for the last ten years we have entered into contracts for fixed pricing. This is the first year that we are even entertaining variable pricing due to the market consideration. We would like to achieve a reasonable fixed price when we go out to bid and a variable price. If we go out to bid today, in this market, we might as well bother bidding a fixed price because it is so far over what we figured in the budget. All we would be going out to bid for is the variable pricing. We would like to go out to bid at a time when we could bid both ways and have a reasonable hope of success.

Mr. Zandri stated, I still see no reason why not to go out to bid now. If we do and the bids are not favorable, we can reject them all and be no worse off. You will be paying the same thing as what you would be paying going forward anyway.

Wes Lube, 15 Montowese Trail asked, are we talking about having a request to abandon a fixed rate policy and adopt a variable rate policy ?

Mr. Pedersen answered, no. We would very much want to enter into contract for fixed pricing. We want to postpone bidding in the short run. In the interim, to get us by this rough period with a variable, with the hope of going out to bid so we can obtain a fixed pricing.

Mr. Lube stated, I left out the word "temporarily". Temporarily you want to abandon the fixed rate policy?

Mr. Pedersen answered, yes.

Mr. Lube stated, September is only ten (10) weeks away. In doing this, in all fairness to the Council and taxpayers, you ought to give us a benchmark. Where are we now that we can compare with come September 30th?

Mr. Pedersen repeated the current market prices once again; no. 2 fuel oil is \$.85/gal., diesel is \$.87/gal. and gasoline is \$.95/gal. to date.

Pasquale Melillo, 15 Haller Place, Yalesville made some general comments about interest rates and natural gas supplies.

Mr. Brodinsky asked, how do you know the price you would be getting on this bid waiver on a differential basis would be equal to or better than the price you would get if it went out for a short term bid on a differential basis?

Mr. Pedersen answered, he suspects that the differential would be higher. We would be looking to not just bid for the variable pricing, in fact we have not entered into that kind of contract in ten years.

Mr. Brodinsky stated, in the short term, making sure the Town pays the lowest price for fuel. Whoever comes in front of the Council looking for a bid waiver, in my mind, has a burden of persuasion to carry. That burden of persuasion is that we are better off financially by waiving the bid than if we don't. How do you know that the price we will be paying without a bid waiver is going to be equal to or better than if we sent it out to bid on a short term differential basis which you can see we are going to be on that basis anyway, at least for the short term, you conceded at least through September 30th in your letter, reading between the lines, suggests that we may be into a differential basis well beyond that; times change, we have to adjust. If we are going to be spending \$10 (thousand), \$15, 20, \$30, \$40 thousand dollars anyway on a short term basis for fuel, how do you know we are not better off by sending it out to bid? If your answer is, "I don't know", we have got to send it out to bid.

Mr. Pedersen answered, I don't know that I can address the question definitively but I suspect it has something to do with the short term nature of the bid and, on the part of the suppliers, not being able to enter into a longer term contract. For that period of time it would be three months to enter into a contract. At that point we would go out to bid again and they could lose the award.

Mr. Brodinsky asked, is that too inconvenient for your department to do that?

Mr. Pedersen answered, it is extra bidding; that is our job... we do sometimes 250 bids per year. I would like to emphasize that we have always bid for our fuel contract, since I have been here, and this is the first time we have ever asked for anything like this. We are hoping that it is just an interim-type thing to get us by a rocky period of time.

Mr. Vumbaco stated, I agree with the short term nature of it but I don't understand why we are not going out to bid on the differential piece. Why can't we contact three or four vendors that you would normally contact on the fixed price bid for a long term contract and ask what they would give us for a differential price based on a three month period of

time? Then we can take the best one. Maybe the one we have here is the best one. I am losing the reasons why we are not doing that. I understand that we don't want to do that long term year bid because we won't get favorable pricing but I don't understand why we can't do a three month interim quick bid.

Mr. Pedersen answered, the variable pricing we are going with for the three fuels is, most definitely based on a bid from one year ago. That was the lowest variable pricing that we achieved one year ago. We did not opt for that solution to our supply, we went with a fixed price because it was so attractive. As part of that bid, we include a cap price. If we went out to bid now, we would do the same thing; we would ask for a variable and cap price. You would hope that the cap price would protect you. This past year, had we gone the variable pricing, during the course of a year we would have paid much, much more overall than our fixed pricing because there wasn't that many months that it could have been lowered than what our fixed price was. Our cap would have protected us from the run-up in pricing. If we went out to bid today, the price that they would give us at a cap would, no doubt, be \$.85 -\$.90 (gallon) so I don't think that it is really much different than just going with a variable price for a short period of time.

Mr. Vumbaco stated, on the first page here, you have a price differential of \$.027 per gallon. I am not sure that \$.027 could be lowered if we went to three different vendors. I can't support this bid waiver.

Mr. Knight stated, I work in an industry where I purchase transportation services from companies that, one of the largest components of cost is fuel. Many of the contracts that I had up until six months ago were fixed and did not include a fuel surcharge. You cannot get a transportation company today to enter into a contract without a fuel surcharge or without the ability to adjust their rates having to.....it with the price of one of the largest costs in their industry. These dealers are doing nothing different than that and I can appreciate going out to bid and I think it would accomplish nothing. It sounds like you (Mr. Pedersen) have a good, short term solution to this very vexing problem for a lot of people.

VOTE: Zappala was absent; Brodinsky & Vumbaco, no; all others, aye; motion duly carried.

At this time Mr. Parisi introduced Thomas Thompson, Accountant, who is filling in for the Comptroller and Deputy Comptroller this evening.

ITEM #9 Consider and Approve an Annual Bid Waiver List for Fiscal Year 2000-01 as Requested by the Mayor's Office.

The list is similar to last year's list and deals almost entirely with proprietary items. The bid waiver list covers the Water, Electric and Fire Departments, Town Clerk's Office, School Systems, Youth & Social Services and Public Works. This is a yearly housekeeping matter of the Council.

Motion was made by Mr. Rys to Accept the Bid Waiver List and Attach a Copy of it to the Minutes of the Meeting, seconded by Mr. Farrell. (Appendix I)

Mr. Brodinsky stated that there are many items on the list that he feels deserve inquiry. He would not take the time to point out each one unless there was some sort of a sign of a collaborative effort to go through the list item by item and ask such questions such as, "when was the last time that particular item or vendor was subject to a bid". I am very uncomfortable with a mass bid waiver list and if I was going to vote on this, I would therefore vote no. But I also see that the Ulbrich Boys & Girls Club is on the list and I am on their Board so I will disqualify myself. If I was voting, it would be a "no".

Mayor Dickinson stated that the list has been substantially reduced over the years. Several years ago the Town made a concerted effort to take out a lot of the items. We even made an effort to bid hardware supplies and found that it was just not conceivable. For the most part, even auto parts, are bid. Where there are elements of proprietary work or single entity vendors such as Detroit diesel engines, and things like that. We waive that so that work can be done for the Fire Department and some others. A major effort was made to reduce the list and it was successfully reduced. Most of the items, as you can see, are dealing with software vendors that are proprietary, etc.

