

TOWN OF WALLINGFORD, CONNECTICUT

TOWN COUNCIL MEETING

July 19, 2005

6:30 P.M.

The following is a record of the minutes made of the Wallingford Town Council at its regular meeting held on Tuesday, July 19, 2005 in the Robert Earley Auditorium of the Wallingford Town Hall. Town Council Chairman James M. Vumbaco Called the Meeting to Order at 6:40 P.M. Responding present to the Roll Call given by Town Clerk Kathryn Zandri were Councilors Vincenzo M. Di Natale, Stephen W. Knight, Iris F. Papale, Robert F. Parisi, Michael Spiteri, Vincent F. Testa, Jr., and James M. Vumbaco. Mayor William W. Dickinson, Jr., and Gerald E. Farrell, Sr., Assistant Town Attorney, were also present. Councilors Lois Doherty and Gerald E. Farrell, Jr. were absent due to vacations.

There was a Moment of Silence and the Pledge of Allegiance was said.

2. Correspondence – No correspondence.
3. Consent Agenda
 - 3a. Consider and Approve Tax Refunds (#1- #17) totaling \$8,654.03 Account #001-1000-010-1170 - Tax Collector.
 - 3b. Consider and Approve a Transfer in the Amount of \$2,500 to Professional Services Acct # 001-1600-901-9009 and from Health Acct #001-1602-800-8300 - Personnel Department
 - 3c. Re-appoint Robert Beaumont to a five-year term to May 2010 on the Historic Properties Commission - James M. Vumbaco
 - 3d. Approve minutes of the Town Council Meeting of June 14, 2005.
 - 3e. Consider and Approve a Transfer in the Amount of \$3,054 to Town Clerk Reg. Salaries Acct. # 001-6030-101-1000 and from Contingency – General Purpose Acct. # 001-7060-800-3190
- ~~Town Clerk~~ Mayor
 - 3f. Consider and Approve a Budget Amendment FY 2005-06 in the Amount of \$5,800 to Maintenance of Transmission and Distribution

Lines Acct. # 431-8660-673 and to Appropriation from Retained Earnings – Cash - Water Division

- 3g. Consider and Approve Acceptance of Dag United Club Grant in the Amount of \$7,850 - Board of Education
- 3h. Consider and Approve Additions to the 2005-06 Bid Waiver List: Association for Community Organization and Resource Development, Inc. (ACORD) for inspection and clean up services for Town park grounds in the amount of \$7,800 and HazWaste Central Regional Water Authority - Public Works

Ms. Papale: I'd like to make the a motion to accept Consent Agenda Items 3a-3h.

Mr. Testa: Second.

Chairman Vumbaco: We have a motion and a second. All in favor? Opposed? So moved.

4. Items Removed from the Consent Agenda

WAIVE RULE V

Ms. Papale: I'd like to make a motion to Waive Rule V for the reason to waiving the bid to pay for the Title Searcher Barbara Fraulo the amount of \$6,053.50. So moved.

Mayor Dickinson: Mr. Chairman, that doesn't require a bid waiver because it's an appointment.

Chairman Vumbaco: Mr. Mantzaris informed us today that we are required to have a bid waiver, so we will follow his suggestion.

Mr. Testa: I'll second the motion.

Chairman Vumbaco: We have a motion to waive Rule V. All in favor? Opposed? So moved.

Ms. Papale: I'd like to make a motion to pay Barbara Fraulo, a title searcher, \$6,053.50, to the title searching in the Town Clerk's Office.

Mr. Testa: Seconded.

Chairman Vumbaco: This is for a bill that fell due for payment to this individual Barbara Fraulo, who is a title searcher who does work for the Town of Wallingford. She audited the 2004 land records and her bill for \$.50 a piece for 12,107 documents. This work has already been performed, I'm assuming since we are getting invoiced for it.

Kathryn Zandri, Town Clerk: I'd just like to explain that this is an Appointment by the Mayor, hired by the Mayor, contracted for by the Mayor and all negotiations are by the Mayor. The appointment letter comes down to my office. The Mayor books the expense against the town clerk's salary line item. This is by statute an appointment that is made, has to be made by the Mayor, to examine all of our indexing of our land records, all the grantors, grantees, as indexing occurs in our office so there has to be someone to audit to make sure it in fact is taking place correctly so there are no errors with the title searches. She is a title searcher. Just to clarify one item, this item, this transfer is being submitted by the Mayor and also there is a letter in your packet that states I objected to the hiring of an examiner last year when in fact, just to represent the facts a little bit clearer, that when I was brand new, the examiner who was on at that time was being reappointed at which time the Clerk's Office contacted the Mayor's Office and asked if he would like input as to what our indexer was finding. At that time the indexer met with the Mayor, and then subsequently at the Mayor's request met with the former Town Clerk and at the former Town Clerk's recommendation a new examiner was hired.

Chairman Vumbaco: Is there any question from the Council on the reason?

Mr. Knight: Which budget, which year?

Chairman Vumbaco: For 2004.

Mayor Dickinson: 2005. Part of the year up until December 2004 was handled by the previous indexer. For 2005, January through June, another indexer was appointed and the payment term was \$.50 per document. Pursuant to state law the position the position is appointed.

Chairman Vumbaco: And the money is being transferred from Contingency-General Purpose fund to the Town Clerk's regular salary account. That was what we passed in consent.

Ms. Zandri: I think there is concerted effort between the Mayor's Office and my office that we will monitor the individual's work instead of waiting for an entire year to go by and then be presented with a bill that may be in excess of what we have.

Mayor Dickinson: There's no way for my office to monitor it. We don't know when the person's working nor do we know what documents have come in. Historically, the town clerk's office has maintained the full responsibility for monitoring what the title indexer does, and when they should be paid because we have no knowledge of that without having a statement given to us from those who are on hand and know what is being done.

Ms. Zandri: That's fine. I don't mind monitoring now I know that's my responsibility.

Chairman Vumbaco: Isn't this person auditing your work?

Ms. Zandri: She is but she comes and goes. Her appointment letter instructs her that if she has any questions to contact the Mayor. We are just copied on the letter and she just presents a bill and the bill is in the Mayor's name.

Chairman Vumbaco: This individual is contracted to audit your work, to make sure that the land records have been done properly.

Ms. Zandri: Yes, she walks into the vault any day when I'm not aware of it. I may be in my office, no different than any member of the public, takes a book out. I may not even know she's out there all day long and then leaves when she's done and people may

not see her come and go. This shouldn't happen because we'll keep an eye on the line item.

Chairman Vumbaco: I'm just a little concerned with being in charge of the person that's auditing you.

Ms. Zandri: I was concerned about a conflict of interest, whether we should be paying the person auditing but according to Attorney Mantzaris that's not an issue.

Chairman Vumbaco: Any questions by the Council? Public? All in favor? Opposed? So moved.

5. PUBLIC QUESTION AND ANSWER PERIOD

Chairman Vumbaco: Any members of the public wish to address the Council? This could be a record. Come on Phil, you have to say something.

Frank Wasilewski, 57 North Orchard Street: Seeing that our electric rates are going up 20%, 10% in April and 10% again, does the town of Wallingford get a monthly bill from the Electric Division?

Chairman Vumbaco: Does the town pay a regular electric bill? I don't know if it goes directly to the town. I think it's probably to all the departments that consumes electricity.

Mr. Wasilewski: Every department that uses gets a it and it's in their budget?

Chairman Vumbaco: It's supposed to be.

Mr. Wasilewski: Last fiscal year it went up 10%. Are they behind in their budget?

Chairman Vumbaco: I think during the budget process, we asked them if they had taken into account the increase in electricity for the 2005-06 year going forward, and they all informed us that they did.

Mr. Wasilewski: So what did we pay total to the electric division for the use of electricity?

(The Comptroller is on vacation.)

Mayor Dickinson: I don't have the figure for what that is. I believe the departments included 10% increase in electricity. Whether that will be enough to cover what is forecasted for increases, we will have to see.

Mr. Wasilewski: And then another 10% coming up in the 2005-06.

Mayor Dickinson: I don't believe the total amount has been budgeted for. I think it was 10% on top of the April 10%.

Mr. Wasilewski: So the cost of our electricity has gone up roughly 20%. How does that effect our return that the electric division says we contribute to the town, say \$1.8 million. Are we losing 20% of that?

Chairman Vumbaco: I don't believe so. It's based on formula and gross sales.

Mr. Wasilewski: Total sales? It's not the total sales. The costs went up, not the sales.

Chairman Vumbaco: The return is based on gross sales, which incorporates the increase that they are paying which incorporates the increase that they have passed on.

Mr. Wasilewski: You mean they contribute \$1.8 million and that means that they have to contribute more this coming year?

Chairman Vumbaco: Whatever the formula works out to be.

Mr. Wasilewski: Because it's gone up 20%

Chairman Vumbaco: You have to figure out what the formula says.

Mayor Dickinson: It's my understanding that as the gross sales increase, the percentage against that increases as well.

Mr. Wasilewski: For the town portion the expenses go up but our income goes down.

6. Presentation of Final Report and Recommendations of the Commission on Diversity and Equal Opportunity - Chairman James M. Vumbaco

(This report and the recommendations were previously distributed. Copies are available in the Town Council Office)

Ms. Papale: Item #6 is the presentation of the Final Report and Recommendations of the Commission on Diversity and Equal Opportunity.

All five Commissioners, Cheryl Mill, Patricia DeRenzo, August Heltke and Loren Lettick, were introduced by Commissioner Susan Whitney.

Ms. Whitney: I want to start by saying that this was not an easy task. At times the Commissioners did not see eye to eye on matters but this report is definitely a group effort and all the elements, as presented, were agreed to unanimously. I will briefly describe and go through the four page report and then Larry will get into the attachments as he drafted many of the policies which are included.

The *introductory* paragraph explains how we came to be, how often we met and in what ways we gathered information. I understand that Chairman Vumbaco has already been keeping you updated on that process and our progress on that.

The *scope* paragraph explains that we narrowed our process to just town employees. There were some Board of Education employees who came to our meetings and spoke publicly; however, the Board of Education is its own policy-making authority and therefore we had to limit ourselves to the town. We did have a public forum where we listened to department heads, union officials, past employees and current employees. As a result of the comments that we heard and read in letters, our Commission felt that it was more likely than not that people were uncomfortable to come forward in a public forum so that is why an anonymous questionnaire was introduced as a way of gathering information. Out of the 440 employees, we received responses from 159 employees which is about 36% of the workforce.

Under *findings*, the good news is that our findings supported little evidence of sexual harassment or gender bias. From

1994 to 2005, ten complaints were filed with CHRO and nine of them were dismissed and one of them is still unresolved. The second paragraph under findings discusses the survey responses and for those who responded negatively, it basically reinforces that men were just as dissatisfied as the women, therefore, inferring there is little difference based on gender. The last paragraph under findings, I'll discuss in a minute as this comment really relates to our findings that we outside our scope.

Our first recommendation is *orientation*. We found that even though the town policies are very thorough, little time is spent educating the employee of what the policies mean or what its contents so we recommend that the initial orientation process be expanded. Secondly sexual harassment and unlawful discrimination, currently under state and federal law, every new supervisor must have two hours of training within six months after hire and none is required after this so you can have a 30 year employee who had his last training in 1975. We recommend that an ongoing training program be established and expanded just to stay current with the new developments in both sexual harassment and all forms of unlawful discrimination in employment. We further recommend training be offered at least once every three years and it should be offered to non-supervisory personnel as well.

Under *diversity*, ten percent of Wallingford residents are wither Hispanic, black or other minorities yet those minorities only comprise 4% of the workforce. Women are under represented in managerial and technical, highly paid positions so we recommend that an effort be made to recruit minorities and women at all levels of employment. A proposed sample policy on the recruitment of minorities and women is attached (*to the report*), and Larry will elaborate on that later.

Under *adoption of policies and procedures*, the town has an extensive set of personnel rules and regulations and it was last revised in 2001. The document should be reviewed for gender neutrality. We have attached proposed policies and regulations concerning recruitment minorities and women, equal employment opportunity, discrimination and sexual

harassment and the regulations that go with that policy. Each of these policies and regulations should be considered for adoption. After I go through this four page report, Larry will talk about those policies and he will be able to point out how those policies differ from your own. Above all, it should also be recognized that a policy is just a bunch of words on a piece of paper if it is not enforced.

General employment practices unrelated to the Commission's charge – this section drew much debate amongst our Commissioners; however, Pat did give an analogy. You hire an exterminator to get rid of termites but while you do that you find carpenter ants. So you simply are not going to ignore that, and this is why it is included in this report. The third paragraph under *findings* states that we found a common thread of dissatisfaction with the selection process in hiring and promotion, perceptions of general harassment and heavy-handed management practices by certain department heads and favoritism based on personal connections rather than merit. This was raised by union leaders and town employees. While the substance of these complaints tends to be subjective and falls outside of the mission and jurisdiction of this Commission, these concerns should be addressed by an appropriate administrative or legislative body.

We ask that you please read the survey responses which are included in your packet. These are your employees telling you how they feel. You can also listen to the tapes of the meetings where people did come forward in public, some with great difficulty. I am going to turnover my notebook to Jim (Vumbaco) tonight. It has everything that I've collected in an organized manner including all correspondence if you want to peruse through that. What this Council does with this information is up to you now. You can ignore it or you can take the time to read some of the letters and draw your own conclusions but we feel that there were a sufficient number of employee complaints in these areas to justify further inquiry but just not by our Commission. Thank you for your time, and I will turn it over to Larry (Lettick).

Loren Lettick: In your packet you will see that there are three policies and one regulation following up on one of the policies. These are policies relating to areas within the scope of our charge, our

mission, and we all worked on developing these policies and recommending them to you. I'm questioning in my mind whether these should be implemented by the Council or by the administrative staff, by the Mayor. That is something that you should wrestle with yourselves, I guess.

The first of those policies is a generic *equal employment opportunities statement*. There are numerous places in your existing personnel policies that have similar requirements or prohibitions against discrimination in hiring practices and the implementation of the personnel policies based on race, color, religion, age sex, etc. all of the prohibitive forms of discrimination. We just saw it as perhaps redundant but a concise statement of those policies of those mandates to incorporate and bring together all of those requirements into one policy.

