

TOWN COUNCIL MEETING

JANUARY 14, 2003

6:30 P.M.

AGENDA

Blessing – Pastor Joseph DeAngelo, Good New Christian Center

1. Roll call and Pledge of Allegiance
2. Correspondence
3. Consent Agenda
 - a. Consider and Approve Tax Refunds (#407-434) Totaling \$3,816.53 - Tax Collector
 - b. Approve and Accept the Minutes of the August 20, 2002 Town Council Meeting
 - c. Approve and Accept the Minutes of the November 12, 2002 Town Council Meeting
 - d. Approve and Accept the Minutes of the November 26, 2002 Town Council Meeting
 - e. Approve and Accept the Minutes of the December 10, 2002 Town Council Meeting
 - f. Consider and Approve an Agreement Between the Town of Wallingford and the Wallingford Community Day Care Center, Inc. Recognizing the Town has Executed a Contract with the State of CT. for Funding Programs to be Carried Out by Said Day Care Center Acting on Behalf of the Town – Mayor
 - g. Consider and Approve a Resolution Authorizing the Mayor to Enter Into and Amend Contractual Instruments in the Name and on Behalf of the Wallingford Community Day Care Center with the Dept. of Social Services of the State of CT. for a Child Day Care Program – Mayor

3. Consent Agenda (cont.)

- h. Consider and Approve a Resolution Permitting the Wallingford Day Care Center to Borrow from the Town Amounts Necessary to Meet Essential Operating Expenses of Said Day Care Center Prior to the Time Its Program is Approved for Funding from the State of CT - Mayor
- i. Consider and Approve a Transfer of Funds in the Amount of \$25,000 from Contingency – Gen. Purposes Acct. #001-7060-800-3190 to Purchased Professional Services Environmental Acct. #001-7011-901-9011 – Mayor
- j. Consider and Approve a Transfer of Funds in the Amount of \$5,098 from Regular Salaries & Wages Acct. #6010-101-1000 to Office Expenses & Supplies Acct. #6010-401-4000 – Registrar of Voters
- k. Consider and Approve a Transfer of Funds in the Amount of \$3,300 from Promotional Expenses Acct. #001-7030-600-6020 to Office Expenses & Supplies Acct. #001-7030-401-4000 – Economic Development Coordinator
- l. Consider and Approve a Transfer of Funds in the Amount of \$500 from Office Supplies Acct. #6030-401-4000 to Overtime Acct. #6030-101-1400 - Town Clerk
- m. Consider and Approve a Transfer of Funds in the Amount of \$1,000 from Maintenance of Equipment Acct. #6030-570-5200 and \$1,000 from Office Supplies Acct. #6030-401-4000 for a Total of \$2,000 to Salaries & Wages Acct. #6030-101-1000 – Town Clerk
- n. Consider and Approve a Transfer of Funds in an Amount Totaling \$10,000 to Outside Services Employed Acct. #431-8920-923 of which \$500 is Transferred from Oper. Labor & Expense Acct. #431-8600-601; \$475 is Transferred from Maint. of Pumping Equip. Acct. #431-8620-633; \$1,500 is Transferred from Oper. Labor & Expense Acct. #431-8640-642; \$700 is Transferred from Maint. of Trans. & Dist. Mains Acct. #431-8660-673; \$550 is Transferred from Maint. of Services Acct. #431-8660-675; \$500 is Transferred from Customer Records & Collection Exp. Acct. #431-8900-903; and \$5,775 is Transferred from Admin. & General Salaries – Water Division
- o. Consider and Approve a Transfer of Funds in the Amount of \$6,820 from Regular Salaries & Wages Acct. #001-1401-101-1000 to Interim Comptroller Expenses Acct. #101-1401-601-6010 – Deputy Comptroller

4. Items Removed from the Consent Agenda

PUBLIC QUESTION AND ANSWER PERIOD

5. Consider and Approve One (1) Appointment to the Board of Assessment Appeals to Fill a Vacancy in a Term Which Expires 1/8/2004
6. Consider and Approve One (1) Appointment to the Position of Alternate on the Zoning Board of Appeals to Fill a Vacancy in a Term Which Expires 1/8/2005
7. Consider and Approve One (1) Appointment/Re-Appointment to the Position of Commissioner on the Planning & Zoning Commission For a Five Year Term Which Expires 1/8/2008
8. Consider and Approve a Transfer of Funds in the Amount of \$13,000 from Contingency – Gen. Purpose Acct. #001-7060-800-3190-00 to Professional Services – Consultant Acct. #001-5010-901-9040 – Engineering
9. Consider and Approve One (1) Road Acceptance, Charben Lane, Contingent Upon Acceptance by the Planning & Zoning Commission at its January 13, 2003 Meeting – Town Planner
10. Report Out by the Caplan/Wooding Committee As Requested by Chairman Robert F. Parisi
11. Consider and Approve a Transfer of Funds in the Amount of \$25,000 from Contingency – General Purpose Acct. #001-7060-800-3190 to Demolition of 1396 Whirlwind Hill Road Acct. #001-5015-999-9968 – Dept. of Public Works
12. Consider and Approve a Transfer of Funds in the Amount of \$25,000 from Four Wheel Drive Loader Acct. #001-5015-999-9907 to Overtime Acct. #001-5015-101-1400 – Dept. of Public Works
13. Consider and Approve Renewal of a Personal Property Tax Incentive Program – Economic Development Commission
14. Consider and Approve an Agreement for Conveyance of Property to the Town of Wallingford and an Associated Easement from Olde Oak Village, LLC to be Utilized by the Sewer Division for Construction of a Pumping Station and Sanitary Sewer Lines to Serve Said Station – Water Division
15. Consider and Approve a Transfer of Funds in the Amount of \$20,000 from Contingency – General Purpose Acct. #001-7060-800-3190 to Law Department Professional Services – Lawyers Acct. #001-1320-901-9002 – Town Attorney

**16. Executive Session Pursuant to Section 1-200(6)(D) of the CT. General Statutes
With Respect to the Purchase, Sale and/or Leasing of Property – Mayor**

TOWN COUNCIL MEETING

JANUARY 14, 2003

6:30 P.M.