Mr. Pedersen stated, back in 1991 there were approximately 155 bid waivers on the list. Over the years, that number has been reduced to 48 in 1998, 50 in 1999 and approximately 30 this year. The last few years it has leveled off. We have made a concerted effort to reduce the list. The business of the Purchasing Office is to bid and enter into contracts which are to the best advantage of the Town. Bid waivers are necessary evils. Sometimes Purchasing Agents are trying to bid the unbiddable. We do intend to keep whittling away at the list.

Philip Wright, Sr., 160 Cedar Street stated that he was very impressed with the extent that Mr. Myers' had gone to to justify each and every bid waiver. If Mr. Myers were in attendance, he would congratulate him for a job well done.

Pasquale Melillo, 15 Haller Place, Yalesville stated that he was opposed to waiving bids. Without competition, you cannot possibly get the best price for goods.

Mr. Vumbaco stated, last year we had \$68,000+ in expenditures for bonding attorney services. The bid waiver in this document is in the amount of \$40,000. Is there going to be a projected reduction in the use of this service? This is no different than an accounting firm and I don't see why the bond attorney is on the list. I know there is a familiarity issue here but I would assume that bond attorneys...it is a pretty straight forward business.

Mayor Dickinson replied, the amount of money varies with how many issues go to market and what advice is requested during the year; that can vary. As to why the choice of Atty. Fasi, it is a very specialized area of law. It has become much more complex in recent years. One area, for instance, is the complexity of private/public partnerships and the degree to which tax-exempt financing is restricted where there is a profit-making entity or potentially one operating an enterprise on publicly-owned property. That is an area that has changed drastically. It is a specialized area and I think the view is, given its specialty, it is appropriate to choose an attorney who has given us sound advice; continues to give us good advice and is well versed in the subject matter.

Mr. Vumbaco stated, to me there are some vendors who are on this list that the service could be put out to bid. One that sticks out in my mind is Safe T Clean for environmental services. There are multiple companies on the market that do that kind of work. With regards to the microfilming in the Town Clerk's Office, I don't believe that is the only firm that does microfilming. This (bid waiver) list can be pared down even further if, in fact, an attempt is made at it.

Mr. Brodinsky stated, a thought for another time or another year; the amount of \$2,000 has been on the books for a long time and maybe that is out of date and maybe, at some point in time, with the right procedure to amend the Charter, that should be increased to a higher number so that we don't have the inconvenience of sending things out to bid for small amounts of money. It is just a thought. I would support that discussion.

Mr. Parisi stated, that discussion has taken place several times but so far it has not prevailed.

Mayor Dickinson stated, so that everyone is aware; that change can be accomplished through resolution of the Council. It does not require a Charter amendment.

VOTE: Brodinsky abstained; Vumbaco, no; all others, aye; motion duly carried.

ITEM #10 Report Out from the Economic Development Commission Regarding the Plans, Goals and Procedures, if any, to Attract Businesses to Wallingford and to Revitalize the Downtown Area, Together with a General Discussion of the Commission's Accomplishments During the Past Twelve Months as Requested by Councilors Brodinsky, Papale, Vumbaco and Zappala.

Mr. Brodinsky stated that he hoped to make a tradition out of the commission reporting to the Council on a regular basis. The purpose behind the request to appear tonight was to not only educate the Council but public as well as to the work the commission has been involved in. In reading the Commission's minutes for the past two years, he acknowledge that the group has been quite busy with a lot of things on the go. The Commission may be the Town's best kept secret. He noted that the Commission functions pursuant to State Statute and understands their mission to be one in which they conduct research on the economic conditions and trends in the municipality; make recommendations to appropriate officials and agencies on ways of seeking to improve economic conditions and development and to coordinate activities and cooperate with unofficial bodies in an effort to promote economic development. The statute says that the Commission can print material, pass out pamphlets and maps that might suit their purpose. The statute also says that the Commission shall annually prepare and transmit to the legislative body of the municipality, a report of your activities and of your recommendations for improving such economic conditions and development. He stated that he is looking forward to that annual report. The last part of the statute says, "any municipality that establishes an Economic Development Commission may annually appropriate for its purposes a sum not exceeding 1/20th of 1% of the last completed Grand List of taxable property." He stated that he did not think the Town was bumping up against that ceiling at all.

Richard Nunn, Chairman of the Economic Development Commission stated, there is a formal record with a number of articles describing the Commission's purposes and other organizational functions that they have and currently meet. The Commission is comprised of seven (7) individuals and meets at least on a monthly basis. A number of activities are performed by special committee reporting back to the Commission. The staff has prepared for the Council a packet (distributed at this time) describing the work performed in the near past.

Don Roe, Program Planner, stated, the packet contains the material the Commission has been using for the past few years. In the course of pulling the materials together, they have been reviewing what the workload, activities and accomplishments are/have been of

both the Commission and Town office staff. The Commission's commitment of volunteer time does not come close to what a Town Council member faces or other volunteers in our community face if they participate in some of our other very active bodies. It has been a very active commission. We look for them to commit weekly amounts of time to the cause. A lot of that falls on the Chair as well as the Chairs of the subcommittees which was a new wrinkle that developed over the past few years. I want to take the opportunity to thank the other Commission members who are not present tonight.

Mr. Brodinsky stated that the Council would also like to thank those volunteers serving on the Commission.

Mr. Roe reviewed the current Economic Development Commission (E.D.C.) booklet with the Council. Samples of E.D.C. literature, E.D.C. highlights from 1997-2000 (Appendix II), "Wallingford Works" marketing brochure, maps, articles along with a list of benefits and incentives of operating a business from a Connecticut location were organized in an easy to read format in the packet which projected a uniform look and theme. The Commission is in the last year of using the current marketing theme and will be proposing a new marketing campaign next year. He reviewed the E.D.C. highlights from 1997-2000 with the Council. In 1998, the E.D.C. commissioned a group out of UMASS to undertake a downtown focus group. The product of that was a plan that continues to be a guidance document for E.D.C. work activities as well as Wallingford Center Inc. (W.C.I.) work activities in downtown. Also, what came out of that was the E.D.C.'s decision to commit one day per week of our part-time business recruiter to assist Wallingford Center with downtown economic development issues. That continues to this day. Staff is committed to approximately 35-40 hours per week to economic development activities. A part-time business recruiter works 19.5 - 20 hours; clerical assistance is provided and approximately one-third of the Program Planner's hours are absorbed by the work. During the 1998-99 time period the E.D.C. reviewed the Town's economic incentive programs. Earlier this year the E.D.C. commissioned Milone & McBroom to undertake a study of infrastructure issues for use of the properties that have been zoned for industrial expansion north of Barnes Park North and Fairfield Blvd. The report is in its final stages. This past year the E.D.C. has added to the Chamber of Commerce's home page a link to the CT. Economic Resource Center's site finder. That is a public/private collaboration on a statewide basis that does economic development, in particular, marketing activities on behalf of the state. The E.D.C. recommends that they join the Regional Growth Council, the regional economic development organization for the purpose of learning what is going on there.