More importantly, I think, the next one is the *recruitment of minorities and women*. You will note in the report that we found that the ethnic mixture in Wallingford consists of 10% minorities yet only 4% are represented in town employment. The recruitment of minorities and women policy is designed not to give preferential treatment to minorities but rather to reach out and find minorities where they are. We now have a requirement in personnel rules to advertise in the newspaper with general circulation within the town of Wallingford. We should be going outside the Town of Wallingford because we have Meriden right up the road, and we have New Haven down the road. We have Middletown a little ways over. I have to believe there are qualified minority applicants; people who could come in and enrich this community with a diverse set of talents and backgrounds that will be more representative of the minority population of the town. It is important for everyone to realize that the second paragraph, that the policy should not be construed as an endorsement of lowered standards or qualifications for minorities or female applicants but rather as a direction to seek fully qualified minority and female candidates as job openings become available and there are promotional opportunities arise. So it doesn't imply a lowering of the standards but rather an outreach to find qualified minorities. The policy goes on to identify methods that can be used in both advertising and perhaps attendance at job fairs, hiring practices and then

finally retention by working with minority employees to ensure that they feel welcome in town and that we do some indoctrination of ourselves as well as indoctrinating minority employees.

Next is a policy on *discrimination and sexual harassment*. There is a policy in place in the personnel rules that prohibits discrimination and sexual harassment but it's kind of combined with other grievances and other forms of complaints by employees. What this is intended to do with this recommended policy is to isolate sexual harassment and other forms of discrimination as one kind of violation and to set up an orderly method for dealing with and investigating those complaints. At the beginning we have a definition of sexual harassment which could include what's called quid pro quo sexual harassment. The supervisor saying, for example, for a sexual favor you will receive some favorable treatment on the job, a promotion or a better assignment. The other kind of sexual harassment is hostile environment, that is tasteless pictures on the wall, the condoning of telling off-color jokes on the job, at the worksite. That is also falls under the definition of sexual harassment. It shouldn't be tolerated. It's clear under this policy that any town employee who has engaged in either sexual harassment or discriminatory practice, an unlawful form of discrimination, will be subject to discipline. What that discipline is would be up to the administration but it could result in termination of employment up to and including termination of employment. Anyone who retaliates against a person, an employee, who files a complaint of harassment, sexually harassment or discrimination, would likewise be subject to disciplinary action. One of the major changes in this policy, or the differences between this policy and the policy that is now in place, is the three-pronged way of determining who is the investigator of such a complaint would be. This policy recommends that the victim, or the person who feels that he or she is a victim of harassment, sexual harassment or discrimination, would have the option of reporting to his or her department head or to the town's personnel director or to a third person, a town compliance officer and that town compliance officer would be someone who is appointed annually by the mayor. Although there is no requirement here, it is often easier, especially in the case of a sexual

harassment complaint, which largely are filed by women, it might be easier for that complaint to be filed candidly with another woman rather than with a male investigator. Although there is nothing in the policy that requires that a woman be named as the town compliance officer, that ought to be given some thought.

Finally the policy really says what must be done but then we have a set of regulations and we refer to those regulations as to how to do it so the final document that you have here in terms of proposals by this Commission consists of a set of regulations on discrimination and sexual harassment. The definition of sexual harassment is repeated. The town's personnel rules and regulations should include very clear language that the town does not condone or permit sexual harassment or unlawful discrimination in connections with employees, volunteers or third parties who conduct business with the town. So if a vendor comes in that vendor could be subject to this policy whether that vendor is a victim of sexual harassment or a perpetrator. Obviously, you can't fire a vendor but you can propose more restrictive sanctions against a vendor who is guilty of these violations. The end of the opening section requires department heads to certify to the personnel director annually that this policy and regulation have been distributed to all employees within his or her department. As Sue mentioned there be a training program in place. We recommended at least once every three years. The law requires training after six months of employment in a supervisory position but we've recommended that that training be expanded and be repeated every three years and an abbreviated form of training be given to all employees including non-supervisory employees. The reporting procedures are fairly straightforward. You'll see that at the end of this regulation is a form that we also recommend be adopted by the town so that employees will have a way of reporting without having to develop the narrative of their complaint. They have to fill in a form. There is a place to describe the nuts and bolts of the complaint can be submitted on the form. Oral complaints can be investigated but not as easily as written complaints and employees are notified of that at the top of page 3. Any complainant may use a union employee or a friend or someone – these are sensitive issues – and often the complainant may not feel comfortable bringing

those issues forward to an investigator so that we have made provision for a friend, colleague or union representative to accompany the complainant in the presenting of the issues to the investigator. The investigator is charged with the responsibility of interviewing everybody involved, the complainant, the victim, the witnesses, looking at documentary evidence, physical evidence and then preparing a written report. If the complaint is sustained, if the investigator believes that the complaint does have merit, then the matter is turned over to the mayor or his or her designee to take appropriate disciplinary action. There are provisions for confidentiality. There are some FOI rules that might require disclosure but the policy or the regulations require confidentiality consistent with the need to conduct a thorough investigation. Finally, the policy requires that the administration maintain an index and monitor all complaints to determine how many are justified and how many are not justified. Go to your file, so that frankly our job might be, a job of a Commission like ours might be, easier in the future. We can answer any questions.

Chairman Vumbaco: Before we get into questions of the Councilors, are there any other comments by any of the other Commissioners that you would like to make this evening? OK. Does the Council have any questions of the Commission?

Ms. Papale: I don't really have a question right now. We did receive this packet but I really didn't go through it as thoroughly as I would have if you were voting on anything tonight but I realize it will be brought up again in August when the entire Council is here. I did want to take the time to say no matter how this turns out, people may be happy with it, not be happy with it. I do have to thank all of you and I think I am speaking for the Council here, all six of you for the time and effort that you put into it. This is a lot of work, and I know you met about 11 months, twice a month. We always read the paper what's going on in the town for the week, and I think I read about this committee meeting more than any other committee that I can remember, and I've been involved a long time, so whatever happens when this is all over, I do have to commend all of you for the work and the effort. I may not even end up agreeing with you but I know the work and the time that went into it and again thank you very much.

Mr. Parisi: I would just echo quite frankly what Iris just said. You are all to be commended. I'm sure this wasn't an easy job but I don't think anyone thought it would be when you took it on but you did step forward and put your time in. I'm sure what you did was to the best of your ability and I too thank you for your commitment and I'm sure your honesty toward each other. I followed it along from a distance. I attended two meetings but I know it couldn't have been total agreement all the way through. If it was there probably would have been something wrong. I see the looks going back and forth. That means you worked hard and spoke out as to what your true feelings were and what you interpreted in the information that you gathered. I commend you, and I thank you all.

Mr. Testa: I'd also like to thank you all for your hard work. I know that writing policies is not easy as well as all the rest of what you did. Referring to the original charge, you mention a finding that there was little evidence of sexual harassment or gender bias, noting that there were ten complaints filed and nine of them were dismissed. Could you briefly let me know what you did regarding, investigating that particular issue? It's a fact where nine out of ten complaints were dismissed by the CHRO, did that constitute your conclusion that there was little evidence or did you investigate individual incidences? When we first originally brought this up, that's what was driving all this so it would be helpful to me and I'm sure others to just get a feel for how you handled investigating that matter.

Mr. Lettick: One of the elements that we used in coming to our Conclusions was the number of complaints that were filed and the number that were sustained, a very low number. More to the point, I think this gets back to the controversy that arose within the Commission. We conducted surveys. We interviewed employees, union representatives as well as managerial employees and we heard a number of complaints, a large number on complaints but when we finally sat back at them and inquired about them, we found that very few, if any, dealt with gender bias, sexual harassment or any unlawful form of discrimination. We found complaints that 'I was passed over for promotion.' The complaint was made by a

woman so the antennae go up. "Well, who was hired instead of you?" It was another woman. Well, that's not gender bias. We heard no complaints about race discrimination but that may be because we don't have very many diverse employees as we said a couple of times before only 4% of the workforce consists of minority employees so there aren't that many to complain. That's why we made a recommendation that we recruit minorities and try to increase those numbers. And one of the things I've overlooked when I described is also the recruitment of women, not so much in numbers but in higher level positions, so while we heard a number of complaints of all different types, very few, if any of them, had to do with gender bias, sexual discrimination, sexual harassment or unlawful forms of discrimination. That's why we came to the conclusion that we did.

Mr. Knight: I would also add my thanks to all of you. We appreciate very much and I know the town appreciates how much time you put into this. Very, very emotional issue. This wasn't exactly the school building committee although those guys have their emotional evenings but you were dealing with some very difficult and hard-to-quantify areas, and I see your call for an improvement in some of the policies. Of the three proposals, it would appear that with the exception of adding a compliance officer position, which I assume is going to be a current town employee, with the exception of that, does this really codify a certain number of procedures that are already being followed in town? I got the impression - these are very well thought out and written, and I applaud you for that - but it appears that you would think that the town has a procedure for examining accusations of sexual harassment and discrimination, that seemed to me to be the case, and this seems to codify what possibly is being done but is not formally written up. Am I wrong?

Mr. Lettick: Well, I think there is a policy but that policy I think you accurately seized on the major change is the addition of the town compliance officer that we believe is an important addition. The policy that not exists is much more general. It lumps together sexual harassment, and unlawful discrimination along with all other types of complaints. What we attempted to do here is isolate those two general categories, sexual harassment and unlawful discrimination.

We have a separate policy and a separate set of regulations that will deal with those issues. Again the existing policy deals with those in conjunction with all other types of employment complaints.

Mr. Knight: One other question. What are your suggestions if the policy is adopted regarding the compliance officer, how would you suggest that selection is made?

Mr. Lettick: Well, I did think about that. All I did say was that because of the sensitivity of many sexual harassment complaints, the majority of which are filed by women, not exclusively but the majority, a lot of thought ought to be given to appointing a woman to that position so that there may be a more candid exchange between the investigator and the victim, but we in our proposal in the proposed regulation, we left that decision up to the mayor. It's something that the mayor would do every year and we arbitrarily chose July as the month in which the mayor would select the town compliance officer each year.

Mr. Knight: OK. Thank you and thank you once again for your work.

Chairman Vumbaco: Any other Council?

Mayor Dickinson: If I could just respond to that issue. In practice different people are assigned to the investigation aspect of it. It can be the personnel office. It can also be the town attorney. As you know, Janis Small, is a female so the current language does allow for different people to be assigned depending on what the situation merits but that is what we currently do.

Mr. Lettick: Some people may read into this that every year it has to be a different person. That is not what we intended. It could be the same person for ten or fifteen years in a row. It's just that the appointment would be made each year. A decision would be made each year.

Chairman Vumbaco: Any members of the public wish to ask the Commission any questions?

Diana Hotchkiss, 38 Clifton Street: I have a couple of questions if I

may? My first one would be, I have gone around the town hall twice now trying to find where the minutes of these meetings are kept for this Commission. Can anyone enlighten me to that. I've been to the Town Clerk's Office. I've also been to the Town Council Office.

Chairman Vumbaco: The minutes are on tape at the Town Council Office.

Ms. Hotchkiss: Well, the town council secretary was never told that because she no I couldn't have them and until I went through you because she didn't have them. My second statement is I guess will be I think the policies that you have some up with should work much better. I did speak at one of your meetings. I did get my respond within two weeks. I was found guilty of five charges where I was only brought up on three and I feel that a thorough investigation was totally ignored so I think the Commission's idea of a thorough investigation should work much better for the people that do work in the town hall because right now it's not conducted. Thank you.

Chairman Vumbaco: Any other members of the public wish to speak?

Ernie Childers, 69 Hanover Street: I have one question and it often comes up among conversations and then I have a couple of items that I'd like to make a statement about. The 4%, when you mention minorities, is there a breakdown between women and people of color or is it all lumped together?

Mr. Lettick: The 4% does not include women. It could be Hispanic women or black women included in that but basically it's Hispanic and black. I think there's American Indian.

Mr. Childers: As a member of the oldest, civilized organization in this country, I monitored this with great interest and also of the local organization that promotes tolerance and sensitivity in all areas. You can't refute the facts and the works that they did. I often hear a lot of chatter back and forth. Good or bad this town deserves everything that we get the reputation that we've worked for it, and we've earned it and if it's broke, fix it. How do we fix it? We can't compare ourselves to other

communities. We have to get out there and raise the bar of how we want to attack problems like this because it effects all of us. If the bar is here, let's shoot for that. Not just something to put a band-aid on it so we can get by the issues. These are all recommendations and I sincerely hope that they are looked at on the merit of the recommendations and adopted. Thank you.

Chairman Vumbaco: Any other members of the public wish to speak? Seeing none I will bring it back to the Council for any final comments. If not, I will make a final comment. I worked with these individuals for the last eleven months. I met them at the first meeting and I'm seeing them sit before me at this meeting. They worked very, very hard. They took this Commission very seriously, and I too would like to echo the comments of my fellow Councilors here and commend them on the work that they did. With this report issued this evening, your charge is complete and you are dismissed.

(Applause)

7. Conduct a Public Hearing at 7:30 P.M.

AN ORDINANCE AMENDING AN ORDINANCE
APPROPRIATING \$67,170,000 FOR THE PLANNING,
ACQUISITION AND CONSTRUCTION OF TOWN-WIDE
SCHOOL SYSTEM RENOVATIONS AND AUTHORIZING THE
ISSUE OF \$67,170,000 BONDS OF THE TOWN TO MEET SAID
APPROPRIATION AND PENDING THE ISSUANCE THEREOF
THE MAKING OF TEMPORARY BORROWINGS FOR SUCH
PURPOSE

(The purpose of the amendment is to increase the appropriation and bond authorization by \$1.8 million from \$67,170,000 to \$68,970,000 and to ratify, confirm and adopt all prior authorization and ordinances in connection therewith.)

Ms. Papale: We are going to move on to #7. which is to conduct a public hearing on

AN ORDINANCE AMENDING AN ORDINANCE
APPROPRIATING \$67,170,000 FOR THE PLANNING,
ACQUISITION AND CONSTRUCTION OF TOWN-WIDE
SCHOOL SYSTEM RENOVATIONS AND

AUTHORIZING THE ISSUE OF \$67,170,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE (The purpose of the amendment is to increase the appropriation and bond authorization by \$1.8 million from \$67,170,000 to \$68,970,000 and to ratify, confirm and adopt all prior authorization and ordinances in connection therewith.)

