

TOWN COUNCIL MEETING

NOVEMBER 13, 2001

6:30 P.M.

AGENDA

Blessing

1. Pledge of Allegiance and Roll Call
2. Correspondence
3. Consent Agenda
 - a. Consider and Approve a Request from Wallingford Center Inc. to Use the Parade Grounds on Saturday, December 1, 2001 from 11:00 AM to 5:00 P.M. For their Seasons of Celebrations Holiday Festival
 - b. Consider and Approve Tax Refunds (#496-541) – Totaling \$9,898.20 – Tax Collector
 - c. Consider and Approve an Appropriation of Funds in the Amount of \$500 to Revenue – Contributions Acct. #209-1045-070-7010 and to Program Expenses Acct. #209-4001-601-6500 – Parks & Recreation
 - d. Consider and Approve an Appropriation of Funds in the Amount of \$3,181 to Revenue Highway Safety Acct. #1050-50-5883 and to Police Overtime Acct. #001-2005-101-1400 – Dept. of Police Services
 - e. Approve and Accept the Minutes of the October 23, 2001 Town Council Meeting
4. Items Removed from the Consent Agenda
5. PUBLIC QUESTION AND ANSWER PERIOD

6. Consider and Approve Naming Two New Roads; a Connector Road Between Thorpe Avenue and Research Parkway and a Connector Road at the Intersection of RT. 68 and Leigus Road – Mayor
7. Consider and Approve Three (3) Utility Easements in the Long Hill Road/ Kondracki Lane Area – Sewer Division
8. Consider and Approve a Pedestrian Easement Over Property at the Corner of North Colony Road and Christian Street – Department of Law
9. Discussion and Possible Action Regarding Proposed Changes in the School Renovation Which Could Result in an Increase to the Costs Associated with Said Project – Mayor
10. Consider and Approve a Contract for Purchase of Land for Open Space Purposes and Corresponding Lease Agreement for Property Known as 991 East Center Street, Wallingford, CT. - Mayor
11. SET A PUBLIC HEARING for November 27, 2001 at 7:45 P.M. to Consider and Possibly Act Upon an Ordinance Appropriating \$1,285,000 for the Acquisition of Approximately 93.72 Acres of Real Property Known as 991 East Center Street and Authorizing the Issue of \$1,285,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose
12. Consider and Approve a Letter of Intent to the State of CT. as Notification that the Town Intends to Lease the New Senior Center at 238 Washington Street to the Committee on Aging for the Next Ten (10) Years – Mayor
13. Executive Session Pursuant to Section 1-200(6)(B) of the CT. General Statutes to Discuss Strategy and Negotiations with Respect to Pending Litigation in the Matter of Town of Wallingford v. High Hill Realty Corp., an Action to Foreclose Real Estate Tax Liens – Town Attorney
14. Executive Session Pursuant to Section 1-200(6)(B) of the CT. General Statutes To Discuss Strategy and Negotiations with Respect to Pending Litigation in the Matters of Geriatric Healthcare Center v. Town of Wallingford – Dept. of Law
15. Executive Session Pursuant to Section 1-200(6)(D) of the CT. General Statutes To Discuss the Purchase, Sale and/or Leasing of Property - Mayor

TOWN COUNCIL MEETING

NOVEMBER 13, 2001

6:30 P.M.

A regular meeting of the Wallingford Town Council was held on Tuesday, November 13, 2001 in the Robert Earley Auditorium of the Wallingford Town Hall and was called to Order by Chairman Robert F. Parisi at 6:33 P.M. Answering present to the Roll called by Town Clerk Rosemary A. Rascati were Councilors Brodinsky, Centner, Knight, Parisi, Rys, Vumbaco and Zappala. Councilor Farrell was unable to attend due to a personal commitment; Councilor Papale arrived at 8:08 P.M. due to a previous engagement. Mayor William W. Dickinson, Jr.; Corporation Counselor Adam Mantzaris and Treasurer Peter Murphy were also present at the meeting.

The Pledge of Allegiance was given to the Flag.

A moment of silence was observed in lieu of a blessing.

ITEM #2 Correspondence

A letter from Councilor Thomas Zappala was read into the record announcing his resignation from the position of Chairman on the Golf Course Study Committee effective December 1, 2001. (Appendix I)

Chairman Parisi stated that he hoped that Mr. Zappala would reconsider his decision; Mr. Zappala has served the committee well and is an asset to the group. Other Councilors concurred by nodding their head in agreement with Mr. Parisi.

ITEM #3 Consent Agenda

ITEM #3a Consider and Approve a Request from Wallingford Center Inc. to Use the Parade grounds on Saturday, December 1, 2001 from 11:00 AM to 5:00 P.M. for their Seasons of Celebrations Holiday Festival

ITEM #3b Consider and Approve Tax Refunds (#496-541) – Totaling \$9,898.20 – Tax Collector

ITEM #3c Consider and Approve an Appropriation of Funds in the Amount of \$500 to Revenue – Contributions Acct. #209-1045-070-7010 and to Program Expenses Acct. #209-4001-601-6500 – Parks & Recreation

ITEM #3d Consider and Approve an Appropriation of Funds in the Amount of \$3,181 to Revenue Highway Safety Acct. #1050-50-5883 and to Police Overtime Acct. #001-2005-101-1400 – Dept. of Police Services

ITEM #3e Approve and Accept the Minutes of the October 23, 2001 Town Council Meeting

Motion was made by Mr. Rys to Accept the Consent Agenda as presented, Items #3a-e, seconded by Mr. Centner.

VOTE: Farrell & Papale were absent; all others, aye; motion duly carried.

ITEM #4 Withdrawn

PUBLIC QUESTION AND ANSWER PERIOD

Pasquale Melillo, 15 Haller Place, Yalesville stated that he had heard that the voting machines in Voting District #7 malfunctioned. He requested that the machines be checked into.

Jack Agosta, 505 Church Street, Yalesville asked if the Council is provided with a monthly report on the Contingency Accounts?

Chairman Parisi replied, yes.

Mr. Melillo expressed his concern regarding the development of the Cooke Property, specifically the impact it would have on the natural habitat of wildlife occupying the land.

Wes Lube, 15 Montowese Trail congratulated the Council candidates who won the recent election and expressed his condolences to the minority party winners. He asked if the Mayor had a personal long range capital budget and, if so, does he have in mind Town participation in restoration of the Community Lake Dam?

Mayor Dickinson responded, to my knowledge there have been no figures; dollar amounts offered as to the cost of restoration of Community Lake. Original discussions with the state indicated that the state would have the funds, through federal sources, related to cleaning up the river and restoration of wetlands...I don't know if that is still the case with the state. But our original discussions with Mr. Morrissey indicated that the state would be in a position to contribute a majority, if not all, of any funds needed for the project. At this point, there have not been recent discussions as to costs so there has not been an ability for us to factor in potential costs for a capital project.

Mr. Lube asked, if it turns out that the Town is asked for participation, what would be your position on that?

Mayor Dickinson answered, I would have to evaluate how much it is; when the potential construction would occur, and how it would dovetail with all the other projects that we are now scheduled to implement.

Mr. Lube stated, the Community Lake Dam is considered to be part of our open space program. Right now it is rather unattractive and progeny of a lake we once had. I wondered, do you feel that we are constantly looking at more and more open space as it becomes available? I would assume that you have no way of knowing or anticipating that these large parcels of land are going to become available, so I am wondering, how deep is your pocket? How many more millions do you have in mind for the open space program and in there is there room for the Community Lake Dam?

Mayor Dickinson answered, it is not my pocket; it is our pocket. Community Resources are not unlimited. I am very concerned about the economy. I think everyone is uncertain about how strong the economy will be in the future. Hence, all of our expenditures must receive a very careful and thorough analysis. That is one of the reasons the school project is on tonight; we will have to be careful of how much we spend. Every project will have to be evaluated on a case by case basis and at the time that it is ready to be financed, factored into the total picture. What other money has been committed and what the revenue stream looks like; what the economy is at that moment. I can't be any more exact than that. I don't know what the future holds. If things continue as they may, with the state now facing a deficit, it may create further necessity to cut back on expenditures. I can't evaluate it any better than that right now.

Mr. Lube asked, with all of these comments that you have just reviewed as far as the financial climate is concerned today, how do we find that we have room in our budget for another major open space acquisition?

Mayor Dickinson asked, do you want me to answer that now, Mr. Chairman or when the item comes up?

Chairman Parisi replied, the item will be coming up, Mr. Lube. Perhaps we can pursue it then.

Mr. Lube pointed out, but then you will not want to discuss the total capital budget at that time.

Mayor Dickinson replied, it is then a fair question to ask, how can we afford it now given all of the things we have discussed. It is a question that will be directed at that acquisition.

Mr. Melillo asked if there were any new developments regarding the Wooding/Caplan property?

Mayor Dickinson replied that he is not aware of any new developments.

William Lavorgna, 6 Grieb Court asked, what are we doing to effect the Blight Ordinance? He stated, as I drive around town, I see the same blight that was in existence before the adoption of a Blight Ordinance. What body of government is responsible for enforcing the ordinance?

Chairman Parisi explained, if a complaint is filed with the Building department, it will be followed up on.

Mr. Lavorgna asked, is that the only way to eliminate the blight? The public must file a complaint to start the process?

Chairman Parisi replied, yes, for now.

Mr. Lavorgna was willing to do his part with regards to reporting blight but he thought the Housing Code Enforcement Officer would also log reports of blighted property as he drove through the town. Perhaps we need to make the public aware that there will be no effort made to eliminate blight without the public's input via the filing of complaints.

Mr. Melillo asked if the Council was monitoring the increase in commercial development along Route 5 to avoid more traffic congestion?

Chairman Parisi answered, it is not something the Council is dealing with presently.

Mr. Melillo wanted the Council to keep in mind the traffic issues along Route 5 should they be considering any action concerning the area.

Mr. Lube pointed out how, in one section of the Blight Ordinance, it says, "the servicing officer, in his sole discretion, may grant an extension." Does that mean that he is the only one that can grant an extension? That particular power to extend is not mentioned anywhere else in the ordinance except in that one section pertaining to the officer.

Mr. Knight, Chairman of the Ordinance Committee, stated that he would have to re-read the ordinance, since it has been some months since the committee deliberated on the matter. He referred to Corporation Counselor Adam Mantzaris, who assisted the committee in writing the ordinance.

Atty. Mantzaris answered, it was an automatic thirty day extension. There could be a further extension by that officer. The understanding would be that there would be substantial progress and clean-up and I also believe the ordinance allows for an extension by the Hearing Officer, if there is an appeal taken by the property owner.

Mr. Lubee replied, no it doesn't. I would like this matter cleared up, if we could, by the next meeting. There is no place else in there (ordinance) where I could find...

Atty. Mantzaris offered, like Mr. Knight, I have not reviewed it myself. I will do that for the next meeting.

Mr. Lubee stated, with regards to Chairman Parisi's comments that the public must file a complaint to trigger the ordinance, I want to show the Chairman how difficult this is; a complaint was filed by a citizen on August 17th and the blight has yet to be rectified. It has now been three months and it shows you how ineffectual it is when citizens attempt to confront a blight situation with the Town Hall, it is not easy.

Atty. Mantzaris stated, Mr. Lubee, I will write you a letter on that question.

Chairman Parisi asked, do you know the area that this happened in? I would like to know afterwards.

Mr. Lubee answered, absolutely. I have been following it closely.

Mr. Melillo asked, has anything developed with the Simpson School property? Is it true that the people working on that are depending a lot on state funds. It looks like we are not going to be able to get state funds like we used to because of the economic situation.

Mr. Rys and Chairman Parisi stated, it is still in the works.

Mr. Melillo asked if there is anything new on the American Legion Building?

Mayor Dickinson answered, we have not had any meaningful response to the website posting.

Mr. Melillo suggested that the building be put out on the real estate market.

ITEM #6 Consider and Approve Naming Two New Roads; a Connector Road Between Thorpe Avenue and Research Parkway and a Connector Road at the Intersection of RT. 68 and Leigus Road – Mayor

Mr. Vumbaco asked, is there a development ability on both sides of the new road that is being connected between Research Parkway and Thorpe?

Mayor Dickinson replied, on the road between Research and Thorpe, there is development potential. Both of those lots face Research Parkway as well as Thorpe. I don't think a connector road creates any better situation but is potential for those two areas to develop.