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7. Approve the Appointment of Marci Baxter to the Position of Commissioner on the Planning & Zoning Commission for a Five Year Term Which Expires 1/8/2008	
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TOWN COUNCIL MEETING

JANUARY 14, 2003

6:30 P.M.

A regular meeting of the Wallingford Town Council was held on Tuesday, January 14, 2003 in the Robert Earley Auditorium of the Wallingford Town Hall and called to Order by Vice Chairman Stephen W. Knight at 6:37 P.M. Answering present to the Roll called by Town Council Secretary Kathryn F. Zandri were Councilors Doherty, Farrell, Knight, Papale, Rys, Toman and Vumbaco. Chairman Parisi was absent due to illness. Councilor Brodinsky was in attendance but stepped out of the meeting prior to Roll Call and re-entered the meeting at 6:43 P.M. Mayor William W. Dickinson, Jr. and Deputy Comptroller Eva Lamothe were also in attendance. Attorney Janis M. Small arrived at 6:45 P.M.

A blessing was bestowed upon the Council by Pastor Joseph DeAngelo of the Good News Christian Center.

The Pledge of Allegiance was given to the Flag.

ITEM #2 Correspondence – No items were presented.

ITEM #3 Consent Agenda

ITEM #3a Consider and Approve Tax Refunds (#407-434) Totaling \$3,816.53- Tax Collector

ITEM #3b Approve and Accept the Minutes of the August 20, 2002 Town Council Meeting

ITEM #3c Approve and Accept the Minutes of the November 12, 2002 Town Council Meeting

ITEM #3d Approve and Accept the Minutes of the November 26, 2002 Town Council Meeting

ITEM #3e Approve and Accept the Minutes of the December 10, 2002 Town Council Meeting

ITEM #3f Consider and Approve an Agreement Between the Town of Wallingford and the Wallingford Community Day Care Center, Inc. Recognizing the Town has Executed a Contract with the State of CT. for Funding Programs to be Carried Out by Said Day Care Center Acting on Behalf of the Town – Mayor

ITEM #3g Consider and Approve a Resolution Authorizing the Mayor to Enter Into and Amend Contractual Instruments in the Name and on Behalf of the Wallingford Community Day Care Center with the Dept. of Social Services of the State of CT. for a Child Day Care Program – Mayor

ITEM #3h Consider and Approve a Resolution Permitting the Wallingford Day Care Center to Borrow from the Town Amounts Necessary to Meet Essential Operating Expenses of Said Day Care Center Prior to the Time Its Program is Approved for Funding from the State of CT - Mayor

ITEM #3i Consider and Approve a Transfer of Funds in the Amount of \$25,000 from Contingency – Gen. Purposes Acct. #001-7060-800-3190 to Purchased Professional Services Environmental Acct. #001-7011-901-9011 – Mayor

ITEM #3j Consider and Approve a Transfer of Funds in the Amount of \$5,098 from Regular Salaries & Wages Acct. #6010-101-1000 to Office Expenses & Supplies Acct. #6010-401-4000 – Registrar of Voters

ITEM #3k Consider and Approve a Transfer of Funds in the Amount of \$3,300 from Promotional Expenses Acct. #001-7030-600-6020 to Office Expenses & Supplies Acct. #001-7030-401-4000 – Economic Development Coordinator

ITEM #3l Consider and Approve a Transfer of Funds in the Amount of \$500 from Office Supplies Acct. #6030-401-4000 to Overtime Acct. #6030-101-1400 - Town Clerk

ITEM #3m Consider and Approve a Transfer of Funds in the Amount of \$1,000 from Maintenance of Equipment Acct. #6030-570-5200 and \$1,000 from Office Supplies Acct. #6030-401-4000 for a Total of \$2,000 to Salaries & Wages Acct. #6030-101-1000 – Town Clerk

ITEM #3n Consider and Approve a Transfer of Funds in an Amount Totaling \$10,000 to Outside Services Employed Acct. #431-8920-923 of which \$500 is Transferred from Oper. Labor & Expense Acct. #431-8600-601; \$475 is Transferred from Maint. of Pumping Equip. Acct. #431-8620-633; \$1,500 is Transferred from Oper. Labor & Expense Acct. #431-8640-642; \$700 is Transferred from Maint. of Trans. & Dist. Mains Acct. #431-8660-673; \$550 is Transferred from Maint. of Services Acct. #431-8660-675; \$500 is Transferred from Customer Records & Collection Exp. Acct. #431-8900-903; and \$5,775 is Transferred from Admin. & General Salaries – Water Division

ITEM #3o Consider and Approve a Transfer of Funds in the Amount of \$6,820 from Regular Salaries & Wages Acct. #001-1401-101-1000 to Interim Comptroller Expenses Acct. #101-1401-601-6010 – Deputy Comptroller

Motion was made by Mr. Farrell to Approve the Consent Agenda, Items #3a and 3d-o, seconded by Ms. Doherty.

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

ITEM #4 Withdrawn

Chairman Knight stated that Item #8 has been withdrawn from the agenda.

PUBLIC QUESTION AND ANSWER PERIOD

Ted Curran, 116 Knollwood Drive stated that he totaled together all of the transfers that appear on the consent agenda, excluding Item #8 that was withdrawn, and have found that the sum is approximately \$132,000 that is being transferred from one line to another. He felt there should be an explanation as to why the items are being transferred, particularly those transfers being requested by the Mayor, so the public is aware of why the funds are being transferred. Having worked in finance, Mr. Curran felt there should be an explanation for a variance and not movement from one line to another without an explanation for the transfer.