Chairman Vumbaco: I hereby convene the public hearing for the \$1,800,000 increase to the \$67,170,000 town wide school improvement project appropriation and bond authorization. The ordinance which is the subject of this public hearing is available to the public and may be obtained at the meeting from the town clerk. **Is there a motion and a second** to read the title only of the following proposed ordinance and to waive the reading of the remainder of the ordinance, incorporating its full text into the minutes of this meeting.

Ms. Papale: So moved.

Chairman Vumbaco: We have a motion. Is there a second?

Mr. Testa: Second.

Chairman Vumbaco: Will the Town Clerk please call the roll?

Ms. Zandri: DiNatale -yes; Knight -yes; Papale -yes; Parisi -yes; Spiteri -yes; Testa -yes; Vumbaco -yes. (Ms. Doherty and Mr. Farrell were absent.)

Chairman Vumbaco: The motions passes.

Ms. Papale: AN ORDINANCE AMENDING AN ORDINANCE APPROPRIATING \$67,170,000 FOR THE PLANNING, ACQUISITION AND CONSTRUCTION OF TOWN-WIDE SCHOOL SYSTEM RENOVATIONS AND AUTHORIZING THE ISSUE OF \$67,170,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE. (The purpose of the amendment is to increase the appropriation and bond authorization by \$1.8 million from

Concedium

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9.21.05
Katherine J. [Signature] TOWN CLERK

\$67,170,000 to \$68,970,000 and to ratify, confirm and adopt all prior authorization and ordinances in connection therewith.)

Mr. Parisi: So moved

Mr. Testa: Second.

Chairman Vumbaco: Are there any comments from the public?

Robert Sheehan, 11 Cooper Avenue: this \$1,800,000 will be the finishing touches on Phase 2? Is that what it's for?

William Choti, Vice-Chairman, School Building Renovation Committee: Yes, sir. This is to complete Phase A, which is Lyman Hall High School, which was the biggest project in the group and to finish Phase B schools.

Mr. Sheehan: We're half way through the summer now. We have maybe six weeks before school starts. It's supposed to start. How is our progress going at Lyman Hall High School for one? Are we going to open on time? Are we going to have to hopefully no transfer students?

Mr. Choti: Right now we are tracking about where we thought we were going to be. We always knew that going into the summer building schedule that it was going to be a tight call. We saw that at Moses Y during the first school and we saw it last year at Lyman Hall to get everybody back in on time and we also saw it in Phase B schools. We were successful then. Right now we are fully engaged in all ten schools and I guess the crystal ball is saying that we are being as optimistic as possible. We have a slow-down, stop and evaluate date of August 8. On that particular date, any work that would go past that would then cease and we would begin the process of trying to button up the school, get the temporary certificate of occupancy and get them cleaned up and get people back in there. We will be working to the last hour, the last minute, to make sure that the schools open on time but we have built into our schedule a way of saying enough is enough, we don't feel comfortable that we're going to be able to complete the aggressive schedule that we put together for ourselves, and we plan to stop, put them together and get people back in.

Mr. Sheehan: How is asbestos removal going? Will air quality concerns be solved by the start of the school year?

Mr. Choti: I'm glad that you brought that up. It's a very good question. Hazardous material removal has been a complete challenge. Back in the good old days in the 50s, 60s and 70s, those particular materials, lead and asbestos were used liberally. They are in all concrete, in all gules, in floor tiles, in transit panels. They used it to glue the windows into the window systems. The stuff is everywhere. Back then it was an accepted construction practice. It seems that in the past 50 years removing it from schools has become quite a challenge. What we're saying is during the demolition process to match scope to the construction process as we open up walls and as we open up ceilings and as we trench into the floor. We are finding this from top to the bottom of the building. Areas that we did not expect to see this, we are seeing it. My asbestos contractor for Cook Hill worked from Friday night until Sunday morning, and then the consultants came in from the environmental group, and they did the air testing so that they can continue work on Monday morning. It has been a 24 hour, 7 day a week challenge to stay on schedule. What we had planned was all schools were going to be ready for construction on the 15th. That's when we wanted to stop abatement. The major abatement, the base contract work, so to speak, for the abatement has been completed. What we are seeing now is as we go into certain areas where we need to address a single wall or we need to do some trenching in the floor, those are coming up as spot change orders and also anticipated work that we weren't sure if it contained asbestos or it did not. There are areas in the building where we put into the base bid an alternate that if that chalk board was glued to the wall with asbestos glue, we would have a bid price to do the work but after testing it and the test was negative, then we just had the demolition contractor knock it down. The biggest part that we are finding is on the pods at Rock Hill and Highland Schools where they use it inside the concrete cinder block walls. Originally the demolition contractor was supposed to come and cut a hole in the wall for the plumber and when they cut the hole in the wall, they found asbestos coated piping, which was a perfectly acceptable practice in those days to use it for insulation. Then having found that the asbestos man has to come in so if

it takes two days to remove the asbestos from the pipe, that's two days that we lose with the plumber, and now everyone has to scramble a little bit harder. What we do is continue to modify, look at day by day, and hour by hour, the schedule that we are working on, and what we don't want to do is get ahead of ourselves in any work where we can't put it together to bring people in.

Mr. Sheehan: And most of this work is done when school is not in session, right?

Mr. Choti: Right now to do that work, school cannot be in session.

Chairman Vumbaco: Any other members of the public wish to address the Council? Seeing none. I call the public hearing closed. Is there a motion and a second that the proposed ordinance to amend the current \$67,170,000 town-wide school system renovation project appropriation and bond authorization by increasing it to \$68,970,000 be adopted?

Mr. Parisi: So moved.

Mr. Testa: Second.

Chairman Vumbaco: We can discuss among the Councilors now. Is there any Councilor who has questions?

Mr. Knight: I had heard of a labor dispute going on with the electricians. I wonder if you could elaborate on that impact on the three schools that you mentioned.

Mr. Choti: It does have impact. I believe it was Local 90. Three schools were impacted, Dag, Moran and Cook Hill School. Turner our construction management firm has brought in temporary help as electricians to move the work along. Although the new folks that are coming in are not 100% up to speed as to what the project was because they weren't there at the beginning. We are looking to finish up some of the things that we had already started so that if it turns into something that is a long and dragged out strike by those particular contractors, we will be able to receive our TCO, finish our above ceiling electrical work and open school.

Mr. Knight: So you have overcome the initial problem of having to work around.

Mr. Choti: When it rains, it pours. It was something that we really didn't hope for. I know a company like Turner has the experience but for us it was a whole new challenge.

Mr. Knight: So what you are saying is that it's not impacting the project yet.

Mr. Choti: It's not critical yet. The longer it goes the more critical it becomes because there will be some work that we are not going to be able to accomplish, which means we're not going to be able to close up a wall, which means we may have to leave an existing circuit, an existing light switch, and existing whatever in place until our contractor gets back on the job.

Mr. Testa: Regarding that issue, you mentioned that three schools are impacted. I'm a little confused. Does that mean that there are only three schools who are utilizing union contractors?

Mr. Choti: Yes, this is a prevailing wage job. All contractors have to pay the unions scale and they have to report that to both the Town of Wallingford and the State of Connecticut. You do not have to be by any way, shape or form a union contractor to do municipal or state work. That provision is gone. The only provision that makes the playing field even for everyone involved is the fact that they all have to pay the prevailing wage. So if you want to be a non-union contractor, that's OK with us but you have to pay your people the prevailing wage.

Mr. Testa: In a brief nutshell, can you layout what the \$1.8 million is for?

Mr. Choti: Over at Rock Hill and Highland, both of these schools are mirror images of each other so they seem to have the same challenges for construction and design. We needed to build through the winter months in order to stay on schedule but also create swing space. Whenever you do renovations inside of an occupied building, you have to send them somewhere, so what we had to do was create the new additions in order to move people into that space, so we could go into their classrooms and do the work. So we had some winter heat. At

Rock Hill and Highland that came out to about \$200,000 so it was about \$100,000 per school. We had winter delays. It was a tough winter. We had snow and very cold conditions. In fact at some points, it was so cold that we actually had to shut down areas that we were heating. It just got too cold and too costly to keep those propane heaters going. We had post-design SFU and Town of Wallingford requests. Those requests that came in, some of them were water meters, where we were going to place them. We were going to keep them in existing locations and the Water Division thought that it was more convenient for them to relocate them someplace else. Issues like that where the town building department came in and said, "In order to do your construction, you shall have to build a temporary wall here. You need to put fire doors over there," So there are issues that come up that start the project off because you are working in an occupied space. All of the town officials have their jurisdiction when they come in to see how you are going to begin your work; what you are going to do while you are working. There were cost associated with that. Electrical –primary and secondary line changes at both of the schools. When the project first started in 1999, it was determined that there was not going to be that much of an electrical change. Five years later, the transformers are getting older, the primary wiring coming to the schools is older and the secondary wiring is also older, plus there is a different load on the building. With that the Electric Division who is providing us with the transformers, requires a different bulk design. The vault was put in place back in 1964, so to speak, and at that time they used a different construction method. For the Electric Division to bring it to their particular standard, the way the Town of Wallingford wants it by their regulation, we have to change the vault. Each one of those vaults at any given school is anywhere from to \$17,000 to \$20,000, that's just for the vault. That doesn't count the electrical wiring or the conduit that goes underground and the secondary wiring that comes away from it. We are receiving help with the wiring and we are receiving help from the town for the transformers which we greatly appreciate. Those are costs that we incur. Egress sidewalks – Rock Hill and Highland are both pod schools and anytime you have to egress from the building for fire it has to have a sidewalk going to a common area to count heads. It never had it while we were doing the work. The code

compliance required that we put the sidewalk in. the sidewalk has to be shoveled in the winter. You have to have access all year around. Asbestos – we are finding asbestos and hazardous materials, as I call them, just about everywhere. It was a construction process back in the 50s, 60s and 70s. It was used extensively. Today it must be removed. What we are finding out as the contractor comes in and they're doing demo or they're putting the plumbing or electrical back in, when they incur this someone has to come out and test it. Testing costs money, and it has to be removed, and there is a delay in the work time, and the amount of time that we delay now has cost. What we are seeing is in many areas is cutting into the walls where asbestos pipe is that the demo rate is say \$60hr- don't quote me on the rates here-. When you call in the asbestos abatement person, it's now \$100 hr so each time we encounter it, and remember all the pods were built the same, the scope of work for Rock Hill and Highland, is almost identical. We did make allowances and allow with extra money for abatement. No one could have imagined the amount of incidents that we are getting right now in finding these materials inside the buildings. Significant water issues – both of those schools are built on slabs, and they have a lack of frost walls underneath the corridors. We are having a very difficult time getting floors down. Right now we have a challenge with the flooring contractor as to whether or not he'll even warranty the floor past the year. With the cost of what they were contemplating to maybe solve the problem at \$120,000 per school for sealing the concrete, we feel it's not really cost effective and right now we are looking at an epoxy finish or maybe doing nothing and using a sand coat. That's for a later date. Flooring is a very easy issue because you can push that off. Rotted piping – we are running hot water to all the pods. All the piping that's underground and through the slab itself is pinhole rotted. We have to install new piping. We are having increasing challenge in running water to the pods. Hidden condition – what's hidden condition? Simply stated, when these were designed and constructed, they never anticipated the need for additions or renovations. They didn't make it easy. Try to install a front door from a home store today to a home built in the 1940s. That's the challenge trying to fit something new into something old. It doesn't quite fit. Expected normal work – Our contingency during

the first go round, the contingency always took a hit when we were looking to control budget. We kept the scope, and we saw the estimate, and we saw the bid, and we always rolled out of contingency. Contingency is hurting. That's mostly where is going back into because it's hidden and new conditions and new work. We need to add some dollars to the contingency, 3% to 4% back in. Right now we are running in the 6% range for contingency. That's it for Rock Hill and Highland.

Lyman Hall has all the same issues. It was never built to put an addition on it. When we went into the courtyard area to put up the new media center, underneath that area was a maze of pipes with all the drainage in that area. They also ran a water line. We had to take a the transite pipe out which is a hazardous material and install cast iron per the recommendation of the Water Division. They didn't want us planning a building on top of a concrete pipe. That cost was about \$78,000. In the beginning when we came to the Town Council and the Board of Education we thought that the culinary arts was going to be about \$200 per square foot. It turned into a restaurant and we had a seating area, we had to install a grease trap for \$85,000, and the square footage for that went to almost \$300 per square foot for equipment and the area. Winter heat, electrical primary volts. We had about \$100,000 of winter heat at Cook Hill. Above ceiling wiring conditions at all schools. Over 50 years of running wire has been through the drop ceiling. When we pulled the drop ceiling down all that came with it. Our electrical inspector will not allow a TCO until all that is hung up per code so that incurred cost. At Stevens, hidden conditions and asbestos, the contingency was low, the electrical primary volts and post design issues. At all schools extra professional work claims, FF & E management, IT management, moving conditions. I don't know if anybody knows what it costs to move a high school library but I can tell you now. It's \$34,000 to take them out and bring them back. We can hope is that when the space is complete that all of our furniture shows up on time. Electrical cost escalation and FF& E management. In a nut shell that's where the money is going.

Mr. Testa: Thanks you. I'm supportive of it. Naturally a lot of people

ask questions about it and it helps to be able to respond with some kind of knowledge as to where this money is going and why we're doing this. It just seems to me that we're talking about one half million dollars just for additional heating expenses. I appreciate all of the other things related to construction difficulties and unknown issues regarding renovation. When you mentioned issues related to code enforcement, for example, the vaults or one thing that struck my mind was the need to put in sidewalks for fire egress. What I wonder about is why the designer, an architect, would not have known that when you were getting estimates from an architect during the design phases. I assume that part of all that is to get up to speed with all the current codes and make sure that that is part of it so unanticipated code enforcement things strikes me with some concern.