Mr. Vumbaco stated, the spirit of naming the roads, I have no problem with. I am just not sure if we should be naming a road in the middle of an industrial park, something other than what might be conducive to the park, itself. I have no problem with Leigus being extended out. We had a situation a few years back...with the Laser Lane situation, when it was going to be named after a certain individual and the developer complained and didn't feel the name was conducive to the type of development that was going on there. It was then withdrawn and Laser Lane substituted. I am concerned that the same situation may exist here and it raises the question, will we be consistent with the naming of roads? I have no problem naming residential developments after famous families or native tribes, etc., but within the research (industrial park) area, I think we should try to name the road in such a manner that is conducive to someone wanting to develop in there.

Mayor Dickinson stated, I did send a letter to Fusco Development, located in New Haven, and Research Parkway of Wallingford, LLC, located in Meriden, the owners of the two parcels directly affected. The letter indicated that "The Town Council has adopted a program using a name off of the attached list when naming a Town road. If you have interest in this matter regarding the naming of the connector road as shown on the attached map, you can contact my office or attend a Council meeting scheduled for Tuesday, November 13, 2001 at 6:30 P.M." I am not aware of whether or not they contacted my office. I don't know if someone is here in the audience representing them this evening, but there was an effort to inform them that the naming would take place.

Mr. Rys made a motion to Name the Connector Road Between Thorpe Avenue and Research Parkway Joseph Carini Drive, seconded by Mr. Zappala.

Mr. Rys stated, in Mr. Farrell's absence, he did notify the Council that he would have liked to name the road Bertini Road, however, in looking at that request, I felt that since we do have a park named after Mayor Bertini and we don't have anything named after Mayor Carini, I would offer that we name this road after him.

Jack Agosta, 505 Church Street, Yalesville asked, is it going to be Joseph Carini, or Joseph P. Carini Drive or Road, or is it going to be Carini Road?

Mr. Rys thought it would be confusing to have first and last name assigned to the road.

Mayor Dickinson stated, I think the preference is to have one name.

Mr. Agosta stated that he thought it would be classier to have the first and last name of the individual after whom the street is being named appear on the sign.

Chairman Parisi agreed with Mr. Agosta but stated that he believed one name was preferred for clarity when emergency personnel are responding to calls.

Mayor Dickinson explained, I think the simplicity of identification and now we are using all of the electronic means in entering names in and everything else; people writing addresses, etc. It can be done but you don't see too many addresses that have multiple words in the road name. It just makes it a lot simpler for people. It leaves open whether you can have several roads all of that name but different first names. I am not sure how far you take it; it is better to just have one name.

Mr. Agosta cited an example of a road that has a full name assigned to it; Nathan Hale Drive. He would prefer people knowing exactly who the street was named after, not left wondering if it was a son, wife, mother, etc.

Chairman Parisi agreed but felt the Council would have to yield to the Police and Fire Departments.

Mr. Knight, stated, in my experience with the transportation industry, most companies are located in industrial parks. Some of the names are long and involved, especially down south where there are very extensive names beginning with "Doc". You really wonder where they are coming from. It is really confusing when you first hear it but there is a purpose for it. It is not unique to call it more than one name; "John Downey Drive" in New Britain is another example of an industrial park drive. It is pretty common to use a full name. I think Joseph Carini would sound fine; I don't see a problem with it.

Mr. Rys re-stated the motion, naming the street Joseph Carini Drive, seconded by Mr. Zappala.

VOTE: Farrell & Papale were absent; all others, aye; motion duly carried.

Mayor Dickinson pointed out that the other road is the extension of Leigus Road...

Mr. Rys asked, is that going to be Leigus Road extension?

Chairman Parisi replied, we are recommending the extension.

Mayor Dickinson asked, you don't have a problem with that?

Chairman Parisi and Mr. Rys answered simultaneously, no.

Chairman Parisi asked the Councilors if anyone had a problem with the extension?

No dissenting opinions were offered.

ITEM #7 Consider and Approve Three (3) Utility Easements in the Long Hill Road/Kondracki Lane Area – Sewer Division

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

VOTE: Farrell & Papale were absent; all others, aye; motion duly carried.

Roger Dann, General Manager of the Water & Sewer Divisions explained, in the process of looking at our options for improvements to this particular sanitary sewer, which was brought on because of a back-up that had occurred and subsequent televised inspection, we did, in fact, discover that although the sewer falls within an easement, that easement as granted to the original developer of the subdivision who installed the sewer, the intent being that the sewer be owned and operated by the Town, however, the easement was never assigned over to the Town. We do, in fact, have a sanitary sewer that we are operating but we don't have an actual easement that grants us the rights to go into work on the sewer. As a back drop, we then entered into dialogue with the property owners over which the easement that had been granted to the developer fell with the intent that the easement to the Town would be coincidental with that already existing easement. What we are proposing here and what we have discussed with the property owners is, exactly that; granting of an easement in exchange for what you can see is in the letter agreements. We have made certain concessions as to improvements that will be to the benefit of the affected property owners.

Mr. Brodinsky asked if anyone has voiced an objection to this?

Mr. Dann answered, none of the property owners have objected to it. One of the downstream property owners is benefited here in that they have experienced repeated back-ups in their sanitary lateral relating to their location in connection to the existing sewer. For their benefit, the re-routing we proposed should substantially improve their situation. Some of the other improvements are designed with the intent of not transferring their problem onto an adjoining property owner.

Mr. Brodinsky asked, this is just a property transfer and there is no new digging involved, right?

Mr. Dann answered, the planned improvements at this time would involve excavation on one of the property owners property for the purpose of re-routing the sanitary lateral from that property. The repairs to the sanitary sewer, we believe at this time, will be an in-place lining which does not involve excavation and then there will be excavation out in the road, itself, for a small extension of the existing sanitary sewer.

Mr. Brodinsky asked, where digging is necessary, has that property owner been advised, in detail, as to what is going to be happening?

Mr. Dann answered, yes, we have spoken with them; we have provided them with a copy of the map showing the proposed location and have attempted to address their concerns such as maintenance of a tree that we will be running approximate to.

Mr. Brodinsky asked, everyone is happy with what is going on; there will be no surprises from any of the property owners?

Mr. Dann answered, I don't anticipate any surprises. We have reviewed this with the property owners and these documents are structured, based upon our discussions and agreements with them.

VOTE: Farrell & Papale were absent; all others, aye; motion duly carried.

ITEM #8 Consider and Approve a Pedestrian Easement Over Property at the Corner of North Colony Road and Christian Street – Department of Law

Atty. Mantzaris forwarded correspondence to the Council (Appendix II) pertaining to the Town's interest in obtaining a pedestrian easement over the property of the gas station at the corner of North Colony and Christian Streets so that a wheel chair can traverse on level sidewalk. The purpose of the letter is to inform the Council that construction of the sidewalk has been completed to the Town's satisfaction.

Villiam Lavorgna, 6 Grieb Court stated, the problem that I have is....I have a friend who lives not far from there who travels with a motorized wheelchair and while walking in the center of town two weeks ago with my wife, I pushed the walk light and when it was appropriate time, began to cross the street when a lady came through the intersection right in front of me. People are unaware that there is a state law that says a driver must grant the right-of-way to a pedestrian in a crosswalk. We have a lot of very dangerous places in Wallingford without those signs. Evidence of that is where the crossing guard, right in front of the police station, got hit. I was wondering if we could have some type of portable sign like other towns or businesses have so that people will know, even if the light is green, that they are not supposed to go through the intersection with someone in that crosswalk. Choate school has some signs up; it is very

dangerous there. It is very dangerous when those cars come down the hill on Christian Street. It is the same old story; nothing ever gets done until someone gets killed or seriously injured. Now is the time to think about that and put some of the signs sporadically around in the crosswalks. I think it would serve us well to do that. Mark my word; someone is going to get seriously injured over by Choate on Christian Street. If it is someone who is very wealthy...we are going to have a real problem on our hands.

Chairman Parisi stated, I have proposed those signs for the past two years; I am in agreement with you but whoever has the jurisdiction, isn't in agreement with us.

Mayor Dickinson stated, I will ask the Police Department to take a look at it but I think the issue is the amount of width to the road and the ability of a vehicle to turn or make movements necessary in an intersection without striking an object placed in the middle of a crosswalk. That has been the difficulty in the past but, I will ask again.

Chairman Parisi stated, it can be done before the corner, too. That is the way it is done in New Hampshire.

Mayor Dickinson asked, we are all talking about the same intersection; corner of North Colony and Christian Street, not Choate school?

Chairman Parisi answered, it is not limited to any one corner. It is anywhere where there is heavy pedestrian traffic is where they should be so that motorists are reminded of their responsibility.

Mayor Dickinson replied, we can look into putting signs along the side of the road that says, "stop for pedestrians in crosswalk".

Chairman Parisi answered, if it can't fit, that's one thing but I have seen roads that are narrower than Main Street up north that have the signs, especially in the summertime when there is an awful lot of traffic.

Mr. Knight stated, I know I have seen a lot of them in Maine and where I have seen them most often is, not at an intersection, but where there is a crosswalk in the middle of a block, where drivers don't expect people to cross. That is where I have seen them most successfully used. I can appreciate that if you put them in an intersection, it will be about an hour before a semi (tractor trailer) runs one of those over with its trailer wheels, because that is the way they cut corners.

Chairman Parisi stated, where Caplans was, that crosswalk is one area in which one should be located.

Mr. Rys stated, regarding the intersection of North Colony Road, the Public Safety Committee a couple of years ago, discussed with the Chief of Police this very same topic. The State of CT. regulates state roads, not the Town. There may be a problem because of that and we may have to go through state officials to have some signs put up. Regarding the center of town; perhaps the next Public Safety Committee could bring that issue up again. In my travels throughout the state which is extensive, I have seen pedestrian blocks in Ridgefield, Norwalk, Greenwich, etc. from one end of town to the other. Some communities have speed bumps, which we were told are illegal. I think it is something that is doable and something that the Public Safety Committee and next Council can work on with the Police Chief.

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

VOTE: Farrell & Papale were absent; all others, aye; motion duly carried.

ITEM #9 Discussion and Possible Action Regarding Proposed Changes in the School Renovation Which Could Result in an Increase to the Costs Associated with Said Project – Mayor

Correspondence from Mayor Dickinson (Appendix III) refers to correspondence from Dr. Cirusuolo (Appendix IV) which identifies two changes to the Schematic Design Report and the Owner's Representative Report of the School Renovation Project; replacement of corridor and ceiling at Lyman Hall High School, and the conversion of Room 17c from a science lab to a regular classroom, also at Lyman Hall. The ceiling work is estimated to cost \$122,000 and the science lab work would cost \$215,000. In addition, there are several design changes in the project which are not scope changes but apparently increases the cost of the project. They include a culinary arts expansion costing \$201,000; boiler roof replacement cost in two components is \$210,000 and \$52,000, and \$136,000 for an elevator at Moses Y. Beach. The changes identified above, if approved as part of the design, will increase the \$62,131,698 project approved by the Town Council on March 12, 2001.

Dr. Cirusuolo's letter states, "Given the motion approved by the Council as per the attached meeting minutes, I believe the Council must approve these changes."

Note: Dr. Cirusuolo was referring to minutes of the March 12, 2001 Town Council Meeting.

Mayor Dickinson's correspondence reads, "Increasing the estimated cost of this project while still in design is not advisable from a financial perspective. If we increase the cost of the project

before we have every public bid, our financial projections become even more undependable. The significant national and economic uncertainties we face lead me to the conclusion that we should not increase the cost of the project.”

Board of Education Chairman, Carmen Arisco and Superintendent of Schools Joseph J. Cirsuolo were present to answer questions posed by the Council.

Mr. Arisco stated, I thought coming here would be important because of the scope of this project; the size of this project. I would like to be able to address questions the Council may have on some of these issues and why they are even being considered to be put into this project when we certainly recognize the size of this project and what we are looking to actually accomplish.

Mr. Vumbaco asked, why, if these changes are so needed now, why weren't they in the original plan, especially when we are talking about roofs and changing classrooms over; ceiling work, etc.?