Page 2 of the E.D.C. Highlights of 1997-2000, outlines the committee structure and tasks. A summary of staff duties and responsibilities is included. A log or diary of transactions involving 10,000 s.f. or more of commercial/industrial space is maintained.

Pages 3-4 are copies of advertisements highlighting new businesses downtown.

Mr. Knight stated that he would be interested in learning what results, if any, are expected from participating with the Regional Growth Council (R.G.C.)?

Mr. Nunn answered, as of the present time, the E.D.C. is not a member of the R.G.C. because their fiscal year is concurrent with the Town's; July 1st. Monies are in the budget to allow participation in the organization. As Chairman, I will be attending the R.G.C. meetings and reporting back to the E.D.C. as well as the Council, if that is your wish. The Council may wish to consider appointing a Council liaison to E.D.C.

Mr. Parisi stated that the Council is satisfied with receiving copies of the E.D.C. minutes at this time and felt it was not necessary to appoint a liaison to the Commission.

Mr. Knight stated, the purpose of the E.D.C. is to attract businesses to the community to obtain property taxes from them. There is a great deal of competition throughout the State to attract such business. It seems to me that regional cooperation seems to gloss over that fact. How successful will it be if the property tax system is the one by which we raise the majority of our revenue?

Mr. Nunn answered, there are fifteen (15) potential members of the R.G.P.; fourteen participants at the present time. The advertisements placed and efforts made are done in a very professional manner; we do not invade our neighboring communities in order to solicit their movement to Wallingford however, if someone from a neighboring town should apply, we give them all the information they require. It is not a point of invading their companies to bring them to town. We do the same thing on a state level with CERC (CT. Economic Resource Center) which provides information on companies coming into the state and we are the recipients of a number of inquiries either from CERC or real estate developers that want to come into town. We assist them where we can. That is done at the industrial and commercial property level. We do not look at it as being competitive with the other members of the Regional Growth Partnership.

Mr. Knight asked, what will this Regional Growth Partnership attempt to do? Who are our competitors? This is a competitive field; who are we competing against?

Mr. Parisi asked, isn't one of the objects of the organization to keep people within the region if they decide to move?

Mr. Roe answered, yes. We have not been members as of yet. They have an open door policy and I have participated at monthly meetings at which other EDC staffs from around the region attend. My impression is that they are looking to market the assets of the region. They have been doing that analysis; what are the assets of this region; and, how best to foster growth that builds on those assets. That fits in with the current state strategy for our region which would, as one piece of the plan, be to focus on bio-tech/bio-medical side of things. That is one of my interests for having Wallingford participate in RGP; our interest and that piece of it is looked out for. How it will all play out? I don't know.

Mr. Nunn stated, there is a liaison between the RGP group and CERC. With us participating in the regional sector, we will get as much information as the other fourteen towns who are part of the RGP.

Mr. Knight stated, much of the effort that the State of CT. puts in toward economic development is concentrated on those areas of the state that are suffering the most loss of jobs and the worse unemployment. Does this not put us at a disadvantage and is it not a frustrating relationship with CERC because of the fact that much of their effort is directed to towns other than Wallingford?

Mr. Roe answered, the existence of enterprise zones is well known. Does it come into play as companies make decisions? Yes. We run the numbers once a year, usually when a company is asking us to evaluate a full-range of costs and compare it to enterprise zone costs and benefits. Generally, when a company is looking short-term, five years or less, certainly it is more advantageous to them. Those benefits are there for a purpose. It is more in the longer term that the benefits become less significant and that we, on a dollars and cents basis, become more attractive. Do we fault the state for its policy? No. Do I think there are some inappropriate enterprise zones? Yes. But I also understand those.

Mr. Knight commented, this is one of the most important activities that we can undertake. We can see that you have to be in the market place if you are going to be a viable community and with an economy like the State of CT.'s, which is as hostile to business as it has been, a constant effort has to be kept up to replace the businesses that we consistently lose, not through any fault of the Town of Wallingford but the general economic environment of the state. I applaud your efforts.

Mr. Parisi stated, there are those of us who have supported this commission for years.

Mr. Brodinsky stated, hopefully in a year the Commission will be back reporting out on what has been the Commission's proudest accomplishments. That is sort of an invitation, a year in advance. Can the EDC really impact the decision of a business that is out there, not in Wallingford, that is a prospective customer? In what ways can Wallingford and the EDC play a part in shaping that decision? I want you to think about those questions, I don't want answers now. In your list of highlights you mentioned Milone and McBroom as doing a study of infrastructure issues for use of properties zoned for industrial expansion located north of Barnes and Centrax Parks. What are the issues there? What is going on?

Mr. Roe answered, the area that is north of those parks is a land area of approximately 270 acres. It has been zoned IX for some time. It is owned by multiple private properties. There are some property owners who are situated to the extreme north that we are interested in using their property and making it available for development. The difficulty is that, with an industrial zone, those need to be served by public water and public sewer. It comes down to, how can that be accomplished? How do you envision, providing the road network and the infrastructure, the plumbing, in order to have that area utilized? We hired Milone & McBroom to do some conceptualizations based on existing data bases. What we asked them to do is, while some time ago the Planning & Zoning Commission had designated those lands for IX, it was thought that it was time to put those lands under a microscope and bump up the power a notch to see what some of the issues are in using that land or having it developed as an industrial park, setting aside all the private property and separate ownership issues, looking at it in its entirety.

Mr. Nunn reminded the Council that it is long range planning that is being discussed. This is not an industrial park that the commission is looking to have developed within the next 6 months to year or two. It is planning, in advance, of what action may take place there. It is doing intelligent investigation as to what the capability of sewer connections...water and sewer are important issues. That is the area where the industrial expansion can take place in town. That does not mean there aren't some existing properties that are available now but that is a significant piece of land and it behooves us, it is our responsibility, to contribute to input so that it gets developed in a manner similar to the way the rest of the town has been developed.

Mr. Brodinsky asked if a copy of the final study can be forwarded to all Councilors when it is completed?

Mr. Nunn agreed to make the document available.

Mr. Brodinsky noted that the minutes of the EDC show that an economic summit is held periodically and asked for an explanation of said summit and what is accomplished at them.