Mr. Choti: That's a very good question. A lot of this falls under what they call local jurisdiction authority. If we did not have a Wallingford Electric Division and we were dealing with Northeast Utilities or United Illuminating, they would be doing things slightly different than Wallingford does things. If you want to argue with 99.98 % reliability factor that the Electric Division has been able to obtain, I won't. So if they say, we think that your building needs X, chances are that our people, which is CES, the electrical and mechanical consultant, they talk it out to see if it's a need or a want and they make sure that it is something in the code and that Wallingford has the authority to make us do. With the Fire Department there were a lot of things that over the years, I use this word cautiously that were not enforced or looked at. The minute you start digging big holes someplace, all of the current code and all of your shortcomings come under a microscope. Could the architects have envisioned that it was going to be all of that? They did talk to the electric division before the project started. They probably should have more discussions but they didn't. For the fire egress, we were installing sidewalks. These were additional sidewalks that the fire marshal required. A lot of the change was caused by the Rhode Island fire. We had issues where we had to add extra doors in auditoriums because of loading. The number of people per square foot had dropped down and you needed more egress to those areas. There were lighting issues with

egress. There was exit sign notification that had changed. So a lot of things happened from 1999 to 2005, and we did not anticipate putting in sidewalk beyond the original scope. It was extra about \$44,000 per school for sidewalks.

Mr. DiNatale: You mention the asbestos removal in pretty much all of the Schools. When you started the project, what happened to the person who was supposed to locate & identify the asbestos. Wasn't that part of the scope of work at some point that you hire a professional. There's DEP notification. What happened?

Mr. Choti: Each year by law the schools are required to inventory all of their asbestos that they have in their school. Our consultant takes that document and matches it to the plans from the architect as to where we are going to work, especially on the demo plans. We do not have in place a mechanism to do destructive testing in our schools.

Mr. DiNatale: So you were required to test target areas where you anticipate doing the work. So you weren't going to do asbestos work in the classroom.

Mr. Choti: This project had no provision for destructive testing. We made allowances and assumptions that may be there and we rolled it into the bid as an alternate. What we are finding out now is that we have to use the alternate. That's what we are paying on. We're going to knock the wall down and it may or may not have asbestos in it. So give us a price, a unit price, an hourly rate, to go into that wall, which is what we have. You can make the assumption that it's there and then bid it or you can make the assumption that it's not there and bid it as an alternate.

Mr. DiNatale: So the walls that we didn't target for destruction or openings, there could be asbestos there.

Mr. Choti: There could be and maybe there's not. I don't know.

Mr. DiNatale: But you could have more asbestos in the schools. None of the change orders is telling us that we don't have it anymore. This is just for spot-checking, and that's apparently is acceptable to DEP and anybody else. Asbestos could be in

the schools and we're not investigating it. There is not a professional who came in there and said I'm going to survey the whole school and check the pipes and poke holes in the walls and find segments and identify it. That's not the case.

Mr. Choti: After we found what was out there, we brought our consultant in and he went in and did destructive testing. They took down a chalkboard, they cut a hole in the wall and right now when they are doing the work, now we have to remove it but the bid and the design was already done before we knew how extensive it really was. There was a report from 2000 or 2001 and it reported that the schools are asbestos free. That's not quite accurate. It depends on where you are. Maybe it's the floors but it certainly wasn't the chalkboards.

Mr. DiNatale: Based on this scope of work what I'm trying to figure out is that there's someone standing behind that statement today that after these change orders are done that we are asbestos free in our schools. Not you personally but a professional licensed environmental specialist or whoever has the authority.

Mr. Choti: Right now what we would do and what any consultant would do is that after what we have found and documented, they would make the assumption that it is there. They would not say we don't think it's there. So the next company that comes in, the next consultant that does the inventory for asbestos in the schools may make a new assumption that inside that wall there is asbestos. Again we don't want to take this to a point where we're going to alarm someone that there is something wrong in the school. This stuff has been in there for many, many years. The reason we have to take it out is because once you cut the whole in the wall to install the new laboratory fixture, the plumber will not take out the pipe until the asbestos is taken off the pipe. That's what we're talking about.

Mr. DiNatale: You're talking about contract purposes in the event that someone is going to do some work and make the assumption that there's something there and include it in his price at this point.

Mr. Choti: Right.

Mr. DiNatale: Let me backtrack for a minute. I'm wondering for peace of mind for the kids who are in the school, what's happening with the asbestos? Do they make the assumption that it's not there or do they make the assumption that it is there?

Mr. Choti: We make the assumption right now that it's everywhere and what we are doing is when we go into the wall we are testing and we constantly monitor air quality to find out if it's there. So we do extensive testing. Every time we go into a wall or an area, we do a background and the testing.

Mr. DiNatale: There is no blanket search for the school for asbestos at this point. There's just destructive testing when you are targeting different areas.

Mr. Choti: Yes. Because of our scope of work, if we're dealing with one wall out of four in a classroom, we as a committee and the constructor for this project are looking at our problem, our one wall. If we know it's there, we do notify the Board of Education, Superintendent of Grounds, Mr. Novak, it's over there too, and you might want to put it into your inventory.

Mr. DiNatale: I'm going to lose some sleep knowing that my kids are going to be in that school in a few years, and now that we are doing the renovations, we are not doing the thorough search on the asbestos, and I'm just a little surprised that we are having some change orders here, and that's one of the things that's discussed, and yet we really are not attacking that problem to the fullest. We are looking at target areas. We're spending more money because we're putting an opening in, we're taking the stuff out. It's cost us more money and we're going to leave the school when the construction is done and that still could be an issue for our schools.

Mr. Choti: At this point, Mr. DiNatale, to remove all the asbestos, I think that the only thing that you are going to have left is the front door and that is basically the 1950, 1960, and early 1970 construction method. They used it in a lot of spots. Are there areas that have none? Absolutely. We have tested for that and have said OK the area is clean but when we go in and when we finish, we have air quality monitoring during the construction, during the demo, and we make sure that no one except qualified people are in that area when that work goes

on. And before the school can open, we have to have an air quality that there is none of this stuff out there exposed and none of it lying around. I just want to assure everyone that if this stuff is encapsulated, if it's in the wall, if it's under paint, if it's behind a chalkboard, it is not a dangerous commodity. It becomes dangerous when you disturb it or you try to work with it so that's just really what people need to understand about this stuff. It's out there; it's everywhere in your daily life. It's always around you.

Mr. Di Natale: Some of the other issues that were discussed previously as far as the change orders that you elaborated on, is this work that is bid out? Getting away from the asbestos issue, is that work that when you find that you need to do something whether it's change in a transformer, what's the procedure? Is it bid out again? Or is the contractor on the job saying this is what we need to do, and this is our price?

Mr. Choti: What we do during our change order process, the RFI (Request for Information) is written. Then it goes to Turner who sends out the requests to the contractor who gives us pricing, which is the RFP, and gives us back a Request for Pricing. We look at the pricing. There are three areas that look at it. Construction Manager looks at it to find out if it's appropriate. We look into our contract documents with that contractor to see if his time and material costs match what he said in his bid. In most of our bids what we do is we tell them they need to put in a time – how much for an electrician, how much for a foreman, etc., so they cannot say during the normal bidding process, we get \$80.00 hr for a foreman, and now we want \$160 hr. They can't do that. Then it goes out to the architect, and the architect looks at it, and it goes to the consultant for whatever discipline is involved and it's scrutinized. It's decided whether or not it is fair and reasonable. It may be fair and reasonable to the architect but then when it gets in front of the construction task force, we tear it apart, and then we have to bring it to the full committee, and let me tell you, the full committee is pretty tough. They look at a number and they don't like that number and they just say, no, bring it back and get a new number. That's the end of it. There are cases where work needs to be performed, and we have to trust that the architect recommendation is correct that it is fair and reasonable after

our scrutiny, and then we will allow the work to proceed, other wise with the number of changes orders to go through on 10 schools, over at Moses Y there was about 110 changes orders so if you've got 10 schools running at the same time, they can add up rather quickly. Some of this work is of a critical nature that has the ability to take the schedule and skew it completely, so you have to make a quick decision, and say OK, it looks right. Are you comfortable with it Turner? Are you comfortable with it Mr. JCJ? It depends on the change order before you as to how you react to it but that's the process.

Mr. Di Natale: Just to one issue that Steve brought up on the electrical contractors, is this the management that's pretty much walked off the job? With a skilled trade like that, my concern is the impact on our town officials who are involved on the other end as far as inspectors when they are going to these jobs in dealing with a whole other crew out there. What impact has there been on these guys?

Mr. Choti: What we are looking at in those three schools is a hold your own. We are not creating new work for them. What we just want to do is make sure that we can open the school so they are looking at issues like fire alarms to make sure they are up and running. We are trying to restore services at those schools. We are not doing the base contract work, which is something we can't do anyway because they actually own the work even though they are on strike. We are not a strike buster so we need to do the work that is critical to get back in the school. All other work will wait until the prime comes back.

Mr. Di Natale: Thank you.

Chairman Vumbaco: Any other members of the Council? Very efficient as always, Bill. Thank you very much for your update, your precise update. You did a good job. We have a motion and a second. Will the clerk please call the roll call vote.

Ms. Zandri: DiNatale -yes; Knight -yes; Papale -yes; Parisi -yes; Spiteri -yes; Testa -yes; Vumbaco -yes

(Ms. Doherty and Mr. Farrell were absent.)

8. Consider and Approve Resolution authorizing the Mayor to make application to the State of Connecticut for a Department of Social Services grant in such amounts as may be made available for undertaking a Social Services Block Grant Program, to provide such additional information as may be requested, to enter into and amend contractual instruments in the name and on behalf of the Town and to act as the authorized representative of the Town - Program Planner

Ms. Papale: I'd like to make a motion to consider and approve a Resolution authorizing the Mayor to make application to the State of Connecticut for a Department of Social Services grant in such amounts as may be made available for undertaking a Social Services Block Grant Program, to provide such additional information as may be requested, to enter into and amend contractual instruments in the name and on behalf of the Town and to act as the authorized representative of the Town by the Program Planner.

Mr. Knight: Second.

Don Roe, Program Planner: As all of you are aware this has been a grant that the town has utilized for 15-16 years now, and there hasn't been any dramatic change. There have been reductions to it and then at different points in time a new grant will take its place. That's the Social Services Block Grant. But for the most part the town's allocation has been about \$18,000 for the run of that one.

Ms. Papale: Are there any questions from the Council? Public?
All in favor? Against?

(The motion passed.)

9. Consider and Approve Resolution authorizing Mayor to make application to the State of Connecticut for a Community Service Grant to be used to contract with the Spanish Community of Wallingford for FY 2005-06 -
- Program Planning

Ms. Papale: I'd like to make a motion to approve a Resolution authorizing Mayor to make application to the State of Connecticut for a Community Service Grant to be used to contract with the Spanish Community of Wallingford for FY 2005-06.

Mr. Knight: Second.

Ms. Papale: Are there any questions from the Council? This is just to be asking for the grant. Any questions from the Public? All in favor? Against?

(The motion passed.)

10. Consider and Approve Agreement between the Town of Wallingford and the Community Action Agency of New Haven, Inc., October 1, 2005 to September 30, 2006 - Program Planning

Ms. Papale: I'd like to make a motion to consider and approve an agreement between the Town of Wallingford and the Community Action Agency of New Haven, Inc., October 1, 2005 to September 30, 2006.

Mr. Parisi: Second.

Ms. Papale: What exactly is this, Don?

Mr. Roe: The Community Action Agency of New Haven operates the Meal on Wheels Program. There is a subcontractor to the Agency on Aging for that program in our region and they've been doing it now the better part of eight years. Maybe even ten years now. The agreement is that we are binding them to the terms of the grant that comes to the town.

Ms. Papale: Any questions from the Council on number 10? From the Public? All in favor? Against?

(The motion passed.)

11. Consider and Approve Agreement between the Town of Wallingford and Comunidad Hispana, Inc. 'SCOW' - Program Planning

Ms. Papale: I'd like to make the motion to consider and approve an agreement between the Town of Wallingford and *(Comunidad Hispana, Inc.)* 'SCOW'.

Mr. Knight: Second.

Ms. Papale: Any questions of Don as far as SCOW is concerned? Anyone from the Public? All in favor? Against?

(The motion passed.)

12. Consider and Approve a Transfer in the Amount of \$10,800 to Purchased Services Engineering consultants Acct. # 001-5010-901-9040 from Regular Salaries & Wages Acct. # 001-5010-101-1000-00 – Engineering

Ms. Papale: I'd like to make the motion to consider and approve a transfer in the amount of \$10,800 to Purchased Services Engineering consultants account from Regular Salaries & Wages Account. This is from the Engineering Department. I understand the Town Engineer is not here.

Chairman Vumbaco: Right. He is on vacation. Could you just read the letter that he wrote us as his explanation into the record?

Mr. Parisi seconded the motion.

(Ms. Papale read the letter, which is attached to the minutes.)

Chairman Vumbaco: Are there any questions from the Council on this item? Any member of the Public wish to address this item? We have a motion and a second? All in favor? Opposed? So moved.

13. Consider and Approve a Transfer in the Amount of \$22,600 FY 2004-05 to Injuries and Damages Acct. # 431-8920-925 and from Power Purchased for Pumping Acct # 431-8620-623 - Water Division

Ms. Papale: Number 13 is to consider and approve a transfer in the amount of \$22,600 FY 2004-05 to Injuries and Damages Account and from Power Purchased for Pumping Account asked for by the Water Division. So moved.

Mr. Knight: Second.

Roger Dann: I believe this is pretty straightforward. At the close of the Year, we've become aware of some outstanding invoices for medical expenses, which have been incurred, which will in total will exceed the amount of the budget for the prior year

but it's also a normal practice at the close of each fiscal year to transfer funds into this account for the purpose of replenishing the worker's comp reserve fund and so with the action we are accomplishing both of those functions.

Chairman Vumbaco: Any questions by the Council? How come the purchase power for pumping account ended up in the black?

Mr. Dann: For the most part we had an excessive amount or more than normal amount of rainfall, and as a result we maintained our storage in the reservoirs in particular at higher levels without pumping. It also has a tendency to drive the system demands down and, of course, that reduced the amount of water that we have to pump around the system as well.