Mr. Arisco answered, with regards to the boiler room roof, this area of the boiler room is; the Mayor actually quoted some larger figures in the area that we actually discussed back in the summer/early fall of 2000 when the Board was before the Council with the scope of this project. At that time we were looking at the roof being in poor condition; this area over the boiler is a single membrane roof and there is a lot of problems that have been identified where the fasteners are coming through that roof or membrane. We are not looking to complete that entire area. The area that was discussed was estimated to be about \$52,000 and as the discussions went that evening back in 2000, it sure seemed as though everyone was in agreement that that should be done. It never actually made it, from what I can tell into any minutes. That roof was discussed at length that evening because there was a separate roof project that was put before the Council and the Mayor as a separate entity and this was the only area that had been discussed at that time as being included.

Dr. Cirsuolo added, the Board decided in late September of 2000 to recommend it to the Council as a scope addition. On the same evening, it also recommended nine scope reductions. The letter went to the Council and the nine scope reductions found their way into the schematic design; the scope addition did not and that did not become clear until we got into the design development phase. The expectation on the part of the school system's half of the Board was that this was a matter that had been included. The genesis of it was...there was a report submitted to the Council over two years ago by the building committee which was an analysis of all of the roofs. There were recommendations included to do a lot more extensive work than is in the project. There were some meetings on that; the Mayor suggested, if we are going to do this, let's get it in there. It was the staff's judgment ratified by the Board that the only thing we

needed to do was this particular section. As far as the rest of the roofs are concerned, we can maintain them until they reach their twenty to twenty-five year point and then they become eligible for reimbursement. At that point you generally consider replacing a roof. We can go item by item as to why these things are coming to you now. The science lab situation was a matter that, when we were in schematic design, we were submitted a schematic design by the building committee that talked about renovating about 10,000 sq. ft. of science labs. Since none of our science labs were even 1,000 sq. ft. in dimension, the understanding on the part of the staff and Board was that this did address 10 science labs. Again, when we got into design development, we saw 8 science labs. It is our contention that those ten science labs were in the scope of the project to begin with. For some reason the building committee presented a design, at least initially, that only included 8 science labs. Related to that is the renovation of Room 17c. Initially the building committee wanted to take that room and expand it, making it one of the science labs. It learned that it could not do that because if it was expanded it would be expanding the room into a corridor that is used as a means of egress which is a violation of the Fire Code, I believe, if not one of the codes. That meant that the science lab had to be placed someplace else in the building and left us with a room that was 600 sq. ft. with science equipment in it. We could use that as a regular classroom with science equipment. And it is not terribly conducive to use as a regular classroom and that is why that scope and issue was placed before the Board and is now before the Council. The classroom space for culinary arts was always in the project. There was discussion back and forth as to how to do that. That was the situation where, at one point, the committee thought it could use space that is now being used by the lunch program. When they looked at that they found they couldn't do that without doing one of two things; either doing harm to the lunch program, or incurring a cost that would be prohibitive. So, in fact, the other evening, the committee agreed to change its design and, instead of doing anything else, simply build a 500 sq. ft. addition to the culinary arts program. I don't have a cost estimate on that but the committee is upstairs if anybody wishes to consult with them. That is an item that was in the scope from the beginning; there was discussion back and forth as to how to accommodate it. The one item at Moses Y. Beach, which is the elevator, is not something that was initiated by the Board. When the Council asked the Board to reduce the estimated cost of the project, the one thing the Board did was to take Moses Y. Beach which had been designated as handicapped accessible, undesignated it, designate another school that is handicapped accessible and by doing that it was the Board's understanding that it was eliminating the elevator from the scope of the project. Two or three building committee meetings ago, the design team informed the building committee that the State Dept. of Education had informed it that despite the fact that Moses Y. Beach is not handicapped accessible, given the design of the project...the elevator is not something the school system is asking for but, it is our understanding that, unless it is in there, the State Dept. of Education will not grant approval to the Moses Y. Beach component of the project. The Mayor, I know, is consulting with attorneys on that, so that is a matter that was introduced late by virtue of the design team. For the most part, you have a combination of things; you have things that are code issues that have come to light recently; you have a couple of items that have been in the scope

to begin with; you have an addition that was agreed to by the Board over a year ago. The only thing that is left out there is the replacing of the ceilings and lights in the corridors of C wing. That was a matter that had been discussed between the staff and design team a couple of times. At one point some consideration was given to replacing all of the lights and ceilings in all the corridors in Lyman Hall. We determined that wasn't necessary and we included that, at this point, because, if you have been in those corridors, they are noticeably dimmer even in the brightest day than the rest of the school. I don't know if that answers your question, Mr. Vumbaco.

Mr. Vumbaco summarized; there are four items we are talking about, right? We are talking about the Room 17C conversion and the lab that is going to be a total of \$215,000 plus \$122,000, right? The second item is the culinary arts expansion for \$201,000? The third item would be a boiler roof replacement and two components totaling \$262,000?

Dr. Cirasuolo answered, no (regarding the boiler roof replacement costs), it is only \$52,000. The Board never added that second component to the scope.

Mr. Vumbaco stated, and the cost of the elevator at Moses Y. Beach is \$136,000. Those are the four items you are in front of the Council for tonight? When this went back and forth between the Council, building committee, Board of Ed, Council, building committee, Board of Ed, to come up with a final total of \$62 million+, I am assuming that the Board of Ed prioritized what ever was taken out of the project. Where do these items line up on a priority basis?

Dr. Cirasuolo answered, these items were never taken out.

Mr. Vumbaco asked, if you were to not get this money tonight, either these will not be done or something is going to have to be stripped out of the project. What priority are these items on the Board of Education's....

Mr. Arisco answered, I would not be able to answer that question right now without meeting with the rest of the Board to determine what is going to be a priority to them. I can't sit here as one member of the Board.

Mr. Vumbaco replied, I am not asking you as one member of the Board; I am just asking, don't you think that would have been the responsible thing to come in front of this Council with? That if, in fact, this money is not approved tonight, this is how the project is going to be affected?

Mr. Arisco answered, I think it is responsible to come to the Board and describe the questions of items that we believe were always in the scope that were changed perhaps in other places and, when the Board intended one thing and you have....

Mr. Parisi interrupted to ask, you say things changed in other places; don't you have a representative that attends the meetings?

Mr. Arisco answered, yes we do.

Mr. Parisi asked, did they come back and tell you that these were changed?

Mr. Arisco answered, my job on the Board is to come to you and make a recommendation of what I feel this school system needs. When we had to reduce the scope of this project... there are some things when you go into a project that you are going to have jump out at you and find that we didn't know.

Mr. Parisi repeated, my question is very specific; you have a representative; you said that these were taken out; the way you said it led me to believe they were taken out without your knowledge. If that is true, why didn't your representatives report back to you that they were taken out? I have a problem there, quite frankly.

Dr. Cirasuolo offered the following explanation; the only area where there was an understanding on the part of the Board that something was happening that, in fact, wasn't being planned, was the number of science labs. The schematic design, we received from the building committee, indicated that there were over 10,000 sq. ft. of science labs being addressed. We knew we needed 10 science labs from day one. None of our science labs are anywhere 1,000 sq. ft. each. We saw that figure and the judgment was made that they are accommodating what it is that we asked for. That was the schematic design; we didn't have any drawings. When we began to see the actual drawings and added up the science labs and realized there were only 8... we brought it to the attention of the building committee. This was not a scope addition. From the very beginning in the scope we needed 10 science labs. It is simply a matter of clarifying with the building committee as to why they thought there was only 8; you would have to ask them. I never got an answer for that and I didn't press them for it; I didn't think it was my business to do that. That is the only item where there was some misunderstanding. As far as the others were concerned, the roof over the boiler; the Board added that to the project over a year ago; that is a scope item. The construction of classroom space for culinary arts is not an addition to the scope, that has been in there from the beginning. The only thing that has gone back and forth is what normally happens; the building committee came up with some ideas, the staff looked at it; it went back and forth and finally settled upon the solution that I described to you a couple of minutes ago. The elevator at Moses Y. Beach is totally divorced from the Board of Education. That is a complete building committee issue because they are the ones indicating that the State is requiring that as a code issue. The conversion of Room 17c, again, became apparent to us as an issue when we began to see the actual plans being drawn out. We had, up until that point, thought 17c was going to be a science classroom. People have been

kept up to date on this; this is not a matter of something that is being hidden from anyone; at least from my perspective.

Mr. Vumbaco answered, that is not the indication. It is just my trying to find out where the additional \$525,000 plus culinary arts expense is.

To summarize, Mr. Vumbaco questioned the number of science labs once again.

Dr. Cirusuolo explained, the end result is that there will be ten science labs for Lyman Hall as opposed to eight, the number that was used to develop the cost estimate at the schematic design phase.

Mr. Vumbaco presumed that the principals from those schools affected by the renovation project reviewed the scope of work pertaining to their respective buildings and wondered by the shortage of science labs was not noticed by Dr. Scott (principal of Lyman Hall High School).

Dr. Scott pointed out that he did, in fact, pick up on the error, that is why this is before the Council this evening. The science labs at Lyman Hall are presently less than 1,000 sq. ft. each. When the project reflected 10,000 sq. ft. of science lab space, it was assumed that would provide 10 science labs to the school.

Mr. Vumbaco asked, the bottom line is that the labs will be greater than 1,000 sq. ft. each, right? To me, if 10,000 sq. ft. is allocated to science labs and you thought you had 10 labs and now you have 8, they have to be more than 1,000 sq. ft. per lab. Why then, if 1,000 sq. ft. was acceptable...why now are we accepting greater than 1,000 sq. ft.? Why can't we re-design that 10,000 sq. ft. and get in 10 labs? We are talking about a \$337,000 expenditure here. If you can squeeze your 10 labs out of the 10,000 sq. ft., then that is \$337,000 that we don't have to spend.

Dr. Cirusuolo stated that the question should be asked of the building committee.

Mayor Dickinson stated, I believe the key to the process is the direction from the building committee to the architect. If the building committee understands that there is no more money, then there has to be an effort to re-design. As long as there is a belief that there is going to be more money, I am not sure we are ever going to see an end to re-designing the project as we go along and constantly changing the figure that was approved in March of 2001. The direction has to go from the building committee to the architect.

Mr. Vumbaco felt that the Council has to pay close attention to detail as they move forward, if not, there may only be \$1.00 left for the last school by the time we get to it. He stated that he is in favor of having the elevator installed because it is A.D.A. required. He asked what stage the bidding process was in?

Dr. Cirsuolo explained, some plans are reaching final stage and will then be presented to the Council and to the Board before being presented to the State Dept. of Education with revised cost estimates, based on what the building committee puts together. There are tentative dates scheduled in January for presenting the plans for Lyman Hall and Moses Y. Beach to the State Dept. of Education, but they are tentative based on the plans being completed and approved at the local level. It is only after they are submitted and the State Department reviews them and gives the Town permission to go out to bid, it shouldn't even go out to bid. On that schedule, you wouldn't be out to bid before February.

Chairman Parisi stated, the Council gave you \$62+ million and as far as I am concerned, that is the cost of the project. If we add, we take away; but we stay within the parameters that were approved. Everyone has worked long and hard to arrive at that figure and I am very concerned that, at this point, we would start thinking of going beyond that figure. I don't believe that is in the best interest of anyone with the economic conditions that are prevailing at the present time and the uncertainty of the future. We stay within the allotted money; that is my feeling.

Mr. Brodinsky stated, I asked for a representative of the building committee to be here for several reasons. I had direct questions for them that I need an answer to. Can we get someone down here (building committee was meeting upstairs in Room #315 while this meeting was in session)? I would appreciate it.

Mayor Dickinson proceeded upstairs to request that a member of the building committee come down to the Council meeting to answer questions.

Mr. Brodinsky asked if it is a legal requirement to have the elevator at Moses Y. Beach?

Dr. Cirsuolo answered, that is what we are being told. I was at the meeting when the architect told the building committee that the State Dept. of Education had indicated to the architects that the elevator is required by code. I know the Mayor is having someone review that. I think the only way to get them off of that position is to go to court.

Mr. Brodinsky stated, you (Mayor) recommended against any further expenditure, but were you intending to recommend against the elevator?

Mayor Dickinson answered, at this point we are having that issue reviewed by an attorney that we have used in the past. He is very good regarding A.D.A. matters. I would hope that within the next few days we will have an opinion from the attorney regarding his view of whether this would be required of the school or not. This issue came up initially and it was regarded as not required and it was taken out. Then we get an opinion that it is required. I have a great discomfort over where the matter stands right now; that is why it has gone to an attorney. We

will look at it and assess it at the point it comes back, if it is necessary or not. I am very uneasy by the number of opinions on this issue. If anyone at the state wants to put a legal signature to their claim that we need the elevator; that's fine. But if our attorney is indicating that it is not necessary, I would want to see something very firm coming from the State of Connecticut to counter the opinion of an attorney on this. We have not received an opinion of attorney at any stage that says it is necessary, nor have we received one that is not necessary. We are hearing from the architects that it is necessary after conversations with state officials. I don't know what expertise state officials have in A.D.A. matters, so I cannot form an opinion as to legitimacy of their opinion on it.