Mr. Nunn explained, the Mayor, Mr. Roe, Mr. Nunn, himself and, on occasion, other commissioners, Mr. Myers, Robin Wilson from the Chamber of Commerce, and Raymond Smith, Director of Public Utilities will make appointments, and there may be as many as six over a period of a couple of days...to meet with businesses. They have questions to ask of us and it is somewhat promotional. If they want to consider expansion, we can talk to them about that; if they are companies who are either suppliers or customers of theirs who may be interested in certain aspects of the town, we can provide that information. We have two of these summit meetings scheduled for Thursday, this week, with companies who are in town. These summit meetings have been received extremely well by the business community. They seem to be very thankful that we reach out to them to offer them the information that we do offer them. If any Councilperson would like to attend such a session and meet with these business owners, we can give you a list of the business owners that we have spoken to in the past couple of years. You will be impressed with that list.

Mr. Brodinsky asked, your list has the Meriden Marham Airport study on it. What are the issues, briefly?

Mr. Roe stated, our airport representative was here earlier and then left. I will have to pass on that. I would rather have Jim answer that question.

Mr. Nunn explained, it is basically expansion that that business wants to promote. They want to expand and a lot of the property that is dealt with in the airport is within the Town of Wallingford. As a matter of fact, a higher percentage of the property is Wallingford property than it is Meriden property.

Mayor Dickinson added, it is not a study done by EDC. It is a study done by the Airport Commission. They requested participation from the Town of Wallingford. There was such participation; they came up with some proposals that were reviewed by Town Departments...proposals that would have changed facilities for repairs ran afoul of our aquifer protection regulations in Planning & Zoning, necessitating changes in what the study was calling for. They are looking for safety as well as facility improvement to the airport. They are careful not to indicate expansion beyond what the airport is capable of handling today. Thus you would not have anymore anchorings for planes than what it could handle today. It is not used to the degree that they feel may be optimal. There has

been a lot of effort on the part of the Airport Commission and I am not sure where that issue stands, in total. It would have to receive P&Z approval for anything that would be located in Wallingford. Again, that triggers our aquifer protection district issue.

Mr. Nunn continued, the activity of the EDC is not all promotional in that we are beating the drum to bring business into town. We want to be selective as to what businesses and to make sure they are the right businesses. We are answerable to other agencies, particularly P&Z when it comes to aquifer protection, sewer usage, etc. We stand as an assistant to any of these other groups. We do get involved, we have in the past and plan to continue carrying on that role.

Mr. Brodinsky asked, do you believe that you can have an impact on a business to maybe relocating to some place in CT or is that too much to ask?

Mr. Nunn answered, I am an optimist and believe that people will listen. We have a lot to offer in this town, particularly with location, our network of highways, the utility factor and the type of land that we have. I think it is possible to invite and encourage people to come to town. Then we have the other side of the coin; a retention committee. They attempt to convince people that they should expand within our community, our town, and not to relocate, that we have the things to offer in this town that are in their best interest, of course as Mr. Knight pointed out, regarding the tax base, it is in our best interest as well.

Mr. Parisi stated, one other very strong factor is the stability of the town. Most industries find that a very valuable thing to have in their corner so that when you are projecting budgets and costs and you can rely on the economy of the town to stay fairly stable, that is a big selling point.

Mr. Vumbaco commented, I do want to extend congratulations to Mr. Roe because of his ability to deal with the private industry which can be very difficult to do at times. There is a strong relationship between the EDC and the private representation, Chamber of Commerce, and the town. A lot of that is due to Mr. Roe's relationship with Robin Wilson (Director of the Chamber of Commerce). With regards to the Regional Growth Partnership issue, I sit on the private side of the committee and we discuss the same issues but how each individual committee can help the general RGP. One of their big concerns is, it is not just a battle of who is going to get what company, they leave that to each town to sell itself. What they are trying to do is to regionalize the issues that are facing all of the communities. A good example is, they are behind the Tweed New Haven Airport expansion for the sake of being able to get goods and services into this issue off the highways. Anyone traveling the I-95 corridor knows that if you try to bring anything in by

truck, it takes forever and is a very costly situation. These groups get together and try to develop ways to expand Tweed Airport, for example, to be able to get goods and services and how that will affect getting those goods or services to Wallingford. They are looking at facing the issue of the Quinnipiac Bridge expansion on I-95; roads, infrastructure, water issues that the region will be faced with in the future, etc. These are the kinds of issues they discuss, not just a battle for the new Pratt & Whitneys; we want them, you can't have them, so they we are not going to talk to each other. They get actively involved in issues and try to stay out of those controversial matters. Mr. Roe and the EDC will find that it is going to be very helpful to be able to give our perspective and viewpoint. They are extremely pleased that Wallingford has finally agreed to participate. It will be a beneficial effort for the town.

Lucille Trczynski, 262 N. Elm Street stated, one of Wallingford's greatest assets is downtown. One of the downtown's most viable assets is the Wooding/Caplan property. That has been available for use for a long time. Has there ever been commissioned or has the Council ever thought of an independent study for the highest and best use of that property beyond what the property owners, themselves, have talked about?

Mr. Parisi answered, no, the Council has not done that.

Ms. Trczynski asked, is there a possibility that the Council would consider such an effort?

Mr. Parisi answered, there is a plan under consideration now and has been for a while. I don't know that it has been unsuccessful or a conclusion reached on it as of yet.

Mayor Dickinson answered, there are current discussions which may result in a proposal that can be brought forward. There was a request for proposal at one point.

Mr. Roe explained, it was not approved by the Council. Several years ago we came before the Council suggesting that we go out and solicit developers proposals for the re-use of those properties. At that point in time the Council declined to have us do that. At some point in the future we can undertake that should the current work that is being done not come to fruition. The approach was modeled after work that had been done in Middletown and other communities.

Ms. Trczynski stated, one of my concerns about the property is, should one of the individual property owners or the Town undertake to proceed with some kind of plan, without an independent study, how would it be determined that those investors, including

the Town, would reap the results of their investment without some kind of direction as to what would be successful in that area?

Mr. Parisi stated, it is a good question but I don't know that studies are always the answer to a situation. There are studies that have not proven to be feasible as well as those that have been successful. There is still a measure of risk with any procedure.

Mayor Dickinson answered, the parties who would be participating would have to receive financing. Some of the measure of whether or not something would be successful is whether or not financing is available for what ever is proposed. Depending upon what entities are involved and their ability to obtain financing, that is some measure of whether there is an expected return because of participation of third party investment.

Ms. Trczynski stated that she still felt the independent study should be conducted.

Mayor Dickinson reiterated, if there is a situation where what is being proposed...the privately-owned area would receive their own investment, if they are able to command that investment, that would be an indication from third party lenders that they believe there is a viability and there would be a return (on investment). Otherwise they would not be providing the funds. It is not a commissioned study but the ability of someone to go to the finance market and receive financing is an indication that there is a review that is favorable. There is not a determination to have an independent study done. The Town's participation at this point would be similar to our investment in all the streetscapes. We invested funds in that. There are those who say that is good, there are those who say it isn't good but that is the public role; improvement of publicly-owned properties. That, in turn, enhances privately-owned properties. If those property owners are able to come forward and say, "if you do this, we are able to command the ability to do that" that would be a return that would hopefully benefit the entire community. It would not be the Town of Wallingford being a partner in private development.