Chairman Vumbaco: Any member of the public will to address this item? If not, we have a motion and a second. All in favor? Opposed? So moved. Thanks, Roger.

14. Introduction to the Town council of the Problem Sites Committee -
- Councilor Robert Parisi

Ms. Papale: Number 14 is the introduction of the Problem Sites Committee asked for by Councilor Robert Parisi.

Mr. Parisi: Councilors, I'm going to read off the members. Unfortunately not everyone was not able to be here this evening. We expected a little better turnout than we got but this time of the year its tough. Members are Adam Mantzaris, Corporation Counsel, Eloise Hudd, Director of Health, George Yasenski, Sanitarian, Officer Scott Roberts, Department of Police Services, Officer Jason Habierski, Department of Police Services, Peter LeClerc, Housing Code Enforcement Officer, Richard Boyne, Chief Building Official, Dennis Hlavac, Chief Appraiser, Mark DeVoe, Assistant Town Planner, and Linda Bush, Town Planner, who actually formed the committee with me.

Ms. Bush: I find it interesting that Mr. Parisi said we started it together. We had a disagreement together and that what's started the Problem Sites Committee but I think Mr. Parisi and I both agree that it has worked out very well. I think without Mr. Parisi supporting the committee we wouldn't be here. Mr.

Parisi was the instigator for getting all the departments involved and to stay involved. We only meet every three months or so, and we have a list, which you have, but I think the various departments meeting together and discussing problems that they have on various sites, we find other departments that have different tools or different enforcement methods and because we all work together, I think we have accomplished a lot. There are still some problem sites out there but the various departments working together has had a big impact in cleaning up many sites. In addition to the ordinances that Council has adopted, the abandoned vehicle ordinance is essential. The blight ordinance is essential. The litter ordinance that the health department enforces is essential. Even as something as basic as an individual says that those are construction equipment on their property, we consider it junk and they say no it's used. Well, then if they're not paying personal property taxes on it then Dennis gets involved. It's either junk or it's personal property to be taxed. All of us working together found ways to clean up a number of problem sites in town. There are some more out there but I think it's worked very well. I think everybody has a hand in it.

Mr. Parisi: If I may further comment, it wasn't quite what we had discussed but thank you, Linda. What I see and why I wanted this committee to be introduced to the Council is they have worked approximately three years. It isn't something that started yesterday. It's been very quiet but very effective but again one of my main reasons is that this to me is a model group. They are all from different areas. They come together once every two or three months. They sit down. We identify the problems and they focus on them and they decide who is going to try what to achieve our goal which is to eliminate the problem. I sometimes sit back. Sometimes it's amazing the give and take. I don't recall any disagreements or arguments. It's really just a pleasure to be there and to watch all of you work and I once in a while do a little steering but not really very much. I just thought that the public should know that in fact we have departments within the town hall that are working together like this, and I thought also that you all would be very interested in knowing that we have a dedicated group. I know that they're getting paid to perform their duty but they are doing it in a way that makes them far more

productive, and far more effective, and far more contributory to the quality of life to the people in our town. If there are any questions that anyone might have, please feel free to ask them.

Chairman Vumbaco: Does the Council have any question?

Mr. DiNatale: an unregistered vehicle seems to be a common complaint. Let's just say a vehicle in someone's driveway. How is that enforced or what is the problem with that?

Committee member response: By ordinance, you are not allowed to have any unregistered vehicle on your property unless it's in a temporary garage or a garage, then it's OK. If we get a complaint, we go out and check and verify that it is unregistered and if it is in fact unregistered, we contact the assessor and find out who owns the property and extend to the property owner a certified letter telling them they have 30 days to comply and if not they are subject to infraction which is currently is \$60 for that fine.

Mr. DiNatale: Does that structure include one of those temporary metal.

Committee member response: A self supporting structure, like a metal frame. A tarp resting on the top doesn't count.

Mr. DiNatale: Either way, whether it's registered or unregistered, it has to be listed with the tax assessor.

Committee member response: Correct.

Mr. DiNatale: Thank you.

Mr. Knight: Bob invited me to attend the tour of the problem sites, and it was an eye opener. I'm sure the people that are living next door to these problem sites it's all too familiar to them. It wasn't to me. I feel fortunate that none were in my neighborhood that I know of. I wanted to remark on is as a taxpayer of Wallingford and just being a resident, not just of Wallingford, but of any local municipality, governmental district, everybody has had their experiences with local government where you go to one and they say that's really not my department and you go to another and so on. I thought

this was a very creative way for people to get together who are charged with the enforcement of the ordinances and other rules and regulations that we write and figure out just who does have the enforcement power. I think it's been a great improvement for those in the community who are trying to report some of the problem sites that do indeed exist. It is a model, Bob, and it has worked well, and I'm glad you brought it up. It's something that I hope other towns learn about and could model their efforts after what we've done here in Wallingford.

Chairman Vumbaco: Any other questions from the Council? I have a couple of quick questions on it, not so much on the work that is done by the committee because it's obvious that they have done an exceptionally good job. Is this a Council committee?

Mr. Parisi: No.

Chairman Vumbaco: Is this a town committee?

Mr. Parisi: No, it's just a group of people that slowly evolved through discussion. I'm remembering now, Linda. We had a disagreement. It was more of a challenge like why don't you help us clean this up. And then we got into a dialogue and slowly people were invited to take part in it and it evolved that way.

Chairman Vumbaco: It basically oversees the Council ordinances.

Mr. Parisi: Unofficially, right.

Chairman Vumbaco: So I guess my concern is if there are FOI issues with this committee? Are there agendas that should be posted when you do have these meetings. Are there minutes that should be taken at these meetings? And posted with the Town Clerk's Office because if this is a meeting of a committee, I would think we would have to follow the same rules and regulations of all committees. That's the only reason I am raising it up if it's an official committee or not.

Ms. Bush: I think it just it's just a staff working group. Town staff that has enforcement as part of our regular job duties that get together every couple of months to see if another department's

having. We're all doing our regular jobs and we're just helping each other do our regular jobs so it's more of a working group than a committee.

Mr. Parisi: Mr. Chairman, I think what we've eliminated is a lot of the communication between departments because we are all sitting at the same table.

Chairman Vumbaco: I understand that. I have no problem with that. All I'm saying is that it's being called a committee and for the six years that I have been on the Council, I think you've mentioned it a couple of times and I've never even knew it was formed as a committee. I see that you have been on since day one, and I'm not sure - are you representing the Council there or a regular citizen there?

Mr. Parisi: No, I guess you could call me a citizen.

Chairman Vumbaco: You did state that you steer them a little bit and I just want to make sure that we are not violating any kind of FOI rule or regulation or anything like that.

Mr. Parisi: Certainly it's not a sanctioned committee under the directive of the Town Council. It's not that.

Chairman Vumbaco: So as far as enforcement of any of the issues that come up, they're done by the proper authority.

Mr. Parisi: Yes.

Chairman Vumbaco: So the Police are dealing with something that Planning and Zoning should be dealing with.

Mr. Parisi: No.

Chairman Vumbaco: I think it's more of a discussion of what you think is the problem and how you resolve the issues

Mr. Parisi: Exactly.

Ms. Bush: Mr. Vumbaco, I think another group of town staff that meet regularly is an example that I know that is not covered under

FOI. Once a month all the town departments that review Planning and Zoning Commission agenda items meet to review out agenda and make sure that one department's comments don't conflict with another department so that the Planning and Zoning Commission can get straightforward information when they meet and there was an issue several years ago that several engineers who submitted plans wanted to attend out meetings and I asked Adam (Mantzaris) and we weren't covered under FOI. This is a very similar type situation.

Chairman Vumbaco: OK. Like I said, I'm just trying to cover the bases that things are being done properly.

Mr. Parisi: My final comment would be is that I am really appreciative that I'm allowed to be there at these meetings because again it's a pleasure to watch the dialogue and the give and take and the willingness to help each other and to pick up on whoever's expertise is needed at the moment to solve a problem. I thank you very much for the fine, fine job that you do. Thank you for coming.

Chairman Vumbaco: Thank you. We have an Addendum to the Council meeting.

Addendum Item

Consider and Approve a new job description entitled Assistant Town Clerk - Personnel

Ms. Papale: I'd like to make a motion to approve a new job description entitled Assistant Town Clerk by the Personnel Department.

Mr. Parisi: seconded the motion.

Terence Sullivan, Personnel Director: Thank you for allowing us to be on the agenda tonight. This has been off and on for the last seven years. Back in 1998 -99 the former Town Clerk, Rosemary Rascati, and I spoke about the possible reorganization of the department. Part of that was done and part of it had to do with timing. It was always the goal and I think even Kathy Zandri jumped on right away that we come up with a job description that gave the Town Clerk a safety net when he or she would be out of town at training or away

on vacation that somebody would clearly have the responsibilities to administer the office in her absence. What you have before you is a job description that essentially reads accurately, it displays all the duties and responsibilities of the position. If you go back 25 or 30 years ago, the town had a chief clerk job description which is also attached. It is kind of a generic job description meant to fit the needs of many departments. As time went by it became pretty clear that and the reason we are here tonight is to present a job description that clearly defines exactly what the position is, exactly what kinds of skills and abilities the incumbent would have to do the job successfully and exactly what kinds of qualifications in terms of education and experience and certifications that the personal department would need for screening and testing purposes so that the Town Clerk gets a list of qualified candidates to choose from. The timing is great because the position is currently vacant so it all falls into place. Kathy did an awful lot of work on this. We looked at 10 or 11 other towns. It's really a combined effort started by Rosemary Rascati several years back but certainly picked up by Kathy in the last couple of months. That's an overview of how this happened. The union was given an opportunity to comment on the job description and we met yesterday with them. They don't have a problem with it. They do reserve the right to look at the compensation issue down the road if its adding duties without negotiating, which we wouldn't do, and there is no change in pay, so it's the same pay rate that chief clerks get currently.

Ms. Zandri: If I may add, there are no additional duties. These duties are exactly what is required of the person sitting in this position at the time or who would occupy this position at this time. We have asked for under qualifications, we've mentioned that one year's experience working in at least one of the following fields is preferred but not required. That's mortgage lending, real estate closings, and/ or law office work dealing with real estate and/or banking transactions. This will help us to cross train in a quicker fashion if one of our candidates happens to have that. That would be preferred.

Chairman Vumbaco: Any questions by the Council?

Mr. Parisi: This is replacing what?

Ms. Zandri: The Assistant Town Clerk was formerly known as the Chief Clerk.

Mr. Parisi: Is it more of an extension of that job? I didn't get this until tonight.

Ms. Zandri: It's actually a clarification. It's much more specific so that everyone going in knows exactly what is expected of the individual sitting in the position.

Mr. Parisi: Everybody knows their job in other words.

Mr. Testa: The Chief Clerk job description – that's not specific to the Town Clerk's Office. Is that correct?

Mr. Sullivan: Correct. I call it generic.

Mr. Testa: A generic Chief Clerk so the job position is basically been defined over the years by what duties were assigned

Mr. Sullivan: Yes.

Mr. Testa: So this specificity is to your office now.

Ms. Zandri: Yes. Correct.

Mr. Knight: There appears to be a special requirement added to this regarding a certification as a municipal clerk within three years.

Mr. Sullivan: Yes. This was something that Kathy had suggested to require certification. It takes two years but because of the cycles of the courses being offered it can take three. What this is and Kathy can explain it further. She's actually enrolled in the program now. It basically takes the current town clerk methodologies and FOI and all the rules and processes with indexing and keeps someone current. The certification is just one of those things that we think professionalizes the position and keeps the employee more current, and in fact a more valuable asset in the office when

the Town Clerk is absent, then you can speak to the certification.

Ms. Zandri: There are currently five modules to complete a certified municipal clerk course before taking the test. It takes two and one half years to become certified. So we have extended it to three years in case of unforeseen circumstances or the tests are delayed. The town invests a great deal of money in seminars in seminars and dues line items to train the town clerk each year. With a two-year appointment, town clerks can move on and you may have someone new in the position that doesn't have all the training. This will person will carry that certification and will be much more of a value to the office and to the new town clerk coming in if they do not have any prior training.

Mr. Knight: If you are going to be hiring somebody, do you have money in your budget to cover this training?

Ms. Zandri: Currently the training the individual can take training now. We enroll an additional member in our office for some of the local town clerk schooling. For instance, if you have a town clerk who is already trained, then that town clerk will not attend those classes. The assistant town clerk can go and work towards those modules. In other words, you wouldn't need ones required the town clerk then the assistant town clerk can acquire and then the stability stays. That would be a conscious effort on the part of the town or the Town Council, whether or not to fund sending any future town clerks without the education to the classes or to allow the assistant town clerk to hold them. You always want a town clerk to be certified but in the event that someone is not there for any extended length of time then you have someone with all the certification there.

Mr. Knight: I don't quite understand. You have some of your people taking certain modules.

Ms. Zandri: I have invited them to attend county meetings so they can pick up. Besides the modules there are county meetings. There are town clerk meetings put on by the State of Connecticut not necessarily part of the school, the accreditation modules, but up to this point no one have been

interested in attending. They have denied attendance at this point.

Mr. Knight: Would the person that you hire is going to be required, I would hope. If they want to hold the job, they are going to have to get this.

Ms. Zandri: I think it's a valuable investment to have continuity.

Mr. Knight: I think so too, Kathy.

Ms. Zandri: I think it would be a matter of preference for those entities involved in funding.

Mr. Knight: I'm just clarifying that this would be a requirement of the person that gets hired if they don't have the training already that they will have to go out and get it.

Mr. Sullivan: It will be a requirement, and, of course, we will be required to fund it. There will be a cost but there will be a benefit back to the town.

Mr. Parisi: How much is it?

Ms. Zandri: I'm sorry, I don't have my budget in front of me. Maximum \$2,000.

Mr. Parisi: Do other towns have two certified town clerks?

Ms. Zandri: Actually there are towns that there are a great deal of assistant town clerks and other individuals in the office, clerks, that don't necessarily have to be assistant. What I learned recently is anyone actually working in municipal government can attend these classes provided the municipality wants to fund them. For instance, the town council secretary could have attended if there was a desire to prepare and to move someone along that way. So you don't have to be someone in that office, or it can be anyone in that office.