Mr. Brodinsky stated that he would prefer, for future reference, that the Council be informed of the fact that an issue such as this is in dispute and the Town is obtaining second opinions. This conversation, to him, is premature until the answer is received.

Dr. Cirsuolo stated, neither I nor the Board of Education have come to the Council to say, "add the elevator"; it is not something we are presenting to you. In fact, there are only three scope additions we are presenting to you. Part of the scope is to update all of the buildings with respect to codes. When the committee presented to you its final plans for Moses Y. Beach, if it is still of the opinion that the elevator is required, it will be part of the plan. If there is a controversy at that point, someone will be bringing it to your attention. We are not the ones who brought this matter to your attention; it is not our role to do that; the building committee has the scope of the project and is working on it. There is no letter from the school system to the Council saying that you need to add this elevator. We don't need it. We didn't ask for it; we don't need it. We never made a request for the elevator. If it is a matter of code...it is a matter of code but the schools system never asked for an elevator for Moses Y. Beach.

With regards to the roof over the boiler room...what are the consequences of not repairing that roof?

Dr. Cirsuolo answered, if it is not part of the project, we will have to replace it out of the school system's operating budget.

Mr. Brodinsky asked, what is the most economical way of doing the roof?

Dr. Cirsuolo answered, as far as the impact on the community is concerned, it is six or one and half-dozen of another. You have to have someone from the Finance Office figure that out for you. The roof itself is not reimbursable; it has not lasted long enough to be reimbursable so it is going to cost you whatever it is going to cost you; full amount, whether you amortize it over the life of a bond or if you pay for it directly in one year.

Ms. Papale entered the meeting at 8:08 P.M.

Mr. Brodinsky asked, in absolute dollars, is it cheaper to have the roof costs included in the project or to have them be outside of the project? If you don't know, pass on to the building committee.

Chairman Parisi asked Don Harwood, Chairman of the School Renovation Building Committee to take a seat for the Council's benefit.

Mr. Brodinsky asked if the building committee agreed or disagreed with the representation that, one way or another, the roof over the boiler room had to be replaced?

Mr. Harwood answered, agreed.

Mr. Brodinsky asked, is it cheaper in the school renovation project or outside of the renovation project, in an absolute dollar amount?

Mr. Harwood answered, he suspected it would be cheaper within the project because the committee will have already mobilized forces at the school that will already be doing roofing work at the school. Based on what we know right now, it is not reimbursable, just because of the age of the roof and what the state does for amortization

Mr. Brodinsky stated, with regards to discussion on the elevator; there was some difference of opinion as to whether the elevator was being required by the State Board of Ed as part of the overall approval of Moses Y Beach. I think Dr. Cirusuolo said that the state was saying, "You have got to any the elevator." Do you agree that that is what the state is saying?

Don Harwood answered, yes. Mr. Burgess could probably speak to that specifically since he has been working with the State Dept. of Education related to the elevator.

Steve Burgess of Jeter, Cook, Jepson Architects stated, the building code requires us to put the elevator in. The school facilities unit confirmed that fact, verbally, in a phone call about four weeks or a month ago.

Mr. Brodinsky stated, with regards to the culinary arts expansion, I was trying to find in the booklet what I consider to be the definition of the scope. I was trying to find the expansion that you (Dr. Cirusuolo) were representing to Mr. Vumbaco that it was always in the scope and I couldn't find it.

Mr. Harwood answered, there is a value in there. It is under culinary, I think.

Mr. Burgess stated off microphone, it is under F.F.E. (fixtures, furniture, equipment).

Mr. Brodinsky asked, if we do not have, in the project, the culinary arts expansion, what are the consequences from the prospective of the educational mission of Lyman Hall High School?

Dr. Cirasuolo answered, the present facility isn't adequate for that program right now. It is only one room. We cannot give our children the full experience of that program because they do not have a classroom setting. They also do not have the setting in which they can actually participate on a regular basis in the serving of meals. I could ask Dr. Scott to elaborate on that if he would like.

Mr. Brodinsky stated, in the scope booklet, the price is \$50,000; at least on the first line, "Culinary Arts Expansion". Then there are some smaller items that add up to a lot more, but it looks like \$50,000. It is represented to us that it is \$201,000. What is the discrepancy?

Mr. Harwood answered, when we did our walk-through originally in Lyman Hall High School back in late 1999 or early 2000, and looked at the adjoining cafeteria space and the existing room which is used for culinary arts, in discussion, it was the take away from committee members that were there, that we anticipated that we could accommodate the needs as described at that moment within the basic space that was there; we might be able to find some efficiencies out in the existing cafeteria to steal some space to service that facility. There has been numerous discussions about it since then; there was a recent walk-through and re-design meeting to talk about what our options were, we actually scaled back from what was being proposed and tried to come up with alternatives. It is a process of taking what was original scope requests in a schematic design and a design of scope and really try to pull that into what is going to be functional, which really rolls through design development. Some things tend to track up and some track down. With this one, our early projections indicated a little less and we are just pushing a little higher on it because now we are actually doing a construction, where we are going to add a building facility adjoining to a classroom.

Mr. Brodinsky stated, in a newspaper article of November 10, there was a phrase used by Mr. Choti that I don't fully understand. In the last paragraph of the article, it said, "options"; meaning, options on what to do with this increase of cost; "options include making the item a part of the bid package, or listing them as an add-alternate". Would someone describe and define what this is? Is this mainstream stuff or is this kind of weird?

Mr. Harwood answered, it is mainstream. Typically, what you have is, by us putting something as an add-alternate, because it seems to be different than the cost element that you basically started with, allows both the Board of Ed and the Council...to determine whether or not it should be included in the project because of what the final construction bid cost could be and the fact that it would be easy to pull it out of the project, versus making it a total incorporated element and then dealing with some sort of a change order approach to pull it out.

Mr. Brodinsky asked, if some of these items were considered an add-alternate...we could put all of these items into the bid package and get a price on these, along with a price on everything else and if everything comes back, all the prices for Lyman Hall comes back and we are under budget on other items, then a decision could be made by the Board of Ed, initially, and then by the Council subsequently, whether or not to put these in because we already have the prices there, is that true?

Mr. Harwood answered, absolutely.

Mr. Brodinsky asked if, on the other hand, we find that the bids come back pretty much on target of what you estimated, at least then you have the prices of the roof, the elevator, all these other items and then the Board of Ed would be in the position, if they were faced with a cap, to now how much they would have to pull out in order to make room for other things that may appear more necessary now in view of what has happened?

Mr. Harwood answered, I think that is a way to go at the project. There could be other elements that we decide fall within a category of making them add-alternates in the way that we bid the project to allow the Board even more flexibility to yank something out if they so chose. It is a tool.

Mr. Brodinsky asked, what is the downside of getting prices on the conversion of the labs...culinary arts and all the things we talked about? What is the downside to doing that?

Mr. Harwood answered, the labs are a little more difficult to deal with. It is just that it is much more of an interval element of the building and there is some overlap. The classrooms are much more aligned with each other. There are other spaces that can be changed to accommodate how this pieces together. There may be some programming issues that the Board sees differently than a roof project.

Mr. Brodinsky stated, getting prices on all of these and then being prepared to drop them out; if you put a dollar amount on what it would cost us extra to do that? Can you give us all a ball park figure on what that would cost us?

Mr. Burgess stated, I would imagine that it is a premium; whether it is large, I wouldn't think it is more than a percentage or two.

Mr. Harwood explained, that would amount to 1% on a \$50,000 expenditure; a \$500. premium.

Mr. Burgess stated, on a \$50,000 alternate, maybe the premium was \$1,000. (to get prices on the add-alternates) which equates to approximately 2-3%. Take for instance the elevator, \$136,000., 2% of that is \$2,600. Maybe that is what you are paying.

Mr. Brodinsky asked, with regards to the science labs... a question was raised by Mr. Vumbaco; "Why can't you get 10 labs out of the renovation of 10,000 sq. ft.? Why does it only have to be 8 labs?" I think Dr. Cirasuolo said, "Talk to the building committee about that, that was their choice." I am baffled by that.

Mr. Harwood explained, it is square footage demands and what you are trying to accommodate. We are trying to meet what is baseline square footage per lab.

Mr. Brodinsky asked, can you get ten labs out of 10,000 sq. ft.?

Mr. Harwood answered, not to meet the needs of a laboratory in a high school environment; I don't believe we can. The State Department of Education set some baseline standards per square footage. There are certain program issues that drive what you need for square footage, based on whether or not there is counter space, hoods, seating capacity, etc. You tend to run into a bigger square footage footprint than you would with a regular classroom.

Mr. Burgess added, the other factor in this is that we are dealing with a renovation project. We are taking different rooms around the school. If you thought you could do a lab for 1,000 sq. ft. and that kind of space doesn't exist, then you have to use what you've got. That is what we have had to deal with at the high school.

Chairman Parisi asked, where is the 10,000 sq. ft. going if we are short science labs?

Mr. Burgess answered, what happened was, we had nine labs. One of the labs was very small; around 750 sq. ft. The Board of Ed asked that we take this one small lab or space that was going to be used for a lab and convert that into a regular classroom and then find two other spaces that were large enough for a normal science lab.

Mr. Harwood added, I am not sure that 1,000 sq. ft. is the baseline for a current lab in a school. You are probably 1,200 – 1,300 sq. ft. at a quick guess as far as making the laboratory. I don't want to box ourselves in by saying 1,000 sq. ft. is going to be the winning number, based on what designers are doing in the schools that they design around the state.

Mr. Vumbaco stated, Dr. Scott said that 1,000 sq. ft. is acceptable. We are getting so many different opinions here; the other opinion we got here is, we were told by Dr. Cirasuolo that the Building Committee, made the decision to go from 8-10 (labs) and fix the one room and put the

other two labs in and now the architect is saying that the Board of Ed requested it of him. I am getting confused here. Did I hear something wrong up here?

Chairman Parisi suggested that the item be tabled and a special meeting scheduled devoted solely to this subject matter so that the Council can stay with the questions and follow them through.

Mr. Brodinsky agreed with Chairman Parisi's suggestion and concluded with the remarks that he is leaning very strongly in favor of an add-alt situation so that at least prices can be obtained on some of the items. Then the Board of Ed, if faced with a cap on expenditures, can go back and say that if an elevator is required, something else will have to go; or labs are more important than something else. They may have to re-visit their priorities but they can't do it unless they have prices. This is not to say that just because prices are obtained, the items are in the project. It makes everyone much more informed of what is going on. Also, some of the issues need to be a little bit more developed.

Chairman Parisi stated that he would allow comments from both Mr. Knight and Mr. Centner who have been waiting to speak and would then entertain a tabling motion. The Building Committee is currently in recess to attend this Council meeting and he would like to allow them to re-convene their meeting.

Dr. Cirasuolo commented, we came here to talk about three scope additions. All these other things...

Chairman Parisi interrupted to ask that Dr. Cirasuolo allow the Councilors to make their statements; he did not want to get into anything at this point.

Mr. Knight stated, I would like to say a few things to set a tone for myself for the next meeting. It occurred to me that when we started talking about add-alternates, and we started talking about having some of these as add-alternates; the assumption then becomes is, everything up until now takes a higher priority than these add-alternates because if the project, without the add-alternates, bumps the limit that we set, then the add-alternates get tossed. What I am not hearing here is that, if you have got things that are of a great priority or of a requirement such as this elevator may be, then that means that if we are going to hold to a good budget that we hope to hold to, that other things come into play; everything gets put back on the table. At least something has to go back on the table because something in the project gets jeopardized. If we are going to hold to a budget, not everything can take the same priority. Some of these things must take a higher priority than some of the other elements that could be lifted out of this school that might have to wait. I think that what Chairman Parisi is suggesting is good for that reason because when we start adding a million dollars to the project, then in order to try and achieve the budget number that we want to achieve, other things have to be put back on the table and

they have to be in play again. I look forward to discussion and I hope that when we have it, that that is also part of the discussion; that this budget number really is a number that we really want to get to. There are many, many other things we want to do in this community and I don't want to lose sight of that.