Ms. Trczynski stated, I hope that what ever happens there is the result of a concise and well-thought out project as opposed to something that is piece meal.

Mr. Farrell stated, the point is well taken. If we were a private developer and we were putting up a mall, not that what is going to go on the property is a mall, but it is a mixed use development, it is potentially involving some retail, some residential, that we would do a business plan, that we would go out and try to figure, who lives within a certain range of that site. We would try to figure out what their retail needs, what their residential needs were and we would try to configure our project around what our data showed us so that we

had a business plan of how we are going to fill that space before we go out and build it. I think the point is well taken even beyond the Caplan/Wooding parcel, for the entire downtown area that. We do have efforts like what the EDC is doing but do we actually know what the retail needs are? One example, we have over 800 young adults sitting several blocks down the street from the Caplan/Wooding parcel. Do we know what their retail needs are? They are within walking distance; they have economic bucks that could be spent in that area. We also have a large population that lives within walking distance of the intersection of Center and Main Streets. Have we surveyed those people to know what the market niche is, perhaps, of what they are looking for? I am all for the free market but sometimes you have to get some grasp of where the free market is going to be able to meet the needs of businesses that we would hope to come in, that somehow we are perceptive to what the potential customers are looking for. What Ms. Trczynski is saying, is a very good point and we have to grapple with because we don't want to get involved in a project like Caplan/Wooding, no matter how our participation is defined, and let it fail. We should go in knowing what it is that would go there and how it is going to work or we should reconsider our involvement.

Mr. Parisi responded, I think we are getting into an area that becomes a little bit dangerous. I don't know that it is the Town's responsibility to determine what the market place is for private entities. If they want to research the market and determine what they should do in there, that is fine; that is not our responsibility and, in no way, will it ever be.

Mr. Farrell pointed out, we just listened to the EDC tell us that it is important to go out there and find the businesses that are interested in coming to Wallingford. The corollary is that we have to know, particularly for retail businesses, what people in Wallingford are going to buy. They may not go to Saks Fifth Avenue if we brought it to town but they might go to a bookstore, for instance.

Mr. Parisi stated, if you want to see what they are buying, go to a mall because that is where 90% of them are shopping right now and that doesn't cost you anything. "You don't see the crowds on Center Street anymore because you can't buy what you want to buy downtown, but you can buy it in a mall. You need the people to put the money up, put the business down there and slug out the hard times and, hopefully, be successful. If the town is not going to get behind its own business district, the business district will not be successful. That is the first order of business, to get the townspeople to shop in town. I shop in town but sometimes it is very difficult. It is a real strong effort because you can't find what you want.

Mayor Dickinson added, often a primary factor in downtown is having people live in the downtown. There is a far greater likelihood for them frequenting places of business near to where they live. Where the town has a financial partnership, we would be helping to invest in and build a retail or residential component, we certainly would want to know exactly what the market is that we would be talking about. If we are not involved in the financing of it then the credibility of the other people involved is a factor. Our money is not really at risk. All of this has to be weighed. I think we can take a look at what ideas there are; some will like them, some won't. Maybe nothing can move forward for any number of reasons. The site is very limited. It does not have great access and unless some basic issues like that are solved, it isn't inviting. Anything that would go in there is of very limited scope.

Mr. Farrell concluded by saying, I feel the overall downtown area would benefit from having some type of survey that gave us a better demographic feel for what is out there and what the buying needs are for the several thousand dollars it would cost.

Wes Lube, 15 Motowese Trail agreed with Mr. Farrell. He asked, who designed the web page for the EDC?

Mr. Nunn answered, it is a joint effort. Most of the input comes from the Chamber staff people. It is actually a Chamber website and as has been indicated, Don Roe and Doreen DeSarrow, one of our staff people, work with the Chamber in putting together the website information, particularly that which deals with economic development and the town. At this point we are satisfied with the effort the Chamber is putting into supporting us.

Mr. Lube asked if the EDC coordinates its efforts with other firms such as F.I.P. who also tries to market their site to the business sector by inviting potential customers into town to see not only their property but other property they may not have control over?

Mr. Nunn answered, yes, our staff does that. Not only F.I.P. but the entire real estate community works closely with Ms. DeSarro and Mr. Roe to answer the questions and assist the Realtors in showing the aspects of Wallingford that would be attractive for someone to come in to town. It becomes a team effort. Sometimes the earliest contact we have comes through a real estate Broker who has a client who is either interested in a particular piece of property or is interested in Wallingford, in general, and inquires as to what might be available.

Mr. Lube asked, have we provided the New Haven Board of Realtors with a full description of Wallingford and its advantages for their multiple listing of industrial properties section?

Mr. Roe answered, Ms. DeSarro is a member of the New Haven Board of Realtors.

Mr. Lube asked, with regards to signage, in terms of industrial, what have you done of late and what do you have in process?

Mr. Nunn stated that the "Wallingford Works" signs appear along side of I91 heading south, out by Route 68 and also heading north towards Meriden. There is one sign on the Wilbur Cross Highway, heading south, on the property that is known to most as the credit union building, off of S. Turnpike Rd. Private property owners have been very cooperative and supportive in letting us erect the signs on their property.

Mr. Lube asked, what about downtown revitalization signs?

Mr. Nunn answered, we leave that to the Executive Director of Wallingford Center Inc. (WCI), Caryl Ryan, who attends our meetings. He then proceeded to list the many ways in which the Town and WCI have implemented programs or projects to attract businesses downtown, i.e., streetscape improvements and decorative/seasonal flags.

Mr. Lube asked about signage once again.

Mr. Nunn stated that he was not aware of any signage that would be appropriate. He asked, what would you suggest?

Mr. Lube stated, if one were to get off the highway at any given point in the town, there is no way of knowing which way the business district would be; which direction I should head in should I want the business district. If I were coming up Quinnipiac Street (off of the Merit Parkway heading east) I may take a right at the fork in the road and head up Ward Street, why go left?

Mr. Parisi asked, why not?

Mr. Lube stated, it is a 50/50 chance. There are no directions. In other towns you will find signs directing you to their business center...

Mayor Dickinson added, often a primary factor in downtown is having people live in the downtown. There is a far greater likelihood for them frequenting places of business near to where they live. Where the town has a financial partnership, we would be helping to invest in and build a retail or residential component, we certainly would want to know exactly what the market is that we would be talking about. If we are not involved in the financing of it then the credibility of the other people involved is a factor. Our money is not really at risk. All of this has to be weighed. I think we can take a look at what ideas there are; some will like them, some won't. Maybe nothing can move forward for any number of reasons. The site is very limited. It does not have great access and unless some basic issues like that are solved, it isn't inviting. Anything that would go in there is of very limited scope.

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Mr. Parisi stated, there are not many that have a big sign up, Ray Rys travels this whole state.

Mr. Lubee asked, do we have any signage planned to try and assist our inner businesses to succeed?