Chairman Knight explained that every item on the agenda is accompanied by support materials to all the Councilors in their packets they receive for the meeting. Those items that a Councilor wishes to have discussed in open session can be removed from the consent agenda via a request from the Councilor prior to the meeting. If the Councilors deem that the explanations given by the departments head or accompanying material are sufficient, the item remains on the consent agenda and are passed in the manner they were this evening. There are a number of transfers that are on the agenda that will be discussed in open session at which time a thorough explanation will be given to the public and the public will be given the opportunity to ask questions, also.

Frank Ragucci, 969 Yale Avenue stated that he has had a problem with his road and the manner in which it is being plowed and sanded during storms. He stated that he has called Public Works and the secretaries have hung up in his face which he feels is not good business-like. He stated, if they do plow the road, they plow it once and that is it. Then you don't see them again for maybe twelve hours later and they are going up and down Yale Avenue at least six, seven times during a snowstorm. What is it to take a right hand turn and open a path on the road so people can get out?

Chairman Knight asked, I understand that you have pursued this with the department and the Mayor's Office?

Mr. Ragucci answered, yes I have.

Mayor Dickinson stated, we have met with Frank in the office. The issue is, yes, the plows go up and down Yale Avenue but, as you know, that is a collector road and we have explained that, where there are no outlet streets, the cul-de-sac streets, they can't do those streets, initially. They do all of the collector roads and try to enable traffic to move as freely as possible on the major roads and then, when those are in good condition, they move to the cul-de-sac, the no-outlet, the dead-end street and do complete all of the subdivision and streets of that type. But they can't do that right in the beginning, especially where storms are overlapping, rush hours and things of that kind. We have discussed it on several occasions and I don't think we can change that policy, given our need to be able to open up major roads for ambulance, police, fire service, as well as moving large numbers of people along the major thoroughfares. We do get to the streets. Mr. McCully assures me it does happen and we will stay on top of it to make sure there's not an over-looking of Mr. Ragucci's street but we can't do that in the beginning because, as I explained to him, if we make an exception for him and do his street, then everyone else in a similar circumstance, should be able to expect the same kind of treatment and that will definitely impact our ability to keep the major streets open.

Mr. Ragucci stated, on a separate matter, I know there is a leaf ordinance in this town, you are not supposed to rake your leaves in the street. I have been in contact with Mr. McCully on that because my neighbor rakes his leaves in the street every year and nothing has been done about that. The catch basins in the street have not been cleaned out of leaves and every time we get a heavy rain, my whole front yard floods and I have called them on that and nothing has been done. I don't think it is asking too much for them to come out and clean the leaves out of the catch basins. During this past rainstorm we had a month ago, my whole front yard was flooded because there was overflow from the storm drains.

Chairman Knight stated, o.k., I will certainly will take it up with Mr. McCully.

Mayor Dickinson stated, I do know that Mr. McCully is familiar with this, he did go out there and inspect so there is first-hand knowledge on the part of the department. If it is the storm that I remember, we had a lot of flooding throughout the entire town and there was not an isolated circumstance where you were receiving a lot of water. We had quite a downpour that resulted in significant water throughout the entire community. At times the catch basins can't handle the volume of water and that impacts whether there is flooding.

Mr. Ragucci replied, I made them aware of the catch basins at least three or four days before we had that rainstorm and they still didn't do anything about it.

Mr. Rys stated, with regards to the leaves being raked into the street, yes, that is a violation of a Town ordinance. The place to call is the Police Department. Don't call Henry, call the Police Department if you see something like that and they should enforce the ordinance.

Mr. Ragucci replied, at first I called the Police Department and they told me it was up to the Public Works Director to enforce it.

Chairman Knight stated, we will check that aspect out as well.

Phil Wright, Sr., 160 Cedar Street stated, in about a week I will be going into St. Raphael's for a hip replacement, I am sure going to miss these meetings for a while but I trust you will carry on without me.

Chairman Knight asked, would you like tapes?

Mr. Wright stated, Mary and I bought our house in 1969. In 1970 I paid \$815 for property taxes. I just finished paying \$2,980. for the same house in the same place; nearly four times as much. In 1984 I retired; my taxes were \$1,380 per year; a little over \$100 per month. I am now paying about \$250. per month. That is quite a jump, about 2 ½ times as much. My pension has not changed in that 18 years; social security increase hardly pays for my coffee. Tell me, what more do I get for this astronomical increase? I have police protection when I was paying \$100 per month; my streets were plowed about as well; children were being educated. Am I any better off in 2002 than I was in 1970 when I bought the house? I don't think so. The time has come when you, the Council, need to say no to a lot of things; salary increases, both hourly and salary; to the purchases of equipment down at the Public Works Department, I swear we have as much equipment down there as the State of CT. has. We have to say no to some of these part-time employees that we have running around; to overtime. It is time to tighten to the belt. It is time to put a wage freeze on, as my colleague Frank Wasilewski has suggested. I don't think the average taxpayer in this town has a money tree in the back yard. I think you have got to start looking at everybody.

Tony DeBaise, 278 North Main Street stated, I read an article in this morning's Record Journal on Ms. Visconte from Cheshire who is in the same capacity as you folks are. She is writing a letter to the State of CT. pertaining to Binding Arbitration that she feels is inappropriate. Most of us feel the same. I personally believe that it is really a cancer on every municipal budget in the state that has unions to deal with. Apparently she needs some help. Cheshire happened to get the same increase in their Board of Education salaries as Wallingford. What is going to happen is that someone is going to give a higher increase. That means Wallingford is going to have to give a higher increase. WE need something to act as a check and balance on what I think is a disease; binding arbitration. There is no end to this. It is back to the familiar expression, "the tail wags the dog" which is does in all of our municipalities and cities here. I am wondering if anyone here has it in their mind to help out in this cause of binding arbitration?