Mr. Centner stated, I do want to concur with Mr. Knight and a number of comments that were made by the Council earlier. My concern is with some of these items that do not appear on the reimbursable list to the state. There was discussion on how best to pay for them. Items that go into the Board of Education's annual budget do get ECS reimbursement, what ever that rate is. I don't know how it would stand in a budget for ECS.

Dr. Cirusuolo answered, it has no impact on the ECS grant. The ECS grant is a formula based on the number of students and the wealth of the community and how much the legislature decides to appropriate in a given year. There is no reimbursable aspect to the ECS formula.

Mr. Centner stated, I don't think anyone is not aware of my position earlier, in terms of how we came about the budget. I had asked for an even larger reduction of the scope and size of the project and what was eventually presented, which I voted for. On March 12th, the motion was made by Mr. Knight to move the projections and comparison data of the project dated February 6th...which includes a total cost figure not to exceed \$62,131,698., seconded by Mr. Farrell. My personal business is totally contracts and I have lots of "not to exceed" contracts. Not to exceed is an absolute expression in my line of work. At this point and, until I can get more questions answered, I would stay with that position and vote down any increases until we see bids received. I want everyone to know my feelings and opinions.

Motion was made by Mr. Rys to Table the Item, seconded by Mr. Centner.

Ms. Barbuto asked, where did they get the estimated cost of \$136,000 for the elevator when Ms. Heil has it in her figures as \$58,400 before it was taken out of the project?

Chairman Parisi stated, I would prefer we discuss that at the next meeting.

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

ITEM #10 Consider and Approve a Contract for Purchase of Land for Open Space Purposes and Corresponding Lease Agreement for Property Known as 991 East Center Street, Wallingford, CT. - Mayor

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

Mayor Dickinson explained, this is property on East Center Street and Tamarac Swamp Road. It is comprised of 93 acres. The owner will be keeping the area as a contingency; they want to have a subdivision approved for three lots and they won't sell until they would receive that. The area in the middle is wetlands. It is right next to the existing Vietnam Memorial Park. The contract is a pretty standard contract and indicates that it allows for the purchase of 93.72 acres. The purchase price is \$1,200,000.; the appraised value on 93.72 acres is; we have two appraisers, Mr. Nitz and Mr. Booker. Mr. Nitz places the value at \$1,075,000 and Mr. Booker places the value at \$975,000. In one case we are paying \$125,000 over the appraised value and, in the other case we are paying \$225,000 over the appraised value. Subdivision approval had to be obtained. The Town will get a right of first refusal on the remaining land should that ever be sold; the three lots that the subdivision is sought on, we would have a right of first refusal on that. The parties will enter into a five year lease of the land with public access. The owner is interested in leasing the land for farmland purposes and we also have a contingency for environmental testing. Those are the salient points of the contract.

Mr. Rys stated, I want to remind everyone that this is a discussion on the contract for the purchase of open space. There will be a public hearing that we will be setting in our next agenda item which will give the public the opportunity to talk about the actual purchase.

Mr. Centner asked the Mayor, are we applying for state funds for the entire parcel?

Mayor Dickinson answered, yes, we are applying for the entire parcel. At one point I mentioned the possibility of trying to carve some land out. On review with Don Roe, Program Planning, significant difficulties arose with trying to affect that; one being that we would need additional appraisals. We need to have surveys done to clearly indicate what area we were taking out and we would need additional appraisals in order to allow the state to clearly understand the value of the remaining area which would be the subject of the grant. There is significant logistical issues with attempting to do that. We wanted to get that application in; we need to have it in prior to our actual purchase of the property or else the state will not provide any funding so the earlier we can get it in the better. We also were aware there was property across the street from Tamarac Swamp Road that, should we need additional recreational property, that property was purchased under the New Haven Water Company land purchase in the 1970s. That property would not fall under the same restrictions as the current open space program that the state is using. We would have latitude to use that other piece but this piece we are purchasing could not be used for anything other than passive recreation.

Mr. Centner stated, that would be my concern. And then the consistency of the land; it is similar to what the fields are already on, so it would be able to support soccer programs and things like that, recreationally? The Tamarac Swamp Road, by Veterans Memorial...that is all soccer fields.

Mayor Dickinson answered, much of that area is currently leased to farmers for agricultural purposes. I see no reason why that could not be used. Any of this area, however, falls under the State Health Department's view that it requires their approval for change of use. That remains an additional issue or hurdle to be jumped over.

Mr. Centner asked, what is the percentage, roughly, that the State would look to contribute under a grant?

Mayor Dickinson answered, I believe this would qualify as Class I or II watershed. It could go up to 65%. We have never received 65% and I think the most we have ever received is 40%. Whether we would receive a higher percentage on this is an open question. I believe it would be eligible for 65%.

Mr. Vumbaco asked the Mayor to repeat the appraisal figures once more. He stated that he did support the purchase but, when discussing this, he thought, and Mr. Centner alluded to the fact, that the Town was going to attempt to carve off a piece, however, the Mayor explained that there were some obstacles to doing that. He asked the Mayor if he had any idea of what the dollar value would be if the Town was to perform the surveys? He stated, it would make more sense to me to be able to have this piece of property since it is adjacent to Vietnam Veterans Park now and we were going to turn that into a sports complex area, either now or in the future to have it all on the same side of the street. You (Mayor) had indicated that that was a possibility or something that we were going to be able to do, make it two separate pieces so that we can carve off a piece in case we needed it in the future. If there is a minimal cost in doing that, I don't see why we can't go forward with that.

Mayor Dickinson answered, it is, in part, a timing issue because we need to have the application up there, again, before we actually purchase. I don't know what the dollar figures would be. I suspect though that carving the land on the south by Tamarac Swamp Road out, will potentially, significantly reduce the value of the remaining property because that is all non-wetland leaving mainly wetland. Our potential for a grant from the state, would be significantly affected. In terms of proximity, given the wetlands in the middle of the property, anyone using those fields would most probably be driving down Tamarac Swamp Road to reach them anyway. There is significant distance from our existing field area, the soccer fields and the baseball fields. It wouldn't be a short walk from those fields and with the wetlands intervening, I am not sure that we would even be in a position to be able to construct a walkway through the wetlands. In terms of that proximity, it is a pretty good distance. I don't think too many people would want to walk from where the existing fields are over to this area.

Mr. Vumbaco stated, I am raising this because it was part of the discussion when you and the Council were discussing the purchase of this property, that we could put fields in there and these issues at that time were not raised.

Mayor Dickinson replied, at that time I raised the issue. I said that I was hoping that we would be able to accomplish this and, as it turns out, I just don't think that it is worth it financially and as much on the grant level as the actual cost for the surveys, for the additional appraisals. I am not sure we accomplish a whole lot for the using public.

Mr. Vumbaco asked, the timing issues you are referring to; are you talking about the timing of the money coming from the State on the grant? It's not the timing that the seller needs to sell this immediately, is it?

Mayor Dickinson answered, no. The timing is, if we have purchased the property, the state will not provide funding. Our effort is to make sure we have an application into them prior to an actual purchase of the property.

Mr. Vumbaco asked, if we wanted to delay this, could we get a postponement with the seller? If we were going to consider splitting this, it is an issue with the state, not the seller.

Mayor Dickinson answered, I don't know that that is the case. Obviously, there is interest in having it by December 31st. Whether that is an accounting issue, I don't know.

Mr. Vumbaco asked, is Class I and II wetlands property for grant purposes?

Mayor Dickinson answered, I think it is watershed.

Mr. Vumbaco asked so if we preserve watershed there is a better chance of getting more money?

Mayor Dickinson answered, the program allows for 65% on property of that kind.

Mr. Vumbaco asked, if we were to carve off all of the watershed property, would it enhance our ability to get greater than the percentage that we might get now? Combining it all? If 50 of the 3 acres is watershed, and say we carved it in half and did what we thought we were going to do a couple of months ago; the Town paying for a piece that is not wetlands or watershed and having the watershed property as a separate piece and apply for state funding on that, would that enhance our ability to get money? You seem to think it is going to decrease our ability to get money.

Mayor Dickinson answered, I think it will potentially decrease the amount of money we will receive because the value of the property will drop significantly. It is virtually all watershed property. I just think that the development potential of the property to which the appraisals are based on, drop significantly as you remove non-wetland areas. It can't be developed to the full

extent any longer; you no longer have a place to put a house. The whole value of the entire area obviously goes down which means that whatever percentage we get will be less.

Mr. Zappala asked, with regards to the lease agreement, do we have to lease the land to these people or can we lease to anyone else? Do they have the sole right to lease the land?

Mayor Dickinson answered, they would have the right to lease it for farming purposes for five years. After that it would be up to the Town as to what to do with the land. It is found in Exhibit C, attached to the lease agreement; annual rent is \$20 per acre for five years.

Mr. Brodinsky stated, I understand there are two kinds of grants we can get; one, we cannot use the property, but another kind of grant we can be reimbursed and still use the property for things such as ball fields. Is that striking responsive chords or trigger your memory at all? I am getting this from Representative Mushinsky who reminded me that there are two types of grants available and we consistently seem to apply for one type of grant but there is this other pool of money out there.

Mayor Dickinson answered, I am not familiar with grants other than open space grants which are very restrictive.

Mr. Brodinsky stated that was the clear message that I got from Representative Mushinsky for you to check up on it at your discretion. I think some of the discussion by some of the Councilors tonight were prompted by an understanding that some of the property would be carved out and possibly be used for ball fields. Then you explained very well your rationale; then we read in the paper that that was not going to be the case. The concern over ball fields has not gone away and is not going to go away. There is a greater plan for the ball fields and those who look at this land purchase and hear that it is not going to be used for ball fields immediately, their hearts may sink a little but, there is something else out there. I would invite you to share that with us because it goes into the larger picture and supports your rationale for this.

Mr. Rys asked Mayor Dickinson, we do have something coming up in the near future on ball fields, correct?

Mayor Dickinson answered, right. There is an application for another grant which will supply Funds for two additional ball fields at Vietnam Park and another ball field at Community Lake; a relocation of a soccer field and improved parking at Vietnam Field. We are addressing, as you indicated, the ball field issue adequately through the other grant plans that have been put together in order to accomplish the construction of those fields. I don't think this area was critical to that.

Mr. Brodinsky stated, I wasn't suggesting one way or another. Just that because we were discussing the parcel as possibly a place for ball fields and now it is not the case, I think it is appropriate to suggest that there is another plan afoot. I mean that in a constructive way. The use for the property, therefore, if passive recreation only would be as all our other open space; hiking and things like that, and that would be it. I guess I am just making a record on that so that there is no confusion down the line.

Mayor Dickinson replied, that is correct.

Mr. Knight stated, I am making a statement in favor of the purchase of the property based on the fact that it is pure open space. I recall, in my recollection, that there is a significant amount of wetlands on this field. The soccer fields that are adjacent to the property experienced difficulties at certain times in the spring, with water. Sounds, Mayor, as though you have a program for using other property that might be a little more conducive to fields and present a little less of a drainage problem than some of the property here. I think this particular piece heightens the rural character part of Wallingford, especially as close as it is to I-91; it is almost one of the pieces that introduces people to Wallingford when they come to town, being as close to the interstate as it is. I am pleased that we will be able to get some assistance from the State of CT. and I am encouraged that we might, at least might find ourselves eligible for as much as 65%.

Mayor Dickinson stated, I wanted to mention...I believe this has been a subject of potential purchase for as many as ten years or slightly less. It has been a subject for a long period of time. That is a background to our interest in this piece that is right next to the Vietnam Memorial Park.

Robert Sheehan, 11 Cooper Avenue asked, who negotiated this deal? Did the owner come to us or did we go to the owner? Who handled it?

Mayor Dickinson answered, most recently it was the Town Attorney. There were difficulties along the way as to changes in one specific area...primarily the Town Attorney was involved in the discussions with the lawyer representing the owner.

Mr. Sheehan stated, you have used the argument of buying land and getting a grant from the state; you have argued against that numerous times and you have purchased land without state grant funds. One of your arguments has been, and it is still an argument you are using tonight, there are a lot of restrictions on land that is bought for open space that the state imposes on us. You used that argument when we went to sell the property in Durham. I am for this purchase; it is a great piece of land and I am glad to see that we are paying market value for it. That said, I think to utilize this land, seeing it is so adjacent to our existing land, why go to the state at all? Why not just purchase it ourselves, free and clear?