Mr. Testa: Something that has come to mind related to why I asked earlier if the position previously had been sort of a generic and now we're giving it a title and making it much more specific to the duties of the office. The reality of how town clerks are appointed in this town, was consideration given to the fact that having a certified assistant town clerk on staff - is there any thought that that could potentially lead to difficulties down the road or claims by people in this position of being passed over or union grievances being filed. Do you see any potential legal problems with this? We appoint town clerks and the assistant town clerk might have a legitimate grievance against us because they are in that position because it's not open for hiring like a normal job position.

Mr. Sullivan: I think we went into this with the full knowledge that the town clerk is appointed by the party in power and that could change every two years. I don't foresee grievances. I think an assistant town clerk could certainly make his or her wish known that he or she would like to be in that job so long as the Council appoints someone without regard to any protected class; therefore, it's a legal appointment. I don't see any standing or legitimate complaint.

Mr. Testa: But there could be a complaint.

Mr. Sullivan: There could be a complaint every two years from anybody in the office that they should have gotten the job.

Mr. Testa: But they not carrying the title of assistant town clerk. It's just something that comes to mind.

Ms. Zandri: There are many assistant town clerks who are certified and I have not heard of an issue. That doesn't mean that one could not be raised, valid or invalid, however, if you ever do choose at some point in the future to change your charter and you make it a classified position, like some towns have, then you already have someone there that is qualified who could probably apply, test, fill the position, etc.

Chairman Vumbaco: Any other Council? Chief Clerk's job is now eliminated from the Town Clerk's department and is being replaced by this and the union has accepted it. So they are

not going to come back and say why haven't we filled that position.

Mr. Sullivan: Right. It's really a title change and a more clear description of duties.

Chairman Vumbaco: Any member of the public have any questions? Hearing/seeing none, We have a motion and a second. All in favor? Opposed? So moved. Thank you.

15. Executive Session pursuant to Section 1-200 (6) (D) of the Connecticut General Statutes with respect to the purchase, sale and/or leasing of property - Mayor
16. Executive Session pursuant to Section 1-200 (6)(B) of the Connecticut General Statutes to discuss pending litigation in the matter of the tax appeal of 1070 North Farms Road, LLC v. Town of Wallingford - Town Attorney

Ms. Papale: I'd like to make a motion to go into executive session (#15) pursuant to Section 1-200 (6) (D) of the Connecticut General Statutes with respect to the purchase, sale and/or leasing of property and (#16) pursuant to Section 1-200 (6)(B) of the Connecticut General Statutes to discuss pending litigation in the matter of the tax appeal of 1070 North Farms Road, LLC v. Town of Wallingford

Mr. Parisi: Second.

Chairman Vumbaco: We have a motion and a second. All in favor? Opposed? So moved.

(The Council entered into Executive Session at 8:55 P.M.)

Ms. Papale: I'd like to make a motion to go into executive session.

Mr. Testa: Second. (Off-mike)

Chairman Vumbaco: All in favor. Opposed? So moved.

(The Council exited Executive Session at 9:27 P.M.)

ATTENDANCE AT EXECUTIVE SESSION # 15:
Council (7) Mayor Dickinson, Assistant Town Attorney,

Gerald E. Farrell, Sr. Councilors Doherty and Farrell were not present.

ATTENDANCE AT EXECUTIVE SESSION # 16:
Council (7) Mayor Dickinson, Assistant Town Attorney,
Gerald E. Farrell, Sr. Councilors Doherty and Farrell were not present.

17. Discussion and Possible Action regarding the pending litigation in the matter of the tax appeal of 1070 North Farms Road, LLC v. Town of Wallingford as discussed in Executive Session - Town Attorney

Ms. Papale: I'd like to make a motion for discussion and possible action regarding the pending litigation in the matter of the tax appeal of 1070 North Farms Road, LLC v. Town of Wallingford as discussed in Executive Session.

Chairman Vumbaco: The motion is to approve (the settlement).

Ms. Papale: Yes.

Mr. Knight: Second.

Chairman Vumbaco: All in favor? Opposed? So moved.

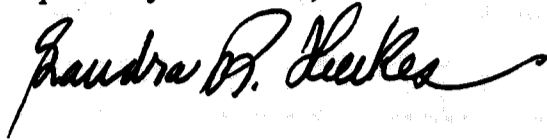
Ms. Papale: I'll make the motion to adjourn.

Mr. Parisi: I'll second the motion to adjourn.

Chairman Vumbaco: All in favor? Opposed? So moved. Good night.

There being no further business to consider, the meeting adjourned at 9:28 P.M

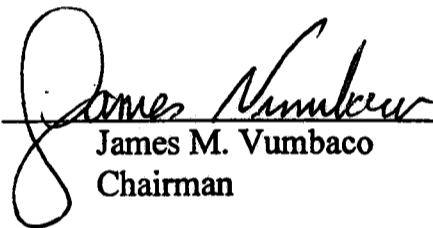
Respectfully submitted,



Sandra R. Weekes
Town Council Secretary

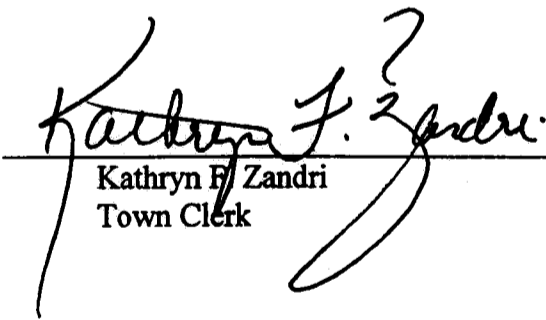
Meeting recorded and transcribed by Sandra R. Weekes

Approved by:



James M. Vumbaco
Chairman

9/13/05
Date:



Kathryn F. Zandri
Town Clerk

9.19.05
Date:

T.

ITEM FOR AGENDA OF MEETING OF TOWN COUNCIL

[Item No.] To conduct a public hearing and consider and act on the following ordinance entitled:

AN ORDINANCE AMENDING AN ORDINANCE APPROPRIATING \$67,170,000 FOR THE PLANNING, ACQUISITION AND CONSTRUCTION OF TOWN-WIDE SCHOOL SYSTEM RENOVATIONS AND AUTHORIZING THE ISSUE OF \$67,170,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE (The purpose of the amendment is to increase the appropriation and bond authorization by \$1.8 million, from \$67,170,000 to \$68,970,000, and to ratify, confirm and adopt all prior authorization and ordinances in connection therewith.)

AN ORDINANCE AMENDING AN ORDINANCE APPROPRIATING \$67,170,000 FOR THE PLANNING, ACQUISITION AND CONSTRUCTION OF TOWN-WIDE SCHOOL SYSTEM RENOVATIONS AND AUTHORIZING THE ISSUE OF \$67,170,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

An ordinance entitled "An Ordinance Appropriating \$67,170,000 For The Planning, Acquisition And Construction Of Town-Wide School System Renovations And Authorizing The Issue Of \$67,170,000 Bonds Of The Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose" adopted by the Town Council on December 14, 1999 and as amended at Town Council meetings held August 21, 2001, January 8, 2002, June 11, 2002, October 22, 2002, December 10, 2002, February 24, 2004 and June 8, 2004 which ordinance is hereby ratified, confirmed and adopted, is amended to increase the appropriation and bond authorization therein by \$1,800,000, from \$67,170,000 to \$68,970,000, as follows:

Section 1. The title of the Ordinance is amended to read as follows:

"AN ORDINANCE APPROPRIATING \$68,970,000 FOR THE PLANNING, ACQUISITION AND CONSTRUCTION OF TOWN-WIDE SCHOOL SYSTEM RENOVATIONS AND AUTHORIZING THE ISSUE OF \$68,970,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE"

Section 2. The following is substituted for Section 1 of the Ordinance:

"Section 1. The sum of \$68,970,000 is appropriated for the planning, acquisition and construction of Town-Wide school system renovations, including facility additions, expansions and space reallocations, approximately in accordance with the project summary approved by the Board of Education at a special meeting held May 24, 1999, to various school buildings including Lyman Hall and Sheehan High Schools, DAG Hammarskjold and Moran Middle Schools, Moses Y. Beach, Cook Hill, Highland, Parker Farms, Pond Hill, Rock Hill and Stevens Elementary Schools, and for appurtenances, furniture, equipment, and design, engineering, and other consultant services or so much thereof as may be accomplished within such appropriation, including administrative, advertising, printing, legal and financing costs related thereto, said appropriation to be inclusive of any and all State and Federal grants-in-aid (excluding however the special \$500,000 grant from the State for the Sheehan High School track), in accordance with the following:

Planning, Acquisition and Construction:	\$68,520,000
Debt Administration:	<u>450,000</u>
TOTAL:	<u>\$68,970,000</u>

Section 3. The first sentence of Section 2 of the Ordinance is amended by substituting the amount of \$68,970,000 for \$67,170,000, thereby making the first sentence of Section 2 read as follows:

"To meet said appropriation \$68,970,000 bonds of the Town or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the twentieth year after their date."

ITEM 12

MEMORANDUM

TO: Mayor William W. Dickinson, Jr.

FROM: Department of Engineering

RE: Request for Transfer (Addendum)

DATE: July 12, 2005

As I will be unable to attend the July 19th meeting of the Wallingford Town Council, I wanted to take this opportunity to provide you with some background information on the basis for this request.

In December of 2004, at a meeting with the CT. DEP (on the Community Lake Restoration Program), it became very clear that if the Town wanted to move forward with any type of lake restoration program, a more detailed and comprehensive soil sampling and testing environmental program would be required. Since that meeting I have been working with Mr. Rascati and the members of the Community Lake Restoration Committee in quantifying exactly what we needed to do and how best to proceed.

In June 2005, after publicly advertising the project, we received competitive bids (Public Bid # 04-149) from Consulting Engineers (through the Town's standard Part A and Part B selection process), to assist the Town in the preparation of bid specifications to advance the necessary soil testing.

Initially on July 5th, I prepared and transmitted, a Request for the Transfer of \$ 10,800 (the price of the bid from the lowest qualified bidder), from Regular Salaries and Wages to Purchase Services-Engineering Consultants to fund this work effort. This request for funds was not in our 2005/06 Budget Request, as it (this Department's Budget) was prepared prior to identifying either the scope-of-services or the cost to perform such work.

In an effort to keep this Community Lake Restoration Project moving forward, I am asking for your support of this Request.

Respectfully submitted:


John P. Thompson, PE ; Town Engineer

MEMORANDUM

TO: Mayor William W. Dickinson, Jr.

FROM: Department of Engineering

RE: Request for Transfer

DATE: July 5, 2005 (Revised July 12, 2005)

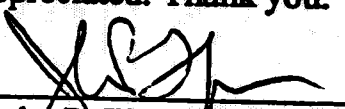
Mayor:

Following the receipt of Bids for Consulting Engineering Services for the development of detailed bid specifications and Contract Documents for the actual Soil Sampling & Testing at Community Lake, in order to fund that effort, we are requesting the Transfer of \$ 10,800.00 from "Regular Salaries & Wages" (Account # 001-5010-101-1000-00) to "Purchase Services Engineering Consultant" (Account # 001-5010-901-904).

Attached herewith is the completed Request for Transfer of Funds form.

Your anticipated favorable review and forwarding of this request to the Town Council, is most appreciated. Thank you.

Respectfully requested:



John P. Thompson, PE
Town Engineer

Enc: Budget Transfer Form

TOWN CLERK

TOWN COUNCIL OFFICE
45 South Main Street, Room 220
Wallingford, CT 06492
Phone - 203-294-2155
Fax - 203-294-0180

MEMORANDUM

TO: Department Heads

FROM: Sandra Weekes *SW*

DATE: July 22, 2005

REGARDING: July 28, 2005

Attached are appendices to the minutes of the June 28, 2005.

RECEIVED FOR RECORD 7-26-05
AT 9 H. 45 M. AM AND RECORDED BY
Hatterport TOWN CLERK

Report out to the Town Council

WSBC June 28, 2005

We are here tonight in recognition of the Bond Ordinance which mandates that the Building Committee cannot approve payment authorizations that extend beyond Council Approved costs established for each of the 11 individual school projects.

Since when the project totals were adjusted over a year ago, it has become increasingly apparent that the contingency percentage that was established at a rate much lower than national averages needs to be increased.

The increase will necessitate the establishment of a Public Hearing which we request this evening.

- Phase A may increase by almost \$466,000
- Phase B may increase by approximately \$1,325,000
- Phase C is projected to increase by another \$405,000 if the conditions encountered in A and B continue into those schools.
- Phase D, the synthetic turf fields at Sheehan as an entire separate project, is out to bid and therefore not presented tonight.

About 1/2 of the budget request for Phase B is due to costs incurred for winter protection, where buildings are temporarily enclosed with plastic and heated in order to construct brick masonry and other work. This was a particularly tough winter as you know having paid your oil bills.

Beyond winter heat, we see substantial cost increases due to hidden conditions at the two California style schools. Highland and Rock Hill are running almost double the increase proportionally as the others. The total Phase A and B is about 2.9% excluding winter heat

Another issue is Town mandated increases which have come about long after the State School Facilities Unit had performed an intensive review of the plans. Added electric vaults, grease trap, sidewalks, delays in purchasing furniture and other costly changes account for well into six figures.

Phase C does not yet reflect the cost impact due to the Class A Watershed issue, again brought up by the Town staff.

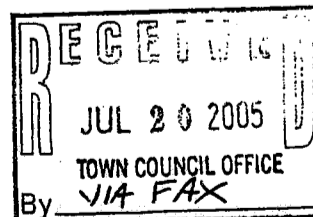
We request guidance as to if the Public Hearing should cover Phase A and B schools individually, or should we request Phase C schools at the same time.

Please understand that Sheehan excluding fields, Moses Y Beach, Dag and Moran are tracking on budget. However, we cannot close out those and shift the funds to projects tracking higher at this time.

For BC use in draft form, not finalized in concert with pending changes, soft costs, etc.