Frank Wasilewski, 57 North Orchard Street stated, when I suggested a freeze on salaries I think it was twelve years ago when we had the last recession. I found that after speaking before the Council many times, I think I am speaking to a rubber wall because everything

that I say bounces back at me and nothing is ever done. We should have froze the wages then but we didn't. I also want to speak about the contingency fund and how, on this agenda, I don't know how many times you people are taking money out of the contingency fund. We still have five months to go on our budget. The year 2000 and 2001 we appropriated a little over \$250,000 for the contingency fund. This year we have close to \$500,000. and we are taking money out of that with no explanation why we are taking it out. This is what is lacking with this Council; we don't get an explanation why you are taking our tax money out and using it for what ever you want, maybe for the good of the Town, maybe not. I have never, in all the times that I have come to the Council meeting heard a vote against a transfer in the budget. You always agree to the transfer. The hell it is that simple where you don't refuse a budget transfer for the heads of departments to do what ever they want. Anyone can do their job. It is about time to make them more accountable for the money that the Council is giving them to run their department. I think the time to start is with the transfers tonight.

Mayor Dickinson stated, two speakers mentioned wage freezes. Under state law there is no ability to impose a wage freeze. Anything of that kind must be negotiated with the various bargaining units. Ultimately the state is faced with the inability to impose a wage freeze so layoffs are the only alternative without an agreement on so-called givebacks in benefits or salary then the issue becomes reducing the number in the workforce to reduce the amount of money that must be spent. That is state law and we all have to abide by it. There is no ability to impose a wage freeze.

Ted Curran, 116 Knollwood commended Mr. Toman for canceling the Auditor Search Committee Meeting to select a new auditor out of respect for the death of Mr. Vumbaco's brother. He asked, when will the meeting be rescheduled for?

Mr. Toman replied, we are looking at the 30th of January. Tom Myers informed me that he will be in town so we are going to hold a workshop session with Mr. Myers in attendance that I am confident will be quite productive but it will be long.

Public Question and Answer Period was closed at this time.

ITEM #5 Consider and Approve One (1) Appointment to the Board of Assessment Appeals to Fill a Vacancy in a Term Which Expires 1/8/2004

Ms. Papale placed the name of David Baxter into nomination for the position. She stated that she knows Mr. Baxter personally. He is the Director of Finance for the Wadsworth Athenaeum of Art in Hartford and serves as the Chief Financial Officer.

Motion was made by Ms. Papale to Appoint David Baxter to the Position, seconded by Mr. Vumbaco.

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

ITEM #6 - Withdrawn

Motion was made by Mr. Vumbaco to Waive Rule V of the Town Council Meeting Procedures for the Purpose of Appointing a Full Time Commissioner to the Zoning Board of Appeals, seconded by Ms. Papale.

VOTE TO WAIVE RULE V: Parisi was absent; all others, aye; motion duly carried.

Motion was made by Mr. Vumbaco to Appoint Jeffrey Knickerbocker to the Position of Commissioner on the Zoning Board of Appeals for Term of Five (5) Years to Expire 1/8/08, replacing Mr. Tremblay who has put five years of good time and service into the position but found his personal schedule is not available anymore to be able to invest the time any longer. Mr. Knickerbocker is an attorney with Zoning experience and from his previous law firm. Mr. Vumbaco stated that he knew Mr. Knickerbocker personally and believes that he will be a new, fresh face to the Wallingford Zoning Board of Appeals. The motion was seconded by Mr. Brodinsky.

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

ITEM #7 Consider and Approve One (1) Appointment/Re-Appointment to the Position of Commissioner on the Planning & Zoning Commission For a Five Year Term Which Expires 1/8/2008

Motion was made by Ms. Papale to Appoint Marci Baxter to the Position, seconded by Mr. Brodinsky.

Ms. Papale stated that she would like to place the name of Marci Baxter into nomination at this time for the position of commissioner on the Planning and Zoning Commission for a Five Year Term to Expire 1/8/2008. She stated, as I look out into the public here, I see many familiar faces who I am sure knows what it entails to be a member on the Planning & Zoning Commission. As I am very proud to be a Council member, I always tell people in the public one, and probably the most, important commission in our town is the Planning & Zoning Commission. I am very happy that Marci has taken an interest in being on this commission. I have worked with Marci for many hours during many campaigns and even with the three young triplets which are out there in the public, she always make s the meetings, she is always there an what an asset she is going to be for the entire Town of Wallingford. It is at this time and with great pleasure that I would like to make the motion to put Marci Baxter's name into nomination to serve as commissioner to serve on the Planning & Zoning Commission.

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

Chairman Knight stated that the Town Clerk could not be present this evening however those who were appointed this evening were asked to stand and be recognized. He pointed out that those who were to be sworn in must appear at the Town Clerk's Office at some point to be sworn in. He thanked everyone for serving and wished them the best of luck in their tenure.

ITEM #9 Consider and Approve One (1) Road Acceptance, Charben Lane, Contingent Upon Acceptance by the Planning & Zoning Commission at its January 13, 2003 Meeting – Town Planner

Town Planner, Linda Bush stated that the road was recommended for acceptance by the Planning & Zoning Commission at its January 13, 2003 Meeting.

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

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

ITEM #10 Report Out by the Caplan/Wooding Committee As Requested by Chairman Robert F. Parisi

Robin Wilson, Chairman of the Caplan/Wooding Committee appeared before the Council, thanking all for the opportunity to speak at the meeting for the purpose of bringing everyone up to date on the committee's progress.