Mayor Dickinson replied, at this point the significant attraction is the amount of money that may come our way from the State of CT., \$700,000 or some amount approximate to that is significant amount of money that we certainly can utilize in offsetting our costs. The other factor is that, given the topography and the amount of wetlands, I have some real concerns about whether the Health Department would be very supportive of us putting many uses in that area because of the proximity of the amount of wetlands and how the land slopes into that low area. You can clearly see it in the photographs taken here by Don Roe. The middle of the property is a bowl so everything drains into the middle. I am concerned that a review of that will create some real difficulties in doing much in the way of constructing on the outskirts. Those are judgments I am making. Certainly the amount of money that could come in from the state is of real benefit to us as we look at all of the costs we face and how will we afford all of what is requested of us by the public.

Mr. Sheehan replied, my only concern is, we have bought a lesser amount of land for approximately the same amount of money and we have bought land for a lot more money than this and have paid for it out of pocket. We currently have soccer fields that are joined by wetlands in the middle of that property. If you want ball fields, rather than go through the hassle of going to the state like we are doing now with the Cooke property... I think we should really consider buying it outright with no restrictions on it.

Wes Lube, 15 Montowese Trail stated, I don't know why the Council thinks this land is being purchased for a price close to its appraised value for if you take the two appraisals and average them, we are talking about \$1,025,000. If you pay \$1,285,000, you are paying \$260,000 over and above the average appraised value. That is a quarter of a million dollars or to relate it to this purchase, it is a 21% premium that you are paying for this wetlands. It is not being purchased at market value, nor is it being purchased at appraised value. I think market and appraisal should be one in the same. Do we have the two appraisals here tonight?

Mayor Dickinson answered, we have a letter from Mr. Nitz. The Town Attorney may have Mr. Booker's or we may not have it here. Isn't the difference between the two, \$1,025,000...

Mr. Lube stated, if you add \$1,075,000 and \$975,000 that equals \$2,050,000. Divided by two, it equals \$1,025,000 for the average.

Mayor Dickinson answered, and we are paying \$1,200,000. for the land. There are costs associated with bonding but the purchase is \$1,200,000. You can't use the costs that go elsewhere to say that the amount paid for the land to the purchaser is out of line. There are costs we have in order to accomplish borrowing. If you are just talking about the appraisal and what we are paying for the land, it is \$1,200,000.

Mr. Lubee stated, if we paid cash, it would have cost us over \$1.2 million.

Mayor Dickinson regardless; we will pay cash, we will just get the cash through borrowing. The seller receives cash. I think you are comparing apples and oranges...

Mr. Lubee stated, I am looking at this in terms of the buyer, not the seller.

Mayor Dickinson replied, that's fine. Our total outlay, you're correct, could be as much as \$1,285,000 but then you can't relate that to the appraisals. If the appraisals are just the value of the land. What are we paying for the land?; \$1,200,000. We are \$175,000 over the average of the appraisals on the property. That squares up if you are talking about the appraisals. We are paying more for the total cost, fine, but that doesn't relate to the appraisal anymore.

Mr. Lubee stated, your point is well taken, let's talk about the appraisals. Do you have them with you?

Mayor Dickinson stated, I have Mr. Nitz's appraisal but not Mr. Booker's.

Mr. Lubee asked, in Mr. Nitz's appraisal, what did he use for comps (comparables)?

Mayor Dickinson stated, the listing of acreage sales; Wallingford Road; 70 Tamarac Swamp Road; Woodhouse Avenue, 36.81 acres; 69.23 acres at 1391 Whirlwind Hill Road; 32.7 acres Beechill Drive; Tamarac Swamp Road; Celestial Lane.

Mr. Lubee asked, so there were five comps they seemed to have used?

Mayor Dickinson replied, it appears that that is the case.

Mr. Lubee asked, how many of those five were purchased by the Town of Wallingford?

Mayor Dickinson answered, I don't believe any of them were purchased by the Town.

Mr. Lubee replied, that Tamarac Swamp Road sounds familiar.

Mayor Dickinson replied, the first one was a private individual/corporation; I am sorry, the second is Town of Wallingford. That was the piece we purchased at 70 Tamarac Swamp Road. Third, private parties; Sunwood Development Corporation; fourth is Co-Ag to private parties; fifth is also private parties.

Mr. Lubee stated, the point I am trying to reach is, I do think that they should be considered by the Council before approving the purchasing. My last question is; there are two points that need

to be taken. One is, we should be very careful to make sure the Town is not setting the value. If we have overpaid in the past because we wanted to stretch or there was a crises situation or for whatever reason we knowingly paid in excess of appraised value of a property, I don't think an appraiser should be using such a purchase as a comp to determine a value on the subject property. Number two point; if we are paying \$1,200,000 for property that has an average appraised value of \$1,025,000., was the seller apprised of the two independent appraiser figures?

Mayor Dickinson replied, typically we would not; Janis Small is not here, she dealt with the negotiation. Typically we would not reveal that in the course of negotiations.

Mr. Lubee asked, so he wouldn't know if you are paying more than the appraised value?

Mayor Dickinson answered, probably not until tonight.

Mr. Lubee added, \$175,000 more to be exact?

Mayor Dickinson answered, right. He had his own advisers, including a subdivision plan showing numbers of lots, advised by a land use engineer. There is a complete map that was drawn up showing numbers of lots and how many lots you can conceivably get on this property through subdivision approval.

Mr. Lubee asked, was this map in your possession?

Mayor Dickinson answered, yes.

Mr. Lubee asked, and did you consult with Linda (Bush, Town Planner)?

Mayor Dickinson replied, yes.

Mr. Lubee asked, and she thought it was approvable?

Mayor Dickinson answered, that is the report I had.

Mr. Lubee commented, the Council has the power to make a decision as to whether or not the value of this property is what you want to pay and no one is questioning the desirability of the property, it is the price I am talking about. I don't think you should vote on such a decision without having reviewed the two appraisals. Apparently that hasn't been done.

Chairman Parisi answered, with all due respect, it has been done. There have been things done in executive session that cannot be brought out.

Mr. Lubee answered, the last time Jim (Vumbaco) said it was discussed in executive session, you were talking about dividing the property.

Chairman Parisi stated, I am talking about purchase price. It was not the first price that was discussed.

Mr. Lubee asked, were the two appraisals, in their entirety, given to the individuals Councilors for their review?

Chairman Parisi answered, no. They were available, but they were not in our possession, no.

Mr. Lubee asked, you had to go ask for them?

Chairman Parisi answered, no, they were in the Town Attorney's Office.

Mr. Lubee asked, how many of you did do that?

Chairman Parisi replied, I don't know.

Mr. Lubee asked, did any of you go and look at the appraisals for the \$1,200,000 that you are about to approve?

Chairman Parisi replied, why don't you give them all a call and ask them if they looked into it?

Mr. Lubee replied, we are all together right here. I don't want to have to make ten calls.

Chairman Parisi stated, this isn't an inquisition.

Mayor Dickinson commented, I don't think that anyone on the Council should feel that it is necessary to go into the details of the appraisal. We deal with the general figure, the property worth. If there is a real dispute about it, obviously the details of the appraisal are available. But for anyone to feel that they have to understand all of the intricacies of what the appraiser puts forth, I don't think that is the case. I want to correct one thing; I indicated that there were five comparable sales but in looking at this there were nine. The sixth was private parties; seventh was 23 acres and that was between private parties; eighth was 76 acres involving private parties; and the ninth was 34+ acres and that also was between private parties. It is nine.

Chairman Parisi stated, the Council did not accept the first price that was offered on this land. There was a lot of negotiating

Mr. Lubeer stated, when you have two appraisals with a discrepancy of \$100,000 between them, I am surprised that none of you felt quizitive enough to go and look at them a little bit further. The Council has the responsibility of buying and selling real estate for the Town. So naturally, you are very experienced at it and knowledgeable.

Chairman Parisi replied, there is a realism that the seller doesn't always go by that criteria either. It comes down to either, you want to buy the land or you don't want to buy it.

Mayor Dickinson added, the example being, as a result of the negotiation indifferences, the seller obtained a subdivision; paid for a subdivision to be mapped out and describe exactly how the property could be developed; how many lots could be obtained. That was a result of negotiations back and forth over what the proper price was. That is an illustration of what happened.

Chairman Parisi stated, my point is, this Council; all of us collectively; did not accept the first price or the second price, if my memory serves me correctly. Seldom do we ever accept the first price offered. I want to make that very, very clear. That should be a source of comfort, hopefully.

Mr. Lubeer replied, when we have two appraisals and one of them isn't even here and none of the Councilors have had the opportunity to examine them and there is a 10% discrepancy between the two; I can go on...

Chairman Parisi stated, being a professional, you also know that you have sold land that was above the appraisal in your day, I am sure. It also depends upon how badly someone wants it. It isn't a guarantee that an assessment will specifically settle a price that someone...

Mr. Lubeer replied, obviously, you feel that we have a great need for more open space land on the east side of town and are willing to pay a premium to get it.

Chairman Parisi stated, in speaking for myself, I feel we did very well on this piece.

Mr. Vumbaco stated, the cost of the property was \$1.2 million and the appraisal that we were working off of at the time my decision was made was the first appraisal by Mr. Nitz of \$1,075,000. When I look at \$125,000 difference, I consider that pretty reasonable and pretty close to what the appraised value is, compared to what we have done in the past and that is why I supported the purchase. In the past we have been well over 10% over appraised value pricing.

Geno Zandri, 37 Hallmark Drive asked, what is the total acreage that we are purchasing?

Mayor Dickinson answered, 93.72 acres.

Mr. Zandri asked, how many acres of wetlands?

While awaiting a response from the Mayor, Chairman Parisi asked Mr. Zandri if he had another question?

Mr. Zandri asked, this property was subdivided by the owner; how many building lots were identified?

Chairman Parisi answered, we kind of think it might have been fifteen, but we are not positive.

Mayor Dickinson answered, it was a maximum of seventeen; the appraiser assumed thirteen. It was a total of seventeen lots and what we are purchasing would include thirteen of fourteen building lots.

Mr. Zandri asked, what is the zoning out there; three acre or two acre zoning?

Mayor Dickinson stated, it is RU120 and a small portion is CA40, but RU120 would be 3 acre I believe.

Mr. Zandri asked, fourteen lots times 3 acres equals 42 acres which means that about 50% of it is wetlands. The only reason I mention it is, when you (Mayor) pointed out on the map the area that was wetlands, it looked like it was the greater portion of the parcel. But if it is 50/50 then that really is not that bad. That was my concern. If it was more than 50% wetlands and couldn't be developed, then I would question why we were purchasing it at all.

Mayor Dickinson stated, I can get the map which shows how they divided this up into building lots. What happens is, any small portion that is not wetlands, gets included with the large portion that is wetland so you are able to get the maximum number of lots.

Mr. Zandri asked, did the owner have approval from our Town departments; wetlands, that all these lots would be approved?

Mayor Dickinson answered, no, he did not take it through the approval process.

Mr. Zandri stated, then we are not really sure that he would ultimately end up with that many lots. That is just someone's guesswork at what might be approved.

Mayor Dickinson answered, there was no reason to believe that it was not an approvable subdivision. The appraiser assumed a certain number of lots out of that and he had discussions

with Planning & Zoning and I believe the report from a review by Planning & Zoning was that it looked like it could be approved. He did not go through the process of approval, though.

Mr. Zandri asked, it didn't encroach on any wetlands, to your knowledge?

Mayor Dickinson replied, again, it is laying out the lot lines so that there is an area that is buildable beyond the mapped wetland area. You can get very creative in there as to how you place the lot lines.