Mr. Nunn answered, no plans that I am aware of.

Mr. Roe was not aware of any either. He stated, this is the first time I have heard the topic raised. WCI, who works directly with the retail community and other users of downtown, should they discover that would be a desirable thing, they could look into it.

Mr. Lubee stated, it seems that we are trying to sell a product; Wallingford. Part of every salesperson's efforts is to try and make his product as attractive as possible. He asked, do you have any concern or interest in Steve Knight's comments about blight?

Mr. Parisi stated, I think that is off the beaten path. We are here to discuss economic development. I will put a time limit on this issue of only eight minutes more. Let's try to stay within the parameters of the agenda item.

Mr. Lubee asked, when you have people interested in our business community, do you try to drive by the blighted properties more rapidly or try to take an alternate route to avoid them?

Mr. Parisi asked if WCI was part of the EDC?

Mr. Nunn answered, EDC does contribute to and support WCI. They have their own separate budget; they are their own separate entity.

Caryl Ryan, Executive Director of WCI stated, with regards to signage, when I first came on board, we had ordered blue signs that were placed at exit 66 off of the Merit Parkway on Route 5, pointing to the downtown area. I believe there was also one at exit #14 off of I91. I have not looked lately to see if they are still there. We also ordered parking signs because people would come downtown and think that there was no parking and there is plenty of parking. It has to go through the Police Department to get these signs. We did have signs for the downtown but we did not have one on Quinnipiac Street. That might be a good idea. It was on a limited basis and was very difficult to get done.

Mr. Lubee asked, in the past two years, how many inquiries has the EDC received?

Mr. Roe replied, approximately 150-200 per year.

Mr. Lube asked, of that number, what is the follow up procedure?

Mr. Roe answered, leads management consists of my handling in state leads while Ms. DeSarro handles the out of state leads. We now have either one of us handling either one of those items, regardless of where they are coming from. It depends on what the inquiry is. If it is for basic information and entails a written response, which most do, the responses are sent and then followed up by phone calls, followed up by offers to do a variety of different things.

Mr. Lube asked, every one of the 150-200 inquiries has a follow-up of one sort or another?

Mr. Roe answered, correct.

Mr. Lube asked, of those 150-200 inquiries, tell us some of your success stories.

Mr. Roe answered, we estimate, our count is about 5% may ultimately end up in a location in Wallingford. I will not represent to you that it is because we did anything special to make that happen. Most real estate activities are done through private Brokers.

Mr. Lube asked for specific success stories from direct contact with Mr. Roe and/or EDC.

Mr. Parisi stated, I do not want to belabor the issue. Mr. Roe obviously does not want to get into that so cut him some slack.

Mr. Lube stated, we are spending a lot of money and a lot of effort and I wondered whether it was producing anything. Can't I have an answer?

Mr. Parisi stated, I don't know if Mr. Roe can find that information and we are ending this conversation in the next few minutes. We have another speaker waiting to ask a question. While Mr. Roe is looking for your information, we will let the next speaker up.

Pasquale Melillo, 15 Haller Place, Yalesville asked, what was the Town's long range plan for the Caplan/Wooding property when they purchased it for \$1.6 million?

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Mr. Melillo stated, for the amount of money we spent, we should factor in all options. With regards to economic development, the traffic is already bad in town, how are we going to get anywhere? If we expand the airport, that will affect us too. As time goes by, there have been more minuses for Yalesville and Wallingford than pluses.

Mr. Roe stated, one example of a success story is the company "Zoots". Our office worked very closely with them, helping to develop a relationship.

No action was taken.

ITEM #11 Consider and Approve the Execution of a Proposed Warranty Deed to Convey a Parcel of Town-Owned Land on South Turnpike Road to David Barberino for \$5,000 as Requested by the Law Department

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

Atty. Mantzaris stated, the sale is supposed to take place on July 2nd, according to the court.

Philip Wright, Sr., 160 Cedar Street asked if the sale was approved by Planning & Zoning? Doesn't this fall under the provision where P&Z has to approve the sale or purchase?

Atty. Mantzaris was not sure if it appeared before P&Z. He will check into it and will put it on the next P&Z agenda if need be.

Mr. Parisi asked the Mayor, can we approve it contingent upon...?

Mayor Dickinson replied, yes. Often if we approve it that would have to be accomplished.

Mr. Parisi asked, and if P&Z does not approve it, it won't go anyway.

Mayor Dickinson replied, if they don't approve it, two-thirds vote of the Council approves it anyway. It is more advisory from P&Z. It is very frequent that we do not have P&Z approve issues where we are purchasing property, for instance, before we decide. There is not a procedural issue.

Mr. Parisi stated, the point is made, we will go to P&Z. Thank you, Mr. Wright, for your attention to the matter.

Wes Lube, 15 Montowese Trail asked, what parcel are we selling?

Mr. Parisi answered, where the deli and package store was on S. Turnpike Road.

Mr. Lube asked, how did we arrive at \$5,000 for the figure?

Atty. Mantzaris stated, it is only a sliver of land. Our Assessor estimated the value to be \$3,000. I negotiated a higher price with David Barberino, the person who was successful at auction. He paid \$33,000 for the property.

Mr. Lube the value of the property was nothing to us but to Mr. Barberino, it may have a more significant value. During negotiations on this parcel, did Mr. Barberino reveal his plans for the property?

Atty. Mantzaris answered, no.

Mr. Lube asked, how do we know what it is worth to him?

Mr. Parisi answered, we don't.

Atty. Mantzaris stated, I don't even have a firm commitment that he is going to buy it. He is in the middle of deciding whether he can afford to pay for this extra piece or not. In the event that he decides to purchase it, I want approval from the Council. He has to decide by July 2nd, which is the date the court set for the sale. He has not taken title to the property yet and may forfeit his deposit.

Mr. Lube stated, even with this sliver of land, unless P&Z totally abandons their regulations for that zone, this sliver does not enhance his ability to develop that land in any way. He cannot do any more with it with the parcel, other than he has the confidence of knowing that the front building no longer has the Town owning property his front stoop. If the man is going to buy the property, he should be telling the Town why he wants it. It is wrong to set an arbitrary figure of \$5,000 until you have an idea of what the property is worth. There is no assessment on Town property.

Mr. Parisi disagreed.

Mr. Parisi stated, it is in progress right now; there is no conclusion yet. That is done and it is being negotiated right now. No one can tell the future.

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Mr. Parisi answered, we don't.

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Mr. Lube stated, even with this sliver of land, unless P&Z totally abandons their regulations for that zone, this sliver does not enhance his ability to develop that land in any way. He cannot do any more with it with the parcel, other than he has the confidence of knowing that the front building no longer has the Town owning property his front stoop. If the man is going to buy the property, he should be telling the Town why he wants it. It is wrong to set an arbitrary figure of \$5,000 until you have an idea of what the property is worth. There is no assessment on Town property.