Ms. Wilson stated, the eleven people who make up the committee are very, very invested in this charge and it has really been a pleasure to work with them and look forward to completing our task, hopefully within the next 6-9 months.

At this time Ms. Wilson announced each committee member's name into the record as follows:

Vice Chairman	Dave Smith
Secretary	Caryl Ryan
Members:	John Bradley
	Jay Fishbein
	John LeTourneau
	Loren Lettick
	Charlotte Murphy
	Lucille Trzcinski
	John Gilchrist
	Rosemary Rascati

Ms. Wilson extended special thanks to Jay, John and Lucille, present this evening and stated, we convened the group on October 31st and have accomplished quite a bit in the few meetings (four) the committee has held. We have looked at our organizational processes and schedules, some operating procedures. We did some reviews of former R.F.P.s for the site and we looked at some other Town R.F.P.s as well. We have also performed a review of the site plan and the recent appraisal of the property that was produced some time within the last six months. The bulk of what the committee did after that was to have a brainstorming session to talk about vision. We had the group together for a long session where we kind of threw everything up on the wall and looked at everything that was possible, impossible, thinkable, unthinkable and narrowed it down to a few things that seemed to be workable in terms of going forward with the property. I will distribute a list to you before I leave of the four or five things and a couple of thoughts that went along with those. The five areas that we looked at were; residential, retail, office space, green space with public access and we took a look at the possibility of adding into the mix something having to do with artisans, entertainment, the arts; something that would be appealing to the public as well. Our next steps at this point, again, we have only been meeting for four meetings to date, but what we need to do now is to take this list and move forward and get as much information as we can as to all of these pieces and how viable each of them or all of them together will be for that spot. One of the things I wanted to ask tonight, respectfully, is to get some input on our charge. We have a little bit of conflict in terms of what the actual charge is and we are asking if maybe you can clarify that for us. There are two specific questions that I had on behalf of the committee, the first being, when you say "general uses acceptable to the Town", are you referring to the allowable uses that are already allowed in these two acres, or are you looking for us to give you some ideas on what we, as a committee, think would be most beneficial to the Town, whether they are already allowable or not?

Mr. Vumbaco stated, my perspective would be to open it up to what ever might be a use and if there are zone changes or anything like that that needs to be done then we should file for those. I don't think that we should just limit it to the current use. If there is a better project out there or something that seems more feasible for the property, I think we ought to consider it. If we have to, as a Town, go to zoning or what ever the case may be and change the regulations to fit it, I am perfectly happy with that.

Ms. Papale agreed with Mr. Vumbaco. She stated, it would not hurt to come back with ideas that you individually may have or as the committee. If, for some reason, it can't work, it can't work. I think we would all be open to new ideas, Robin, and it can't hurt. I was watching the news last night and, in Branford, where the fire was a few years ago, that is what they are looking to do, put in stores, condos on approximately two acres. Keep your mind on that, too, and maybe they will be one step ahead of us and ideas could be gotten. That area has been open, a hole there, since the fire. Yes, I think you should get all the ideas you possibly can get. If they can't work for what ever reason, then we will go from there.

Mr. Brodinsky asked, how a debate and a decision on, let's say, artisans, would have an impact on the marketing strategy because the goal is to find a marketing strategy, not to make lists of uses. Maybe you could walk me through the relevance of that debate.

Ms. Wilson replied, I think that is part of the questions that we're asking when we were asked to do a marketing strategy, which is my second question, is to help us in a definition of that. From where we were sitting, the initial... the initial thought was, if we are going to come up with a marketing strategy, we need to come up with some ideas of what kind of uses, however, your answer to my second question might determine the answer to your question.

Mr. Brodinsky used the following example, if you thought encouraging some artisans would be a good idea, the marketing strategy would probably be, give it to a Realtor. It may be an R.F.P., we can debate that and maybe that is one of your other questions. If one of your ideas is retail of some sort, your marketing strategy would probably be, give it to a Realtor, or maybe R.F.P., but probably, give it to a Realtor. In many of these decisions that you make or uses that you come out with, the marketing strategies would probably be the same. Let's suppose you wanted a missile base for an intercontinental ballistic missile, you would not go to a Realtor, you would go to the U.S. government, so your marketing strategy would be different. If all of these uses that you list end up sort of in the same marketing strategy, I am just wondering why it is worth 6-9 months, or what ever timeframe it is to list all of these potential uses; you end up with a Realtor or an R.F.P. either way.

Ms. Wilson answered, the odds are pretty good that we are not going to go for the intercontinental ballistic missile site, so the odds of going to the government are pretty slim. However, until we work through the entire process of start to finish, I don't have an answer for you until we know what we are looking at as far as the marketing strategy but, again, maybe if I address the second question, that will help because that has to do with the definition of a marketing strategy and what you folks had in mind. Did you merely want a list of, "these are the things we think should go there" or did you want a list of "these are the Realtors that we think you should go to."? I am assuming that you could have done that on your own, you are all very, very smart people. I guess we were looking for a little bit better definition of a marketing strategy. Do you want us to come up with a viable game plan for the property? Then, as you so aptly pointed out, that would determine where it is going to go from there, which I am not even sure is our charge. Do you want something very, very specific or do you want some kind of a general overview?

Chairman Knight stated, I will start out by saying, I don't know why you wouldn't want to entertain as many ideas as possible. If, in terms of a marketing strategy, part of the marketing strategy has to be that you not know what you aren't trying to market. If that means that you spend a good deal of time researching the possibilities that the property might have that, before you go and put it out to a Realtor for what ever purpose, that seems it would be an appropriate use of the committee's time.