William Lavorgna, 6 Grieb Court stated, I do support this whole-heartedly. It is a beautiful piece of property; very beautiful; scenic-wise; location-wise. I would hate to see anyone come in here because of that railroad track there and do something other than residential. The possibility that the Zoning Board could say that it could be partially sold for industrial purposes, would totally destroy it. I don't live far from there. I was sad to see that we didn't get the piece on Grieb Road that was just up the street. I don't think we can afford not to buy this one. If we don't buy it, we all know what is going to happen to it. Joan Malloy (Atty.) and as sure as Heaven in above us, it will get approved for a subdivision, there is no doubt about that. Subdivisions do not pay their own way; it takes away from our tax base. Retirement communities are the best thing to build because for every retirement community that is built, and they are doing this all down south, it is equal to three and one-half manufacturing jobs because they do not require the services that the normal housing development does. We can't sit on it because the man wants to sell his property. I think it is a good gesture that this property owner has come to the Town and offered to sell it or we approached them and were finally ahead of the developer. The railroad tracks will not be there forever. Once Tilcon no longer has a use for the tracks maybe we can make it a linear trail. It is wise for the Town to buy it for we know what the consequences will be for it down the road. The issue of appraisal is moot, with all due respect to Mr. Lube. A family member has been looking to purchase a home in town and has been looking at HUD foreclosures. Every one of the homes has sold for way above the asking price that HUD wanted. There was a two family home on South Elm Street that HUD wanted \$145,000 for. It sold for \$201,000. Appraisals don't mean anything. It is a matter of what the seller wants and what the buyer is willing to pay. We are willing to pay \$1.2 million and the seller is willing to sell it to us for that amount. I commend the Mayor for this purchase. Don't waste any time; buy it and put it to good use for the people of the Town of Wallingford and my children and grandchildren.

Jack Agosta, 505 Church Street, Yalesville stated, I think it is a nice piece of land and the Town should buy it. If we have identified a goal for purchasing open space, this is a good piece of land. That is my recommendation.

Pasquale Melillo, 15 Haller Place, Yalesville felt that the Town should charge more for the land owner to lease the property from the Town.

Mayor Dickinson replied, Twenty-five dollars an acre is the typical charge to lease the land from the Town. It is the terms that the owner wanted and I feel it is fair in order to bring this purchase to a conclusion; five years at \$20/yr. versus five years at \$25./acre.

Mr. Melillo encouraged the Town to apply for state funds to help with the purchase.

Guy Beach, 61 Cheshire Road spoke in support of purchasing the land. He suggested that Comptroller Thomas Myers assign one of his employees to study the savings the Town realizes with regards to infrastructure improvements when purchasing open space property.

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

RULE V Motion was made by Mr. Rys to Waive Rule V of the Town Council Meeting Procedures for the Purpose of Entertaining a Presentation by State Representative Mary Mushinsky, seconded by Mr. Knight.

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

Rep. Mushinsky presented Councilor Rich Centner with a Citation from the State to recognize the valuable contribution he has made to the Quinnipiac River Linear Trail by serving in the capacity as the Committee's Co-Chairman over the past few years.

Rep. Mushinsky stated, this citation is given with respect and affection by myself and Senator McDermott to Rich Centner, my Co-Chairman of the Linear Trail Committee.

At this time Rep. Mushinsky read the citation into the record as follows: "Be it hereby known to all that the CT. general Assembly offers its sincerest congratulations to Councilman Rich Centner, Jr. in recognition of your retirement as Co-Chair of the Quinnipiac River Linear Trail Advisory Committee. During your four years ad Co-Chair, you have continuously contributed to the committee's efforts and promotion of this project with a high level of professionalism and enthusiasm. You have demonstrated dedicated leadership throughout Phase I of the Linear Trail. Your key contributions to the creation of this recreational and educational area will provide Wallingford residents the opportunity to enjoy a beautiful, natural setting for many years to come. We wish you all the best. The entire membership extends its very best wishes on this memorable occasion and expresses the hope for continued success." Given at the State Capitol and signed by Kevin Sullivan, Pro Tempore of the Senate, Moira Lyons, Speaker of the House and Susan Bysiewicz, Secretary of the State.

Mr. Centner replied, thank you very much to you and the Senator and all; I am very honored and flattered to receive the citation. It was a pleasure. I really enjoyed my service on the Linear

Trail, it was a very successful project; I enjoyed the time that I was on it. Going forward, I believe the trail is in wonderful hands; very, very capable and diligent and really sincere people working for it; Lois included who works on the Environmental Committee. I wish the Trail all the success going forward and we can see it unfolding in front of us now. Thank you very much and good luck going forward.

Rep. Mushinsky thanked the Mayor and all Council members for continuing to support the trail. It is a joy to work on that project and I am sure you will concur with that.

(Applause).

Lois Doherty, Environmental Design Chairperson of the Quinnipiac River Linear Trail Advisory Committee added, I don't think the Trail would have gotten to where it was today if it wasn't for your efforts, your leadership; your guidance; your crossing your "t"s and dotting your "i"s. I sincerely mean that on behalf of the rest of the committee.

ITEM #11 SET A PUBLIC HEARING for November 27, 2001 at 7:45 P.M. to Consider and Possibly Act Upon an Ordinance Appropriating \$1,285,000 for the Acquisition of Approximately 93.72 Acres of Real Property Known as 991 East Center Street and Authorizing the Issue of \$1,285,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose

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

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

ITEM #12 Consider and Approve a Letter of Intent to the State of CT. as Notification that the Town Intends to Lease the New Senior Center at 238 Washington Street to the Committee on Aging for the Next Ten (10) Years – Mayor

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

Mr. Rys stated that the Council is in receipt of a letter from the Mayor regarding the lease as well as a letter indicating that the Wallingford Committee on Aging has received a State grant of \$135,000 with the help of Senator Brian McDermott. Part of the required paperwork for the state includes a Letter of Intent from the Town Council indicating that the Town will be using the building for the next ten years.

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

ITEM #13 Executive Session Pursuant to Section 1-200(6)(B) of the CT. General Statutes to Discuss Strategy and Negotiations with Respect to Pending Litigation in the Matter of Town of Wallingford v. High Hill Realty Corp., an Action to Foreclose Real Estate Tax Liens – Town Attorney

ITEM #14 Executive Session Pursuant to Section 1-200(6)(B) of the CT. General Statutes To Discuss Strategy and Negotiations with Respect to Pending Litigation in the Matters of Geriatric Healthcare Center v. Town of Wallingford – Dept. of Law

ITEM #15 Executive Session Pursuant to Section 1-200(6)(D) of the CT. General Statutes to Discuss the Purchase, Sale and/or Leasing of Property – Mayor

Motion was made by Mr. Rys to Enter Into Executive Session Pursuant to CGS 1-200(6)(B) and -200(6)(D) to Discuss Matter Listed Above, seconded by Mr. Knight.

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

The Council entered executive session at 9:44 P.M.

Present in executive session were all Councilors (with the exception of Mr. Farrell), Mayor Dickinson, Atty. Mantzaris.

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

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

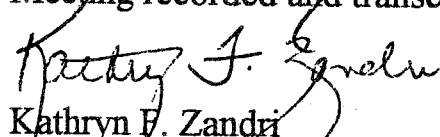
The Council exited executive session at 10:00 P.M.

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

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

There being no further business the meeting adjourned at 10:00 P.M.

Meeting recorded and transcribed by:


Kathryn J. Zandri
Town Council Secretary

Approved:

Robert F. Parisi (by RR)
Robert F. Parisi, Chairman

12-11-01
Date

Rosemary A. Rascati
Rosemary A. Rascati, Town Clerk

12-11-01
Date

RECEIVED FOR RECORD 12-5-01
AT 4 H 30 M P AND RECORDED BY
Rosemary Rascati TOWN CLERK



TOWN COUNCIL

Town of Wallingford, Connecticut

45 SOUTH MAIN STREET

MUNICIPAL BUILDING WALLINGFORD, CONNECTICUT 06492 (203) 294-2155 FAX (203) 294-0180

Appendix I

Robert F. Parisi, Chairman
Raymond J. Rys, Sr., Vice-Chairman
Mike Brodinsky
Rich Centner
Jerry Farrell, Jr.
Stephen W. Knight
Iris F. Papale
Jim Vumbaco
G. Tom Zappala

November 13, 2001

Wallingford Town Council
45 South Main Street
Wallingford, CT 06492

Dear Fellow Colleagues,

It is with great sadness that I inform of my intention to resign from the position of Chairman of the Golf Course Study Committee effective December 1, 2001. I consider myself blessed to have served many years with such a fine and dedicated group of individuals who have worked tirelessly for the benefit of their community. Thank you for affording me the opportunity to do so.

I am pleased to announce that the Golf Committee has unanimously accepted the National Golf Foundation's initial report at its last meeting held on Thursday, November 8, 2001. It is my hope that the committee and Town will form a joint partnership committed to moving this project forward to provide the citizens of Wallingford with a valuable recreational opportunity.

Sincerely,

Thomas Zappala, Chairman
Golf Course Study Committee
Wallingford Town Councilor

GTZ/kmz

cc: Golf Course Study Committee Members

Standing Committees

EDUCATION

Stephen W. Knight, Chairman
Raymond J. Rys, Sr.
Jim Vumbaco

PERSONNEL MERIT REVIEW

Iris F. Papale, Chairperson
Rich Centner
Robert F. Parisi

P.U.C. LIAISON

Raymond J. Rys, Sr., Chairman
Stephen W. Knight
Mike Brodinsky

ORDINANCE

Stephen W. Knight, Chairman
Jerry Farrell, Jr.
G. Tom Zappala

FINANCE

Rich Centner, Chairman
Iris F. Papale
Jim Vumbaco
Robert F. Parisi

PLANNING & ZONING

Jerry Farrell, Jr., Chairman
G. Tom Zappala
Robert F. Parisi
Raymond J. Rys, Sr.

PUBLIC SAFETY

Jerry Farrell, Jr., Chairman
Robert F. Parisi
Mike Brodinsky



Town of Wallingford, Connecticut

TOWN ATTORNEY
JANIS M. SMALL
ASSISTANT TOWN ATTORNEY
GERALD E. FARRELL, SR.
CORPORATION COUNSEL
ADAM MANTZARIS
DEPARTMENT OF LAW
WALLINGFORD TOWN HALL
45 SOUTH MAIN STREET
WALLINGFORD, CT 06492
TELEPHONE (203) 294-2140
FAX (203) 294-2112

October 31, 2001

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

Dear Mayor Dickinson:

You will recall the issue of the Town's interest in obtaining a pedestrian easement over the property of the gas station at the corner of North Colony Road and Christian Street so that a wheel chair could traverse on level sidewalk. The construction of the sidewalk has been completed to the Town's satisfaction.

Enclosed please find a copy of the easement and a copy of a map depicting same. This letter is to request that the matter of acceptance of the easement for recording be placed on the agenda of the Town Council for its November 13th meeting.

Thank you.

Very truly yours,

Adam Mantzaris
Corporation Counsel

AM/bjc

Enclosures

COPY

EASEMENT

KNOW ALL MEN BY THESE PRESENTS, **IMMENSE PROSPECT, LLC**, of the Town of Colchester, County of New London and State of Connecticut for the consideration of One Dollar (\$1.00) and other valuable consideration, received to its full satisfaction of the **TOWN OF WALLINGFORD**, a municipal corporation created by the General Assembly of the State of Connecticut, and located in the County of New Haven and State of Connecticut, does hereby give, grant, bargain, sell and confirm unto the said TOWN OF WALLINGFORD, its successors and assigns forever, a permanent sidewalk easement located at the northwesterly corner of the premises at 350 North Colony Road in the Town of Wallingford and shown on Department of Engineering Map No. BB-719, dated June 20, 2001, which map is on file in the Law Department of the Town of Wallingford, said easement being more particularly described as follows:

Beginning at an iron pin on the northwesterly property corner of 350 North Colony Road, Route 5;

Thence southerly along the property line of 350 North Colony Road, Route 5, five (5) feet, to a point;

Thence northeasterly on property of 350 North Colony Road, Route 5, seven (7) feet, more or less, to a point;

Thence westerly along the property line of 350 North Colony Road, Route 5, five (5) feet, to POINT OF BEGINNING.

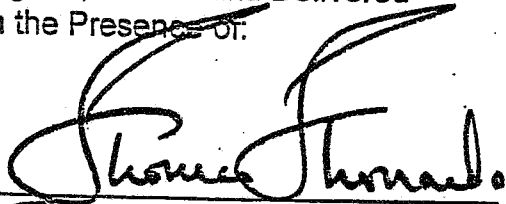
Said easement shall be for the purpose of installing and maintaining the area as part of the Town of Wallingford's public sidewalk system.

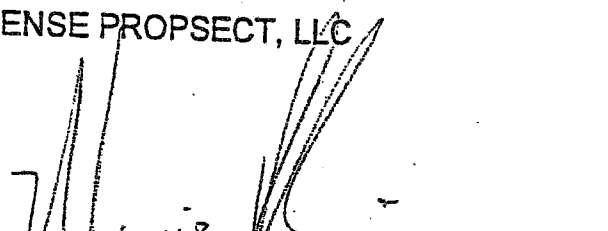
The Town of Wallingford hereby agrees to indemnify and hold harmless Immense Prospect, LLC, its successors and assigns, from and against any and all claims, suits, damages or causes of action for damages as a result of any injury to person or property sustained within the easement area as a consequence of the negligence of the Town of Wallingford, its agents and servants.