Mr. Parisi disagreed.

Atty. Mantzaris repeated that the Town's Assessor appraised the property and valued it at \$3,000.

Mr. Vumbaco asked Atty. Mantzaris to research the issue of whether or not property must go before Planning & Zoning for their approval prior to purchase or sale and report back to the Council with his findings?

Atty. Mantzaris agreed to research the matter.

VOTE: All ayes; motion duly carried.

ITEM #12 Consider and Approve a Contract for the Purchases of 70 Lake Street – Law Department

Motion was made by Mr. Rys to Approve the Contract and Authorize the Mayor to Sign the Agreement, seconded by Mr. Knight. (Appendix III)

Mayor Dickinson explained that the piece in question is approximately 1.5 acres of land and is an undeveloped lot that fronts on an extension of Hosford Street where it connects with Lake Street. The appraiser indicates that it may or may not be a building lot. The appraiser puts a value of \$33,000 on the lot. It fronts on what we know as the Community Lake area. It was identified as a piece we were interested in for the purpose of owning property in the Community Lake area.

Mr. Knight asked, when is it appropriate to do the Phase I environmental test on the property?

Mayor Dickinson answered, the contract gives us the right to do that. There would not be a closing until we had the requisite information, including Planning & Zoning, etc.

Jack Agosta, 505 Church Street, Yalesville asked if the property will remain as open space?

Atty. Mantzaris believed it would be.

Philip Wright, Sr., 160 Cedar Street asked, how much money are we talking about?

Atty. Mantzaris replied, \$33,000.

VOTE: All ayes; motion duly carried.

ITEM #13 Consider and Approve a Transfer of Funds in the Amount of \$38,000 from General Purposes Acct. #8050-800-3190 of Which \$33,000 is Transferred to Land Acquisition Acct. #001-1320-999-9909, and \$5,000 is Transferred to Purchased Profession Svcs. Acct. #001-1320-901-9003 – Law Department

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

Atty. Mantzaris explained, this transfer is to facilitate the purchase of the Lake St. property.

VOTE: All ayes; motion duly carried.

WAIVER OF RULE V

Motion was made by Mr. Rys to Waive Rule V of the Town Council Meeting Procedures for the Purpose of Conducting an Executive Session Pursuant to Section 1-200(6)(D) Pertaining to the Purchase, Sale or Leasing of Property, seconded by Mr. Farrell.

VOTE TO WAIVE RULE V: All ayes; motion duly carried.

Mr. Brodinsky asked why the Council is waiving Rule V? What are we getting on the agenda?

Mayor Dickinson replied, there is a need for an executive session for the purchase/sale of real estate.

Mr. Brodinsky stated, I had no clue we were going to discuss real estate.

Executive Session Pursuant to Section 1-200(6)(D) of the CT. General Statutes for the Purpose of Discussion and Possible Action on the Purchase, Sale and/or Leasing of Property

ITEM #14 Executive Session Pursuant to Section 1-200(6)(B) to Discuss Pending Litigation Involving the Matter of the Town of Wallingford v. High Hill Realty and to Discuss Strategy and Negotiations with Respect to A Pending Claim by Cattaruzza, LLC, dba Olympus Construction Against the Town of Wallingford – Law Dept.

Atty. Mantzaris repeated that the Town's Assessor appraised the property and valued it at \$3,000.

Mr. Vumbaco asked Atty. Mantzaris to research the issue of whether or not property must go before Planning & Zoning for their approval prior to purchase or sale and report back to the Council with his findings?

Atty. Mantzaris agreed to research the matter.

VOTE: All ayes; motion duly carried.

ITEM #12 Consider and Approve a Contract for the Purchases of 70 Lake Street – Law Department

Motion was made by Mr. Rys to Approve the Contract and Authorize the Mayor to Sign the Agreement, seconded by Mr. Knight. (Appendix III)

Mayor Dickinson explained that the piece in question is approximately 1.5 acres of land and is an undeveloped lot that fronts on an extension of Hosford Street where it connects with Lake Street. The appraiser indicates that it may or may not be a building lot. The appraiser puts a value of \$33,000 on the lot. It fronts on what we know as the Community Lake area. It was identified as a piece we were interested in for the purpose of owning property in the Community Lake area.

Mr. Knight asked, when is it appropriate to do the Phase I environmental test on the property?

Mayor Dickinson answered, the contract gives us the right to do that. There would not be a closing until we had the requisite information, including Planning & Zoning, etc.

Jack Agosta, 505 Church Street, Yalesville asked if the property will remain as open space?

Atty. Mantzaris believed it would be.

Philip Wright, Sr., 160 Cedar Street asked, how much money are we talking about?

Atty. Mantzaris replied, \$33,000.

VOTE: All ayes; motion duly carried.

ITEM #13 Consider and Approve a Transfer of Funds in the Amount of \$38,000 from General Purposes Acct. #8050-800-3190 of Which \$33,000 is Transferred to Land Acquisition Acct. #001-1320-999-9909, and \$5,000 is Transferred to Purchased Profession Svs. Acct. #001-1320-901-9003 – Law Department

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

Atty. Mantzaris explained, this transfer is to facilitate the purchase of the Lake St. property.

VOTE: All ayes; motion duly carried.

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VOTE TO WAIVE RULE V: All ayes; motion duly carried.

Mr. Brodinsky asked why the Council is waiving Rule V? What are we getting on the agenda?

Mayor Dickinson replied, there is a need for an executive session for the purchase/sale of real estate.

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ITEM #14 Executive Session Pursuant to Section 1-200(6)(B) to Discuss Pending Litigation Involving the Matter of the Town of Wallingford v. High Hill Realty and to Discuss Strategy and Negotiations with Respect to A Pending Claim by Cattaruzza, LLC, dba Olympus Construction Against the Town of Wallingford – Law Dept.

Motion was made by Mr. Rys to Enter Into Executive Sessions Listed Above, seconded by Mr. Farrell.

VOTE: All ayes; motion duly carried.

The Council entered executive session at 10:04 P.M.

Present in Executive Session pertaining to the Purchase, Sale and/or Leasing of Property were all Councilors, Mayor Dickinson, Atty. Mantzaris, Leslie Scherer and Karen Rossler of the Wlfd. Public Library.

Present in Executive Session pertaining to Olympus Construction Matters were all Councilors, Mayor Dickinson, Atty. Mantzaris, Paul Pizzo and Fire Chief Peter Struble.

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

VOTE: All ayes; motion duly carried.

The Council exited Executive Session at 10:50 P.M.

Mr. Thompson, representing the Comptroller's Office, left the meeting at the start of Executive Session.

ITEM #16 Consider and Approve the Settlement of a Pending Claim of Olympus Construcion as Discussed in Executive Session – Law Dept.

Motion was made by Mr. Rys to Approve Settlement of a Claim Involving Cattaruzzo, LLC dba Olympus Construction as Discussed In Executive Session, seconded by Mr. Knight.