Mr. Farrell responded to the question on strategy by saying, having sat in on your committee meetings for quite a few of them, I think the committee is doing a good job, trying to work amongst its various constituencies and figure out what are uses that are possible and what are some of the things like intercontinental ballistic missiles that don't work. I would tend to say, yes, you should go in the direction of trying to come up with some type of concrete game plan. You have uses at this point that are sort of general. I would like to see you nail it down even further to say, here is where on the site that we think these particular uses are going to be knitted together. Whether it is a Realtor or someone who does more like single, large-scale developments. Someone has mentioned Joel Schiavone's name as sort of someone in that kind of field. I don't know that he does this any longer. You would want to sit down with that kind of person, get advice from them, potentially talk to individuals if you think they are qualified to do what you are thinking of. I am not sure that a Realtor is necessarily the road to go. That a Realtor's recompense is dependent on a sale on a highest and best amount of money gotten and I am not sure that's exactly what we are bargaining for here. We are bargaining for the highest and best project that benefits the Town of Wallingford. That's my two cents on it.

Mr. Brodinsky stated, the charge as originally drafted, and one reason I voted for it, it said, "general uses", as distinguished from specific uses. I believe that your emphasis should be on the general use and I think you have already listed them. To break it down and get very, very specific, I think is inconsistent with a marketing strategy. If you start defining very, very narrow uses, you could spend 6-9 months and that time frame I would define, with all due respect, as a quagmire. You could have general uses and then see what the market has to say but why spend a lot of time on a use which may never attract a perspective seller? It would seem to me that if you get this in the hands of a Realtor one way or another, you are going to be getting some expert advice, and this could be part of the deal with a Realtor on marketing strategies. Certainly, we know from the previous efforts by the Town, in the middle '90s to issue an R.F.P., and we know from the discussion earlier this year, we are concerned with the integrity of the neighborhood, protections against unreasonable noise, light, odors, we want reasonable buffers, this has all been said before. If this goes into the criteria that you give to a Realtor and it goes out on the market with these general uses which have already been discussed and have appeared in some prior R.F.P.s and I have heard you discuss them, then you see what offers come back. If no artisan comes back, then you have no need to discuss that. By putting it out to a Realtor, you open it up to the market, you've already set general criteria and instead of taking 6-9 months, it may take another 6 weeks and it is on the market, depending on how you get it to a Realtor. That would be my vision as to how you do it. I am very uncomfortable when I see you debating all of these very narrow, narrow uses which are very hypothetical, no offer may come, but the marketing strategy stays the same. A Realtor is going to be probably pushing this property and that is really the marketing strategy, unless you go R.F.P., but that is another debate.

Ms. Doherty asked, has your committee considered bringing in any of our Town departments to find out what some of the problems may be?

Ms. Wilson answered, we have only met four times and two of those meetings needed to be taken up with operational and procedural-type things. The brainstorming session was just to give us some direction at that point. The questions you are asking is kind of beyond where we are at this point. We are looking to come up with a general package to say, these are the general...parameters. At this point we were kind of stuck as to where we are supposed to go. In answer to your question, all of those things are possible and the next meeting, we will talk about those next steps. The committee wanted me to come before the Council and ask for that clarification. For example, you talked about putting it out to a Realtor and I did not even know that that was our charge. I thought our charge was to just make a recommendation to the Council as to a strategy which might include saying, here are all the pieces, we talked to 27 different people including department heads and other developers but, here is our recommendation and then you guys can decide if you are going to do an R.F.P. or put it out to a Realtor. That was pretty much an understanding that we had. Now some of the comments are making me ask that question as well. Talking to Town departments, developers, other towns, anybody and everybody that we can to get as much input on this as possible so that we can put the final piece together, someone might say, "you need 75% retail to make this work; 2% condo", that type of thing.

Ms. Doherty stated, the reason I asked the question is, it might help you as far as instead of going ahead and making the plans and then finding out that, in fact, it is not doable.

Ms. Wilson answered, that's why our next step is to take these pieces and do all of this research into it. You are 100%...it is a very good suggestion.

Mr. Vumbaco commented, this is a very difficult task and I am sure Ms. Wilson is aware of that. My concern is that, I just don't want to get into a limiting use by getting too specific as Mike has stated and start defining it because then I think we are going to be limiting ourselves to a potential market out there that's going to come forward and say, I have this idea and if it is not on this cookie-cutter list then it goes bye-bye. That is my only concern. That is why we should keep this whole thing as general as possible. You are absolutely right as far as what my perception of the charge was; the committee is to make the recommendation. The committee should not be hiring a Realtor, it should be the responsibility of the Council. What we are looking for is a recommendation from your committee saying that what you think the Council should do or give us a list of options from which we choose.

Ms. Wilson replied, thank you, that clarifies it.

Chairman Knight stated, I will make this comment now because Bob (Parisi) isn't here and he and I had a discussion this afternoon and I want to reference that discussion. I think he and I are at least of the opinion that a thorough vetting of all the possible ideas for uses of

this property I think are valuable to the Town. I concur with Jim that general uses are ultimately going to prevail and we do want to leave every option open but I think it is useful to research all the possible options that might be out there. There is no shortage of other projects that have been done in this nature in our demographic and population area. Even within our geographic area, I have had the opportunity to go to New Haven and travel up and down Chapel Street. That might not be totally appropriate to Wallingford because it is an urban setting but, nevertheless, what they have done with Chapel Street and some of the areas around the Shubert Theatre is really impressive. State Street is another area; Ninth Square. New Haven has done some pretty exciting things under some very adverse circumstances. I think the point of establishing the committee was for the committee to be our eyes and ears and go out there and chat it up, learn about what other people have done and see what creativity has been employed elsewhere and bring it back to Wallingford. We may opt to do what Mike suggests and put it out to a Realtor; we may go for an R.F.P.; maybe none of the above. But we will have the information that you will have gathered and your recommendations to help us make that decision. That was the point that I'd gotten in establishing the committee in the first place.