MYB	- 19,000
LH	- 447,000
Sub A	- 466,000
RH	- 399,800
H	- 417,000
CH	- 208,000
S	- 296,000
Sub B	-1,325,000
S	on budget
D	on budget
M	on budget
PF	- 186,000 projected
PH	- 215,000 projected
Sub C	- 401,000
Total	-2,192,000

William Chati's report out from the School Building Committee presented to Council at mtg June 28, 2005



Commission on Diversity and Equal Opportunity
Report Out
June 28, 2005

Commission was established in August, 2004

Commission held bi-weekly meetings from September, 2004 until June, 2005

Commission met with former complainants, Town officials, held specific meetings with town managers and supervisors, union representatives and town employees, each separately, to gather information

Commission received and reviewed letters from Town employees

Commission conducted a survey of over 440 town employees, excluding the Board of Education employees, to gather information on their feelings or concerns of perceived or real inequities in the Town's personnel policies and practices. There were 159 responses which equates to 36% of the Town's work force. The survey was confidential but assurances were in place to prevent multiple responses.

A draft report was finalized on June 23 with the final report scheduled to be presented to the Council on July 19.

A summary of the results are:

1. Little evidence of sexual harassment or gender bias was found
2. Findings beyond the limited scope were found:
 - Dissatisfaction with the selection process in hiring and promotion
 - Perceptions of general harassment and heavy handed management practices
 - Favoritism

Summary of recommendations:

1. A more intensive orientation process is needed to ensure that each new employee is familiar with the terms and conditions of all the Town's policies and procedures.
2. Training in Sexual Harassment and Unlawful Discrimination beyond the required one time at hiring now practiced by the Town
3. A major effort should be made to recruit minorities and women at all levels of employment within the Town
4. Adoption of a "gender neutral" Personnel Rules and Regulations be adopted
5. Consider adopting proposed policies and regulations concerning:
 - a. Recruitment of Minorities and Women
 - b. Equal Employment Opportunity
 - c. Discrimination and Sexual Harassment, and
 - d. Discrimination and Sexual Harassment (Regulations)
6. Creation of an investigatory body with specific authority to research, investigate and recommend measures to address allegations of possible inequities in:
 - a. Hiring and promotion
 - b. General harassment
 - c. Favoritism by management, and
 - d. A possible need for sensitivity training

via email

RECEIVED
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By <i>SRU</i>

ITEM #11

ITEM # 14
6/28/05

Revaluation Project – Status Report to the Town Council

Submitted to: Wallingford Town Council
Submitted By: Shelby P. Jackson III, Assessor
Date: June 28, 2005

➤ **Overview of the 5 year cycle vs. the old 10 year cycle**

The 2005 revaluation project is what is known as a valuation update, and it is the first such valuation update that the Town of Wallingford is conducting under Connecticut's new five-year revaluation cycle. Currently, Connecticut law requires that all municipalities perform a revaluation of real estate every five years. The requirement is relatively new and although most Wallingford residents are familiar with the ten-year revaluation process, I think it is important to explain how the process works with the new five-year cycle.

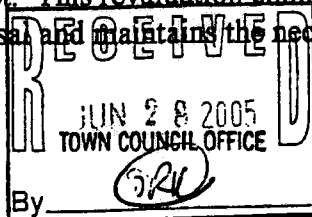
Simply stated, we are required, for property tax purposes, to bring real estate values current by assigning a new market value to all real estate, at least once every five years instead of waiting ten years. The standard remains the same – we are required to establish market value.

One significant difference relative to the way we conduct the five-year cycle is the property inspection process. We will not attempt to perform an interior inspection (full physical inspection) of every property for this project. Instead we will attempt to perform a full physical (interior) inspection of properties that have recently sold, and we will view every property from the exterior to verify the accuracy of our information.

One note I would like to make is that many people think of the five-year update as some sort of a statistical revaluation. This view leaves the impression that the Assessor simply applies a factor to all properties and updates the values by so-called statistical means. This is not the case, and that method would not insure market value for all properties. We are actually performing a full revaluation in every sense, except that we are not conducting the full physical (interior) inspection of every property.

➤ **The Revaluation Committee – Who is directing the project?**

To promote the success of this project the Wallingford Comptroller has assembled a team of managers from the Finance Department and established a Revaluation Committee. This committee is guiding and monitoring the revaluation project through every phase from start to finish. The revaluation committee also includes Vision Appraisal's Project Supervisor – Mr. Ronald Mota who provides periodic reports as to the progress of the project and receives periodic instructions from the Committee as to how the project must proceed. It is important to understand that Vision Appraisal is providing assistance to us, but the Town of Wallingford is in control of the project. This revaluation committee is the body, which directs the activities of Vision Appraisal and maintains the necessary control of the process.



➤ **Purpose:**

First and foremost it's important to understand that the purpose of the Project is to establish a new Market Value for all real estate – Market Value. Accurate market values lead to an equitable distribution of taxes. Ultimately, if the market value we assign to your property is correct, then your taxes will be correct.

What is Market Value? In laymen's terms it is the most likely price you could obtain for your property if it were offered for sale in the open and competitive market.

To achieve accurate Market Values we will be performing specific functions that keep us in compliance with the Uniform Standards of Professional Appraisal Practice (USPAP).

➤ **Data Verification Mailers**

Last year, we mailed what is called a "Data Verification Form" to every residential property owner – Residential properties. These forms were designed to verify relevant information about one's property – information that we will be using to establish new market values. Property owners were asked to review the information, and if correct retain the document for future reference. For those with a question, or if the information was not correct, property owners were asked to respond. Some 1,200 – 1,300 property owners responded to our inquiry.

➤ **Changes were checked**

Staff within the Assessing Division reviewed the forms that were returned. In many cases, a property inspection was necessary before we could make a change to the records. During the past year, we have conducted those inspections and made the appropriate changes to the records.

➤ **Commercial & Industrial Properties**

To the owners of Commercial and Industrial properties, we mailed what is known as an Income and Expense Report. For Commercial and Industrial properties, rental income and operating expense information is very relevant in determining Market Value. In fact, under Connecticut law, the Assessor is required to collect and review this information for certain income-producing properties as a component of the revaluation process. The deadline for filing these reports was June 1st, 2005. Currently, we are in the process of reviewing this information with Vision Appraisers to identify accurate valuation benchmarks specific to the Wallingford market. We expect to complete this task by the end of August, 2005.

➤ **Analyzing Sales Activity**

Properties that sell in the Wallingford market will be analyzed, inspected and studied. One very important factor to consider when establishing the Market Value of a property is to observe what other similar properties actually sell for. For this reason, we will carefully analyze every such sale as part of the revaluation project.

We will analyze all property sales occurring from October 1, 2004, through October 1, 2005. We want to fully understand the conditions under which each sale takes place and note the characteristics and condition of the property at the point of sale. For this reason, all Sale Properties will be fully inspected including a complete interior and exterior inspection – full physical inspection. Prior to inspecting the sale properties, we will send by US Mail a “Sales Verification Form”. This document will do two things; first, it will inform the property owner that Vision will be working in the area requesting an inspection of their property, and two; it will help us record the conditions under which the sale occurred.

All Vision personnel authorized to inspect properties will carry a Photo Identification Card along with a letter signed by the Assessor verifying that they are assigned to the Project. They will also be registered with the Wallingford Police Department. No interior inspection will be performed unless there is an adult present.

➤ **All properties will be viewed from the exterior.**

Under the requirements of the five-year revaluation cycle, we do not have to perform an interior inspection of every property, but we will be conducting an exterior inspection or viewing of every Wallingford property. Under this phase of the project, a qualified revaluation employee will physically view each property from the exterior confirming much of the information upon which the Market Value will be based. This phase of the project is currently underway and is expected to be completed sometime in August, approximately two months from now.

➤ **New valuations will be established by the end of November of 2005.**

After October 1st when the last property sales have been recorded and analyzed, we will begin the process of assigning new market values. This process is expected to take four to six weeks to complete, or sometime in November 2005. Once we establish the new market values, every property owner will be notified by mail. Wallingford property owners should expect to receive a written notice indicating the new market value of their property including instructions for scheduling an informal hearing with Vision Appraisal. It is anticipated that this notice will be mailed to property owners by the last week of November 2005.

➤ **Informal hearings**

After receiving this notice, property owners will be able to meet with a representative from Vision Appraisal to review the new values and to address questions or concerns. When warranted, adjustments will be made. This is what we refer to as the "Informal Hearing Process".

For those property owners attending an informal hearing, a second notice will be mailed. If a property owner is still not satisfied after an informal hearing, they are entitled to file for a hearing before the Wallingford Board of Assessment Appeals. To do so a person must file a written application by February 20, 2006. Applications and filing information will be available in the Assessor's office.

➤ **The new values will form the basis for the 2005 Grand List.**

Finally, in addition to leading and monitoring the project, personnel in the Assessing Division will be compiling a Grand List as though the revaluation were not occurring. So while Vision Appraisal is compiling new Market Values as of October 1, 2005, we in the Assessing Division will also be compiling valuations based on factors established during our last revaluation. This is an important function, because it is the only way to accurately measure the actual growth in the Grand List.

The new Market Values we are establishing are as of October 1, 2005, and will form the basis for the 2005 Grand List. The corresponding assessments will first be reflected on tax bills in June of 2006, a year from now. So you can see that we still have much to do before the project is completed. We are about half-way through the process and it will take another six to seven months to complete. We will be glad to appear before this Council again as the project progresses to provide status reports as needed.

Thank you for this opportunity to be of service.



Town of Wallingford

Economic Development Commission

45 South Main Street, Room 311
Wallingford, CT 06492

RECEIVED

YCPD'S OFFICE

05 JUN 14 AM 9:56

15. C Jim Bowser
Shelby T. Reed ✓
Law Dept rec'd
pls. review +
comment by 6/17.
Thank you.
J

June 14, 2005

William W. Dickinson, Jr., Mayor
Town of Wallingford
45 South Main Street
Wallingford, Connecticut 06492

Dear Mayor Dickinson:

The Economic Development Commission is proposing that the Town adopt a new economic development tax incentive program specifically for office development in the I-5 zone. There are several reasons why the EDC seeks the consideration of such a program at this time:

- Most communities in our market area are offering incentive programs. The communities of Cheshire, Meriden, Hamden, Southington, Rocky Hill and Middletown are either Enterprise Zone communities and/or offer tax incentive programs under CGS 12-65b. Indeed, offering tax incentives has, unfortunately, become the norm.
- The Town has received a specific request from a Connecticut company that is seeking to build its corporate and operations office buildings/complex in the I-5 zone. The company is proposing to construct an initial 160,000-180,000 sf of office space. Wallingford is one of several communities being considered for this development. All communities, except Wallingford, offer tax incentive programs.
- The EDC is aware that there are concerns being put forth to the Planning & Zoning Commission about the restrictions of the zone and that changes to accommodate such uses as housing will hurt the community's long-term vision for this zone and compromise its future financial well being.
- The EDC believes that adopting a program vs. entertaining a single request at this time will enable us to more effectively promote the zone.

Attached is our proposed program. It sets thresholds and conditions that are crafted to serve the Town; it sunsets after a three-year period, allowing for what is thought to be sufficient time to measure the effectiveness of the program and; it requires that every agreement to be entered into by the Town is dependent for final approval on

**A PROGRAM ESTABLISHING A
REAL PROPERTY TAX INCENTIVE
FOR THE
TOWN OF WALLINGFORD**

Section 1. Purpose

To establish a real property tax incentive program in accordance with Section 12-65b of the Connecticut General Statutes for the Town of Wallingford to encourage office development within the I-5 Zoning District through the temporary fixing of real property assessments on property improvements of \$12 million or more and a minimum square footage of 60,000 s/f.

Section 2. Program

- (a) The Town of Wallingford, acting by its Mayor, may enter into written agreement(s), subject to Town Council approval, that shall provide for the temporary fixing of real property assessments, subject to the requirements as set forth below.
1. The minimum criteria are: a minimum investment of \$12 million and a minimum of 60,000 s.f. of newly constructed office building.
 2. The newly constructed office building is located or will be located in the I-5 Zoning District and is in compliance with the requirements of the I-5 Zoning District as designated by the Wallingford Planning & Zoning Commission.
 3. The applicant(s) is current in the payment of any taxes or other obligations due to the Town of Wallingford and shall remain current in order to receive the benefit of this program.
- (b) The period of benefit commences with the first applicable grand list following the issuance of a Certificate of Occupancy, subject to prior receipt of a completed application. Any agreement entered into pursuant to this program shall not be subject to assignment, transfer or sale. Prior to the issuance of a certificate of occupancy, the Town will collect pro rata taxes.
- (c) If an applicant(s) receiving incentive benefits substantially reduces its operations on its real property during the term of the agreement, the Town may terminate the agreement and may require full payback of all abated taxes. Substantially reduced operations shall mean among other things reduction of work force located in the facility by 20% or more, failure to construct agreed upon additional phases of construction and sale of the property.

(d) Schedule:

<u>Minimum Cost of Office Development*</u>	<u>Minimum Size Of Office Building(s)</u>	<u>Time Period</u>	<u>Real Property ** Assessment Reduction of:</u>
\$12,000,000 & above	60,000 s/f	7 years	20%

* Total cost of Office Development is the cost of the newly constructed office building(s) and does not include the value of the land or personal property improvements.

** Real Property Assessment includes land and building.

Section 3. Terms

This incentive program is available for the Grand List of October 2005 to and including the Grand List of October 2008.

This program is predicated upon the existing I-5 zoning regulations and is subject to termination, should those regulations change.