VOTE: All ayes; motion duly carried.

ITEM #15 Consider and Approve Matters Involving Pending Litigation with High Hill Realty as Discussed in Executive Session

Motion was made by Mr. Rys to Approve Settlement of Pending Litigation Involving High Hill Realty as Discussed in Executive Session, seconded by Mr. Farrell.

VOTE: All ayes; motion duly carried.

Motion was made by Mr. Rys to Enter Into Executive Sessions Listed Above, seconded by Mr. Farrell.

VOTE: All ayes; motion duly carried.

The Council entered executive session at 10:04 P.M.

Present in Executive Session pertaining to the Purchase, Sale and/or Leasing of Property were all Councilors, Mayor Dickinson, Atty. Mantzaris, Leslie Scherer and Karen Rossler of the Wlfd. Public Library.

Present in Executive Session pertaining to Olympus Construction Matters were all Councilors, Mayor Dickinson, Atty. Mantzaris, Paul Pizzo and Fire Chief Peter Struble.

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

VOTE: All ayes; motion duly carried.

The Council exited Executive Session at 10:50 P.M.

Mr. Thompson, representing the Comptroller's Office, left the meeting at the start of Executive Session.

ITEM #16 Consider and Approve the Settlement of a Pending Claim of Olympus Construciton as Discussed in Executive Session – Law Dept.

Motion was made by Mr. Rys to Approve Settlement of a Claim Involving Cattaruzzo, LLC dba Olympus Construction as Discussed In Executive Session, seconded by Mr. Knight.

VOTE: All ayes; motion duly carried.

ITEM #15 Consider and Approve Matters Involving Pending Litigation with High Hill Realty as Discussed in Executive Session

Motion was made by Mr. Rys to Approve Settlement of Pending Litigation Involving High Hill Realty as Discussed in Executive Session, seconded by Mr. Farrell.

VOTE: All ayes; motion duly carried.

ITEM #17 Consider and Approve a Transfer of Funds in the Amount of \$45,000 as Discussed in Executive Session from the Fire Dept. Regular Salaries & Wages Acct. #001-2030-101-1000 to Law Dept. Self-Insurance Claims Acct. #001-8030-800-8280 – Law Dept.

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

Mr. Brodinsky asked if this item has anything to do with Mark Wilson’s office, staff, responsibility, jurisdiction?

Mayor Dickinson stated, this account is one that the Law Department controls.

Atty. Mantzaris stated, this account is the claims acct. for the Law Department.

Mr. Brodinsky asked, it has nothing to do with the Risk Manager’s Office?

Atty. Mantzaris answered, no.

VOTE: All ayes; motion duly carried.

ADDENDUM ITEM #18a Consider and Approve the Following Appropriations to the Board of Education Special Revenue Grants (F. Y. 1999- 2000 Budget):

Bristol Myers	\$20,000	to	Program Expenditures
STC Planning,	\$ 7,500	to	“ “
Student Achievement	\$36,221	to	“ “
Magnet School Transp.	\$66,000	to	“ “
Bi-Lingual Education,	\$ 3,614	to	“ “
Open Choice	\$186,330	to	“ “

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

VOTE: All ayes; motion duly carried.

ADDENDUM ITEM #18b Consider and Approve the Following Budget Amendments to the Board of Education 1999-2000 Budget:

Class Size Reduction	\$ 1,722	to State Grant Rev. Program Exp.
Title VI	303	to " " " " "
IDEA Education of the Handicapped	33,622	to " " " " "
Summer School	2,140	to Tuition Revenues Program Exp.
Perkins Vocational Ed.	\$ 6,017	to State Grant Rev. Program Exp.
Pre School	\$ 1,651	to State Grant Rev. Program Exp.
Private Industry Council	10,174	to Grant Revenues Program Exp.
Family Literacy	\$ 22,845	to State Grant Rev. Program Exp.

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

Mr. Centner asked, what program did we receive the grant funds under?

Mayor Dickinson answered, they are all separate programs, they are special grant revenues. They apply for the grants separately.

Mr. Centner stated, the first number came up very close to what the Town was awarded
VOTE: All ayes; motion duly carried.

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


VOTE: All ayes; motion duly carried.

There being no further business the meeting adjourned at 10:55 P.M.

Meeting recorded and transcribed by:


Kathryn F. Zandri
Town Council Secretary

Approved:


Robert F. Parisi, Chairman

ITEM #17 Consider and Approve a Transfer of Funds in the Amount of \$45,000 as Discussed in Executive Session from the Fire Dept. Regular Salaries & Wages Acct. #001-2030-101-1000 to Law Dept. Self-Insurance Claims Acct. #001-8030-800-8280 – Law Dept.

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

Mr. Brodinsky asked if this item has anything to do with Mark Wilson's office, staff, responsibility, jurisdiction?

Mayor Dickinson stated, this account is one that the Law Department controls.

Atty. Mantzaris stated, this account is the claims acct. for the Law Department.

Mr. Brodinsky asked, it has nothing to do with the Risk Manager's Office?

Atty. Mantzaris answered, no.

VOTE: All ayes; motion duly carried.

ADDENDUM ITEM #18a Consider and Approve the Following Appropriations to the Board of Education Special Revenue Grants (F. Y. 1999- 2000 Budget):

Bristol Myers	\$20,000	to	Program Expenditures
STC Planning,	\$ 7,500	to	“ “
Student Achievement	\$36,221	to	“ “
Magnet School Transp.	\$66,000	to	“ “
Bi-Lingual Education,	\$ 3,614	to	“ “
Open Choice	\$186,330	to	“ “

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

VOTE: All ayes; motion duly carried.

ADDENDUM ITEM #18b Consider and Approve the Following Budget Amendments to the Board of Education 1999-2000 Budget:

Class Size Reduction	\$ 1,722	to State Grant Rev. Program Exp.
Title VI	303	to " " " " "
IDEA Education of the Handicapped	33,622	to " " " " "
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Mayor Dickinson answered, they are all separate programs, they are special grant revenues. They apply for the grants separately.

Mr. Centner stated, the first number came up very close to what the Town was awarded
VOTE: All ayes; motion duly carried.

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

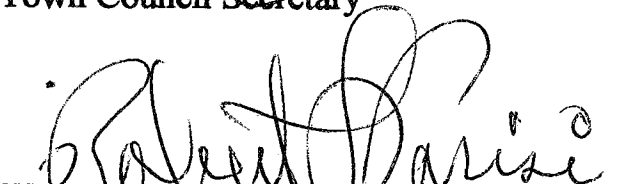
VOTE: All ayes; motion duly carried.

There being no further business the meeting adjourned at 10:55 P.M.

Meeting recorded and transcribed by:


Kathryn F. Zandri
Town Council Secretary

Approved:


Robert F. Parisi, Chairman

6-22-00

Date

Patricia A. Sgambati, Asst
Rosemary A. Rascati, Town Clerk

6-28-00

Date