Mr. Brodinsky stated, the way I thought this might work well is, after this gets into the hands of a Realtor who gives you professional advice and will do much of marketing research for you and can also bring back data as to what perspective buyers are saying about the property. If and when a specific proposal comes in, I don't envision this committee having gone away. If a specific proposal comes in, we can then measure that proposal against some of these general criteria, reasonable buffers, protection of the neighborhood, protection against light, noise, odors, traffic, things like that. We can measure the proposal against those criteria. An idea that you may have thought to have been very good, may be badly presented by a developer. On the other hand, an idea that you didn't think too much of, may be very well presented by a developer. That is why, at least in my view, keeping the perspective uses very general, tends to sweep in as many perspective yields as possible. The idea of researching concepts in my opinion is getting away from marketing. You are off on a research tangent and, at least in my view, I didn't vote to have you research ideas that had nothing to do with marketing. I was looking for was getting it on the market, not researching various ideas which were of interest to a majority of the committee. What we are interested in is the interest of the market place; where are they interested? What do they want to do? I really don't know what to tell you but the context of this committee went something like this; we were debating on the Town Council, whether or not to have this marketed through a Realtor or an R.F.P. There were a lot of comments from the floor and from the Council about the advantages of each. It was in the middle of that debate that the suggestion was made, let's form a committee and they could give us some advice. It seemed to me that was the basic marketing strategy, R.F.P. or Realtor and that decision could be made in basically one meeting and you could get advice from the Town Attorney. On your committee, you have the expertise to do that, too. But that was the basic marketing strategy. After that, if you have general uses already, I think you are pretty close to reporting back in about a month as to what your advice should be.

Mr. Farrell stated, I am not sure that the Council is being all that helpful to the committee in what it said. I hear a desire to keep it very, very general. I have made some comments about it being a little more specific. There's been some agreement over here of some middle ground but I guess that the conundrum that the committee has is that, if you just keep it 100% generalized, the committee has done its work at this point. That if you look at the charge, it has discussed what the general uses of the property are. I am not sure that I want to cut the committee off quite as quickly as Mr. Brodinsky does, that I think that for this process truly to get rolling, that the committee needs to go further in its work and try to work with whomever it is, whether it is Realtor or a developer to form and gel some type of idea of what's going to work there. That is going to come out of the market place, but I don't think the committee, at least at this point, that I don't know that we are being that helpful. Are you not looking for the charge to be somewhat more focused at this point?

Ms. Wilson answered, we were just really looking for a definition because some of the sentences were contradictory but I think I have gathered a lot of different information. I am sure, you're right, it runs the gamut. I think there is a lot of workable input that has been given. If we get confused again, we will be back.

Mr. Farrell stated, I want you to walk away with at least some idea of where to go, because I know from sitting in on your meetings, that has been the problem that you have run into.

Ms. Wilson answered, I think with any new group, it takes a few meetings just to be able to gel. You have a lot of very devoted people in that room with a lot of good ideas and this is the first time they are all coming together.

Mr. Farrell commented, and you are doing a very good job as the chairman, I can say that from going to all of your meetings.

Ms. Wilson answered, thank you, but I have a lot of good people working with me.

Tony DeBaise, 278 North Main Street stated, about 13-14 years ago my wife and I owned a valuable piece of commercial real estate in New Britain, some of you may be familiar with West Main Street in New Britain. We were warming to the idea of selling this property and business which we had located there because I had become very seriously ill at that point in time. It had been suggested to us to get a commercial appraisal on the property which we knew was valuable at that point in time; we're not talking millions but, to us, very valuable. We were about to contract to have an appraisal done which would have given us the appraiser's estimate as to the first best use, second best use, third best use of that property and they would have attempted to market it for us so we so desire a specific commission right. We became pennywise and pound foolish when someone heard that we wanted to sell the property, made us an offer within \$50,000 of what we thought the property was worth. Under the circumstances we sold it and have been sorry ever

since. Less than $\frac{1}{4}$ of a mile down the road one of the largest shopping centers in CT. has been built since then as well as a couple of other shopping centers in the same area. Now what I am saying to you is, you should consider contracting with a commercial real estate appraiser to find out what this property is actually worth and what the best use is. I don't know what it would cost for this but I would guess, \$10,000 or less but I don't think that is a lot of money compared to the value of this property. The second thing you might want to consider, I am sure we have some people who, like Jerry for example, for deals with computers as you do, Steve, you are familiar with e-Bay and many of these auction companies, as you probably heard an entire town was recently sold in California for \$1.4 or \$1.6 million and it was owned by an individual. Since then, a mining town in Colorado has been put up for sale on e-Bay and they have been getting bids on this. You are not committed to anything. You can do whatever detail work is necessary to present this to the public on e-Bay and ask for bids and offers and so forth. There are plenty of things you can do for a moderate amount of money and get other people's input who have the money to spend or have the acumen to do something with this property for you. Then you can digest what ever returns you receive.

Chairman Knight stated, an appraisal has been made on the property so your suggestion was a good one and had already been taken up.

Mr. DeBaise stated, Ms. Wilson stated that she was looking for suggestions as to what would be the best use of this property. You are going to have to pay to find out what is the best use of this property in my estimation. Find some expertise that can make these suggestions that will give this committee some guidelines to work with.

Wes Lube, 15 Montowese Trail stated, it is obvious to some of us that the Council of nine regard this as such a hot potato, as Councilor Farrell said there would be nine different opinions, they decided to turn over to a committee of eleven so now you have eleven different opinions as to what should be done. It is just going to go on and on and on. You mentioned having gone back and read the appraisal that was done a few months ago. At that time the M.A.I. who did the appraisal, was operating under the rules of the Appraisal Institute which requires him to provide you with, in his opinion, the highest and best use. On the basis of that, he evaluated the property. In reading that appraisal, did you note whether he said the highest and best use under the existing zone or did he not mention the zone, just approached it in terms of the highest and best use regardless of the zone?