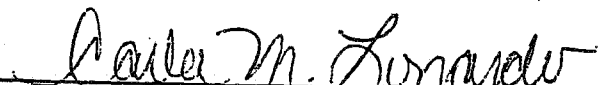
TO HAVE AND TO HOLD, the above granted rights, privileges and authority unto the said Town of Wallingford, its successors and assigns forever, to their own proper use and behoof.

IN WITNESS WHEREOF, IMMENSE PROSPECT, LLC has hereunto set its hand and seal this 15th day of July, 2001.

Signed, Sealed and Delivered in the Presence of:

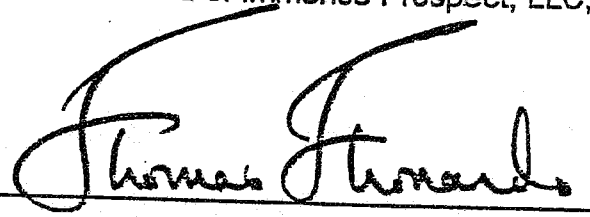

THOMAS T. LONARDO

IMMENSE PROSPECT, LLC
BY: 
Maxie Robinson, Member


Carla M. Lonardo

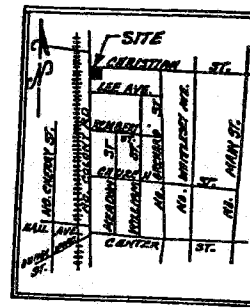
STATE OF CONNECTICUT)
COUNTY OF N.H.) ss. Meriden

Personally appeared, Maxie Robinson, Member for Immense Prospect, LLC, signer and sealer of the foregoing instrument, who acknowledged the same to be his free act and deed and the free act and deed of Immense Prospect, LLC, before me.

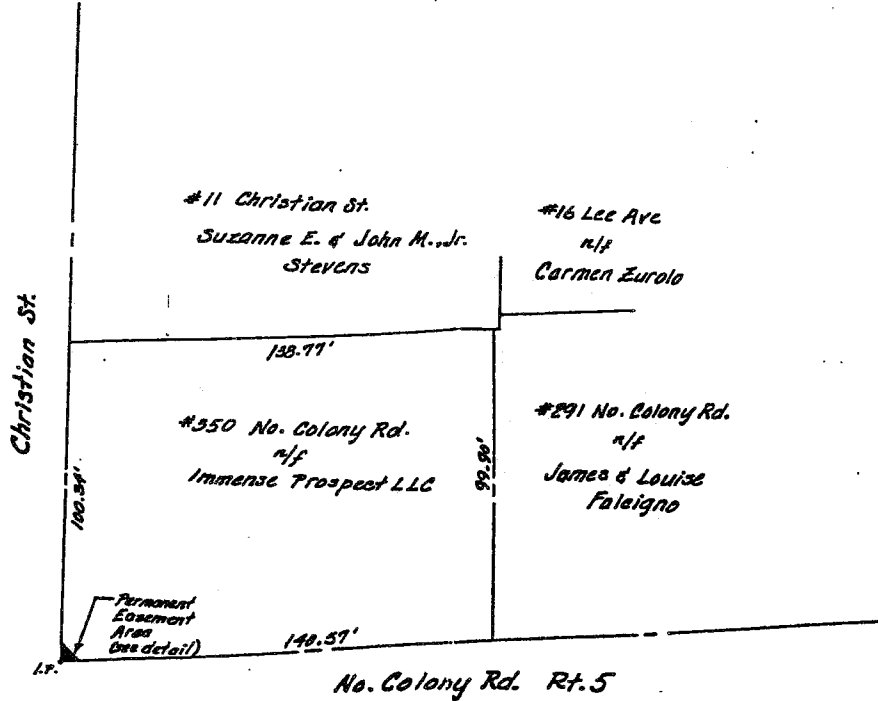

THOMAS T. LONARDO
Comm. SUP. CT.

MAP REFERENCES:

1. Wallingford Block Map, Sect. 19,
1910, Revised Mar. 1, 1926.
J.M. McKenzie, C.E. W.A. McKenzie, C.E.



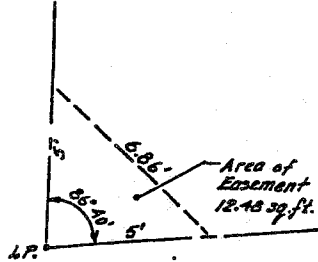
LOCATION MAP
1" = 1600'



PROPERTY OF 350 NORTH COLONY RD.


Scale: 1" = 40'

GP



DETAIL OF EASEMENT

Scale: 1/4" = 1'0"

 TOWN OF WALLINGFORD CONNECTICUT	350 NORTH COLONY ROAD AT CHRISTIAN ST. PERMANENT SIDEWALK EASEMENT	
	SCALE: <i>As Noted</i>	APPROVED BY:
	DATE: <i>6/20/2011</i>	DRAWN BY: <i>ML</i>
	ENGINEERING DEPARTMENT TOWN OF WALLINGFORD	
FIELD BOOK:	DRAWING NUMBER: BB-719	



OFFICE OF THE MAYOR
TOWN OF WALLINGFORD
CONNECTICUT

November 6, 2001

WILLIAM W. DICKINSON, JR.
MAYOR

Wallingford Town Council
Wallingford, CT 06492

ATTN: Robert F. Parisi, Chairman

Dear Council Members:

The letter from Dr. Cirusuolo identifies two changes in the Schematic Design Report and the Owners Representative Report of the school renovation project. One change is replacement of corridor lights and ceiling in C wing at Lyman Hall High School and the other is conversion of room 17C from a science lab to a regular classroom also at Lyman Hall. As per the attached budget estimates, the ceiling work will cost \$122,000 and the science lab work will cost \$215,000.

In addition, there are several design changes in the project which are not scope changes, but apparently increase the cost of the project. They include a culinary arts expansion costing \$201,000; a boiler roof replacement costing in two components \$210,000 and \$52,000; an elevator at Moses Y. Beach costing \$136,000.

The changes identified above, if approved as part of the design, will increase the \$62,131,698 approved by the Town Council on March 12, 2001. Given the motion approved by the Council as per the attached meeting minutes, I believe the Town Council must approve these changes. Increasing the estimated cost of this project while still in design is not advisable from a financial prospective. If we increase the cost of the project before we every have public bids, our financial projections become even more undependable. The significant national and economy uncertainties we face lead me to the conclusion that we should not increase the cost of this project.

Sincerely,

William W. Dickinson, Jr.
Mayor

jms
Enclosures

Appendix IV

WALLINGFORD PUBLIC SCHOOLS

142 HOPE HILL ROAD
WALLINGFORD, CONNECTICUT 06492
TELEPHONE (203) 949-6500
FAX # (203) 949-6550

RECEIVED
MAYOR'S OFFICE
01 OCT 24 PM 2:10

SUPERINTENDENT
Joseph J. Cirusuolo, Ed.D.
Ext. 509
Fax # (203) 949-6550

ASSISTANT SUPERINTENDENTS
Dale A. Wilson - Personnel
Ext. 508
LeRoy E. Hay, Ph.D. - Instruction
Ext. 506

October 23, 2001

Robert Parisi, Chairperson
Wallingford Town Council
45 So. Main Street
Wallingford, CT 06492

Dear Bob:

At its meeting on 10/15/01, the Board of Education decided to add to the scope of the School Renovation Project the replacement of corridor lights and ceiling in C Wing at Lyman Hall High School. The Board made this decision because the lighting in the corridors of that wing is noticeably less than it is in the rest of the school.


At its meeting on 9/24/01, the Board decided to add to the scope of the Project the conversion of Room 17C at Lyman Hall from a science lab to a regular classroom. This room which is less than 600 sq. ft. in size is clearly too small to facilitate the school system's laboratory science programs. This fact was recognized by the architects who are designing the Project and for that reason they originally intended to make the room larger by extending the room into an adjacent corridor. Subsequently, the architects learned that they cannot extend the room into that corridor because by doing so they would be eliminating a required exit from the school. Accordingly, another classroom will be converted into a laboratory science room. This will leave the school system with a room at Lyman Hall that has science laboratory fixtures which will not be used and which will impede the room's use as a regular classroom.

The Board understands that for an item to be added to the scope of the Project, the addition has to be approved by the Board and the Town Council. I am asking, therefore, that the addition of these items to the scope of the Project be placed on the agenda of an upcoming Council meeting. The Board, relevant staff and I will be prepared to address these matters fully at the meeting when the Council considers them.

Please contact me if you have any questions about any of this.

Thank you for your consideration.

Sincerely,


Joseph J. Cirusuolo, Ed.D.
Superintendent of Schools

JJC/ean

Cc: BOE
D. Wilson
L. Hay
G. Powers
B. Skaught
The Mayor
D. Harwood
W. Choti
A. Hoag - LHHS
T - 11/6/01

RECEIVED
MAYOR'S OFFICE
01 OCT -9 PM 2:41

Memorandum

To: Members of the Board of Education
From: Joseph J. Cirsuolo Ed.D.
Date: 10/03/01
Re: Revisions to the Scope of the Renovation Project - Lyman Hall High School

Let me begin this memo by apologizing for bringing to you yet one more recommended revision to the scope of the Lyman Hall High School component of the School Renovation Project. The apology is made more necessary by the fact that this revision visits once again an issue on which the Board of Education made a decision as recently as 9/24/01. The issue is the replacement of corridor ceilings and lights at Lyman Hall.

You may recall that in January of 2000, the Board accepted a recommendation from the Building Committee and added the replacement of all corridor lights to the scope of the Project at Lyman Hall. You may also recall that on 9/24/01, the Board added to the scope the replacement of all ceilings in the corridors at Lyman Hall.

On 9/27/01, I went to Lyman Hall to meet there with Dr. Skaught, the Principal of Lyman Hall, Mr. Bryant, one of the Lyman Hall assistant principals, Gerald Powers, the Supervisor of Buildings and Grounds, Sharlene Wong, the Director of the School Lunch Program and James Hoagland, who represented Jeter, Cook and Jepsen which is the architectural firm that is designing the Project. We all met to decide how to expand the Culinary Arts Program at Lyman Hall without interfering with the space needs of the Lunch Program. We addressed this issue successfully and a report on what was decided is being given to the Board in a separate message.

While I was at Lyman Hall, I noticed that the lighting in most of the corridors was quite bright and that most of the corridors had dropped ceilings. I mentioned what I noticed to Mr. Powers and he shared my impression.

Accordingly, I asked Mr. Hoagland whether the new lights that were scheduled to be installed in the corridors would noticeably increase the brightness in the corridors. He responded that with the exception of C wing and of the ramps, the new lights would not noticeably increase the brightness in the corridors.

This information was the basis, then, of a discussion that involved all of us who were present with the exception of Ms. Wong. That discussion led to the following conclusions.

Jeter, Cook and Jepson Architects, Inc.
 JCJ Project No. 0007.01
 10/5/01

Wallingford - Lyman Hall
 Add Lighting Replacements - Budget Estimate

RECEIVED
 MAYOR'S OFFICE
 OCT 11 2 31 PM '01

<u>Description</u>	<u>Quantity</u>	<u>Unit</u>	<u>Cost/Unit</u>	<u>Item Total</u>	<u>Section Total</u>
C Wing Ceiling Demo	5585	sf	\$3.00	\$16,755	
New Ceiling - C Wing	5585	sf	\$2.50	\$13,963	
New Lighting - C Wing	5585	sf	\$5.00	\$27,925	
Replace Lighting - Connectors	4,606	sf	\$5.00	\$23,030	
					\$81,673

SUBTOTAL	\$82,000
G.C. Overhead	\$10,000
SUBTOTAL	\$92,000
G.C. Profit	\$6,000
SUBTOTAL	\$98,000
Construction Contingency (10%)	\$10,000
SUBTOTAL	\$108,000
Program Contingency(1.5%)	\$1,000
SUBTOTAL	\$109,000
Escalation(5%)	\$5,000
SUBTOTAL CONSTRUCTION COST	\$114,000
Architect's fee	\$8,000
Total Cost increase	\$122,000