#15

Rec'd T.C. mtg
6/28/05 8:35pm

**OUTLINE OF EDC PRESENTATION TO
WALLINGFORD TOWN COUNCIL
June 28, 2005
Item 15**

- I. INTRODUCTION OF COMMISSIONERS AND STAFF** Dick Nunn
- DISTRIBUTION OF MATERIALS AND
INTRODUCTION OF TOPIC** Don Roe
- II. BACKGROUND: HOW IS IT THE EDC IS HERE TONIGHT?**
- **REASON ONE: PZC PLAN OF DEVELOPMENT** Jim Wolfe
 - **REASON TWO: COMPANY REQUEST** Rosemarie Preneta
 - **REASON THREE: REVIEW OF MARKET PLACE** Doreen DeSarro
- III. PROPOSED PROGRAM** Joe Mirra
- IV. SUMMATION** Dick Nunn
- V. QUESTIONS**

II. BACKGROUND

REASON ONE: PZC PLAN OF DEVELOPMENT

Our first reason for being here relates to the recommendations that are part of the update of the Plan of Development and recent deliberations about the zone itself. To begin, that Plan recognizes the I-5 zone as a major engine for economic development in our community

“Bristol-Myers Squibb average \$16,846/acre in taxes paid to Wallingford in 2001. A residential house averaged \$6,228.88/acre. Developed properties in the Interchange Zone averaged \$27,455/acre.” (pg. 20)

Specifically, the Plan recommends that economic development efforts be concentrated on the Rte. 68/I-91 area. The proposed program before you is our Commission’s recommendation to the Town to support that goal.

In addition, the EDC is aware that there are concerns being put forth to the Planning & Zoning Commission about the restrictions of the I-5 zone. At a recent Planning & Zoning workshop which some EDC members attended, a change to possibly include housing in the I-5 zone was discussed. The EDC believes this would adversely affect our Town. The incentive program as proposed targets the type of development – higher end office buildings – that is the long-standing purpose of the zone and, we believe, in the long-term best interest of our Town.

DRAFT

II. BACKGROUND

REASON TWO: COMPANY REQUEST

The EDC was approached by a Connecticut company looking to construct a 160,000 –180,000 sf, campus-type corporate headquarters in Connecticut or southern Massachusetts. The company is a Financial Services operation that provides home mortgages and home equity loans to customers who are unable to access conventional financing. The company has four locations in Connecticut, including one in Wallingford, and employs 650 people. The company is currently considering sites in Middletown; Rocky Hill; Holyoke, Massachusetts; and the Bellemead site in Wallingford. The company anticipates purchasing the 109-acre Bellemead site and leasing the facility from a developer. The approximate cost to build the facility is \$29 million, which does not include the personal property or the cost to acquire the land.

The company identified to the EDC that the location in Wallingford was not competitive since all of the locations they are considering offer tax incentive programs. The EDC decided to investigate this through its Business Retention Subcommittee.

DRAFT

Doreen DeSarro

per year. The latest incentive package awarded by the Hamden under this program involves the conversion of a 22,000-sf factory on Dixwell Ave. into a Faunal Hall-type facility.

In addition to these recently announced incentive packages, many of the surrounding communities have additional programs such as Information Technology Zones, a Railroad Depot Zone, personal property tax incentive programs, low interest loan programs and the installation of infrastructure improvements.

DRAFT

II. BACKGROUND

REASON THREE: REVIEW OF THE MARKET PLACE

Eight communities within Wallingford's market area have Enterprise Zones including Middletown, Meriden, Southington, New Haven, Hamden, New Britain, Bristol and Waterbury. An Enterprise Zone community will grant an 80% tax abatement on land, building and personal property for 5 years plus a 25% reduction in corporate business taxes for 10 years to a company who constructs a new building.

Many of the surrounding communities, in addition to having Enterprise Zones, have real property tax incentive programs under CGS 12-65b. This is a program that allows a municipality, with the approval of its Legislative body, to fix the assessment on real property for up to 7 years for improvements costing in excess of \$3 million. Hamden and Cheshire have standardized programs; Meriden and Rocky Hill negotiate on a case-by-case basis. Here are some examples of incentive packages that were announced just within the last two months:

The Town of Cheshire has a standardized real property tax incentive program that grants a 45% reduction in real property taxes for the building improvements only for 7 years. Cheshire recently granted this incentive package to Whole Foods, a natural food company, for the construction of a 120,000-sf distribution center.

Rocky Hill, which negotiates with a company on a case-by-case basis, recently awarded a 100% real property tax reduction on land and building for 7 years for the construction of a 65,000-sf building for WFSB Channel 3.

The City of Meriden, with the DECD Commissioner's approval, recently awarded Enterprise Zone benefits to Aplicare, an out-of-state company leasing 230,000-sf on Research Parkway.

The City of Hamden has a standardized real property tax incentive program that grants a reduction on the increase in assessment beginning at 70% per year and decreasing over a 7-year period by 10%

III: PROPOSED PROGRAM

After analyzing the incentive programs being offered by the surrounding communities, a decision was made to craft a real property tax incentive program for office development only within the I-5 Zoning District based on the same principles used to craft the Town's existing Personal Property Tax Incentive Program for manufacturers: keep it simple, straightforward and constrained.

The Real Property Tax Incentive Program you have before you is authorized under Connecticut General Statutes 12-65b which allows a municipality, with the authorization of its Town Council, to fix the assessment on real property for a period of up to 7 years for improvements valued in excess of \$3 million.

Although the legislation does allow a municipality to negotiate with a proposed developer on a case-by-case basis, the EDC opted to construct a standardized program, similar to Cheshire's, that would establish a percentage of abatement the Town would consider for new office development within the I-5 zone. The EDC believes this will facilitate the marketing of the program and the Zone. The proposed program offers a 20% reduction in real property taxes on land and building for a 7-year period. The minimum square footage required to qualify for this program is 60,000 sf of new construction, which is the minimum square footage allowed under existing Planning and Zoning regulations. The \$12 million minimum investment was calculated by multiplying the minimum square footage times \$200/sf.

The proposed program requires the applicant to be in compliance with the requirements of the I-5 Zoning District as designated by the Planning and Zoning Commission and to be current in the payment of any taxes or other obligations due to the Town. The program includes a "clawback" provision, should a company reduce its operations within the community during the 7-year period. The proposed program also includes a 3-year sunset provision that will allow the EDC and the Town officials to monitor the effectiveness of the program. The program also requires the Town Council to approve all agreements entered into on behalf of the Town.

Joe Mirra

DRAFT

What the EDC attempted to accomplish with this program is to provide a tool which will allow us to piggyback on the Town's existing locational advantages, such as our central location, our ease of highway access and our low electric rates. The EDC believes that this program will position the Town as an attractive location for office development and allow us to become more competitive within our market area.

Should this Financial Services company construct a 160,000 sf corporate headquarters on the Bellemead site in Wallingford, the project would generate \$423,000/year in real and personal property taxes. Under the proposed incentive program, the company would realize a \$73,290 savings/year in real property taxes or a \$513,000 savings over the 7-year term of the program.

TaxIncAgreeTCPresPropProg

Dick Nunn

DRAFT

IV: SUMMATION

A lot of time, effort, thought and analysis went into the proposed Real Property Tax Incentive program for office development within the I-5 zone you have before you, thanks to the members of the EDC's Business Retention Subcommittee who have been meeting on a weekly basis for the last 2.5 months.

Since most communities within our market area are offering tax incentive programs, I believe that adopting this program will allow the Town to become more competitive within our market area and encourage new office development within the I-5 zone. Coupled with Wallingford's other locational advantages, the EDC should have a better shot at encouraging the Financial Services company the EDC is working with to choose Wallingford as the location for its corporate headquarters.

This program is in keeping with and supports the Economic Development *Priority Recommendations* in the Town's Plan of Development that call for the Town to "concentrate its efforts on economic development in the Route 68/I-91 area" and "aggressively monitor developments in the IX and I-5 zones to insure the orderly development of tax-producing properties". It is believed that implementation of this program will encourage office development within the I-5 Zone and that office development remains desirable for the long-term future of our Town and our tax base.

I will leave you with one thought. "It is generally accepted that the economic health of a community depends on a diverse commercial and industrial base. Residential development rarely pays its own way in taxes for the essential services it requires, especially education, thus the need to grow the tax base year after year to generate ever increasing tax dollars." These are not my words. This is an excerpt out of the Town's Plan of Development.

What we are seeking is Town Council endorsement of this program. In doing so, it will enable the EDC and Town officials to entertain requests that meet the minimum criteria and develop agreements for the Town Council.

Thank you for your time.

Are there any questions?

DRAFT

**OVERVIEW
OF
I-5 ZONE**

LOCATION: INTERCHANGE AREA OF RTE. 68/I-91

ACREAGE OF ACRES: APPROXIMATELY 364 ACRES OR 1.5% OF
TOTAL ACREAGE WITHIN THE TOWN OF
WALLINGFORD

% DEVELOPED: UNDER 10%

PRINCIPAL PERMITTED USES:

- RESEARCH LABS, OFFICE BUILDINGS, FINANCIAL INSTITUTIONS WITH MINIMUM SF OF 60,000
- HOTELS, MOTELS, CONFERENCE CENTERS WITH A MINIMUM OF 150 GUEST ROOMS OR 60,000 SF
- OUT PATIENT MEDICAL FACILITY

**OVERVIEW
OF
I-5 ZONE**

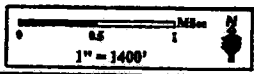
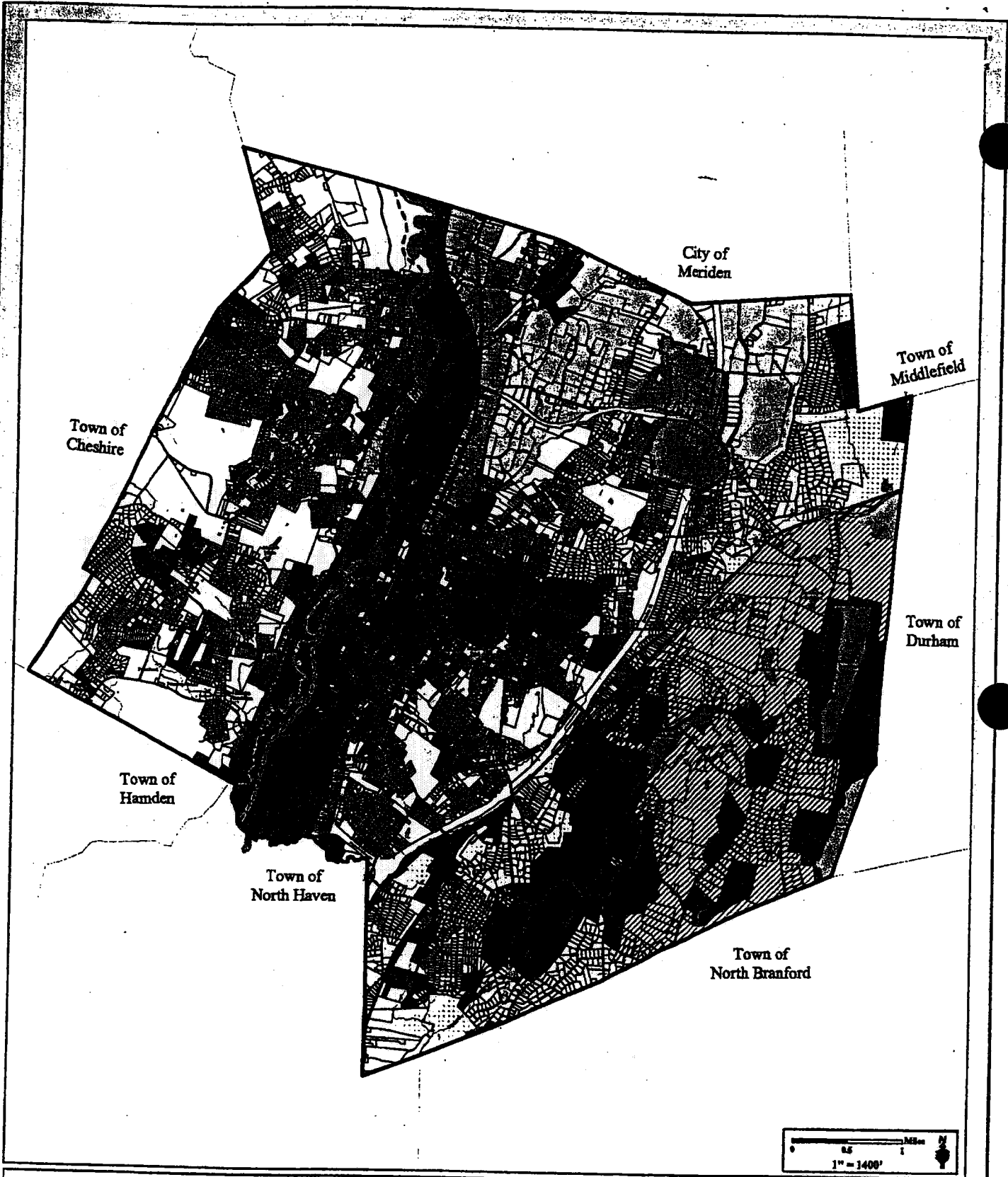
LOCATION: INTERCHANGE AREA OF RTE. 68/I-91

**ACREAGE OF ACRES: APPROXIMATELY 364 ACRES OR 1.5% OF
TOTAL ACREAGE WITHIN THE TOWN OF
WALLINGFORD**

% DEVELOPED: UNDER 10%

PRINCIPAL PERMITTED USES:

- RESEARCH LABS, OFFICE BUILDINGS, FINANCIAL INSTITUTIONS WITH MINIMUM SF OF 60,000
- HOTELS, MOTELS, CONFERENCE CENTERS WITH A MINIMUM OF 150 GUEST ROOMS OR 60,000 SF
- OUT PATIENT MEDICAL FACILITY



Residential	Commercial	Industrial
<ul style="list-style-type: none"> Very Low Density Low Density 1-2 AC Low Medium Density 12 - 1 AC Medium Density 14 - 12 AC Central Area Residential 4-1 AC 	<ul style="list-style-type: none"> Route 8 Commercial Design Commercial General Commercial Neighborhood Business 	<ul style="list-style-type: none"> Industrial Open Industrial / Commercial Industrial Expansion Quarry
Mixed Use	Open Space	
<ul style="list-style-type: none"> Central Business Village Suburban 	<ul style="list-style-type: none"> Potential Open Space Protected Open Space Quinnipiac River Greenbelt (100') Proposed Linear Trail Existing Trail 	

Town of Wallingford
 Land Use Plan
 Town of Wallingford
 Planning & Zoning
 Commission

Source: Wallingford Planning & Zoning Commission
 1995. This map was prepared for the Town of Wallingford and is not to be used for any other purpose without the written consent of the Commission.

I-5 ZONE

SCALE: 1" = 700'