Ms. Wilson answered, I have to say I honestly don't; I have to go back and check on that. I don't have an answer for you.

Mr. Lube stated, whether the appraiser in his composition limited himself to the existing zoning regulations or did he do it regardless of the zone?

Ms. Wilson answered, we really don't know. I have to go back and look.

Mr. Farrell stated, it has been a couple of months since I read it but my recall is that he said something in there about having had discussions with Linda Bush and that probably some type of, I guess the term is "overlay zone" would be created at some point in time. To go back to what Mr. Vumbaco was saying, in effect, I don't think he appraisal was 100% limited by the current zoning. I think he was looking forward and based on conversations with Linda, was saying that some type of, in effect, zone change, whether it is a specific zone change or the creation of an overlay zone, if I recall correctly, that's in his appraisal.

Mr. Lube answered, that is an excellent point. If that is the case, that is something that the committee should dwell on because you should look at the existing zoning regulations and what they permit and compare them with the visionary things that you bounced off the wall and see if they are identical. If they are not, then you should be going back to the P&Z and asking them to make a specific zone for those two acres that would be compatible with what you committee envisions for the use of that property and that, in so doing, would limit whether you go R.F.P. or you go through the Realtor. Those are the only general uses that would be permitted for that property. I think that that's the direction to go in. Once you have done that, it's a simple matter to decide how to go about achieving that, whether it's done through the R.F.P. or the Realtor. Mike's point about the Realtor is a very valid one. If you decided you wanted a retail box, every Realtor has a list of all of the developers around the country that have that interest and they immediately broadcast that information to every one, they zero in on that particular segment of the commercial real estate market. I say that's true of a retail box, but it is true of every endeavor that you might come up, be it a hotel or what ever. What ever your dreams are, once you have that in mind, if you give it to a Realtor, he will take that segment and make them all aware of the availability and the price and that is probably the biggest dilemma of all. I don't think this Council which has a charter responsibility for that is expecting that to come from the committee, but they are going to have to set a price so the people know whether or not it is economically feasible.

Chairman Knight stated, on behalf of the Council, thank you for your efforts and those of your committee members.

No Action Taken

ITEM #11 Consider and Approve a Transfer of Funds in the Amount of \$25,000 from Contingency – General Purpose Acct. #001-7060-800-3190 to Demolition of 1396 Whirlwind Hill Road Acct. #001-5015-999-9968 – Dept. of Public Works

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

Correspondence from Public Works Director, Henry McCully requests that a transfer of funds are needed for the demolition of the house, garage and sugar shack at the address referenced above. Industrial Wrecking of Bridgeport, CT. was the low bidder of \$20,725.

Mr. McCully recommends a contingency of \$4,275.00., thus the request for a \$25,000 transfer of funds.

The Town has no use for the house, garage or shack, which are woefully out of code compliance, therefore the best decision is to demolish them. There will still be a couple of existing buildings left on the property, there is a huge barn which is in very good condition, that will be kept for use.

Mr. Vumbaco asked if the buildings were causing a safety problem at the moment?

Mr. McCully answered, they are unoccupied and any time property is unoccupied, it does present an attractive nuisance.

Mr. Vumbaco asked, are the buildings in disrepair and at risk of potentially falling down?

Mr. McCully answered, in disrepair regarding code compliance, etc. We have had the building inspector out there while people were occupying these apartments. There was no one living in the house so you couldn't use them unless you were to invest a great deal of money to bring them up to code.

Mr. Vumbaco asked, do we have any other vacant buildings on Town-owned property that is sitting vacant now besides these?

Mr. McCully answered, the other property would be the Caplan/Wooding. There is the old Wooding offices and the red brick building next to the gas station that are vacant.

Mr. Vumbaco asked, there aren't any other open space properties that has any vacant buildings sitting on it?

Mr. McCully answered, no. The Galko property; that job has been completed.

Mr. Vumbaco asked, those other two buildings you are talking about up there now are being used?

Mr. McCully answered, yes, there's equipment in there that has to be removed as part of the purchase and I plan to use them at some point in the future for storage when we do evictions and things like that. It is too good a building to recommend that we demolish it.

VOTE: Parisi was absent; Farrell, no; all others, aye; motion duly carried.

ITEM #12 Consider and Approve a Transfer of Funds in the Amount of \$25,000 from Four Wheel Drive Loader Acct. #001-5015-999-9907 to Overtime Acct. #001-5015-101-1400 – Dept. of Public Works

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

Correspondence from Public Works Director, Henry McCully, states that the transfer is needed for overtime due to inclement weather. There remains a savings in the Four Wheel Drive Loader capital account after purchasing the item. A follow up letter states, beginning November 5, 2002 the department has responded twelve times for snow and ice conditions. On seven of the twelve occasions, all personnel were called in. From the Overtime budget of \$180,000., \$43,000 has been expended for road construction, parks and field lining, parks clean-up, celebrate Wallingford and other special events. Expenditures to date for snow and ice removal are \$108,000.

Mr. Vumbaco asked, you have already expended \$151,000 of the \$180,000 and have only \$29,000 left?

Mr. McCully answered, our balance in the Overtime account is \$31,000 as of today.

Mr. Brodinsky asked, is there any advantage to waiting before asking for a transfer? You may not chew up the remaining money in the Overtime account.

Mr. McCully answered, indications are that \$30,000 does not go a long way. If we had one more storm, a couple to three inches of snow, you are looking at \$15,000 for a storm like that. It goes quickly when we have to work around the clock. If it ends up on a Sunday or the weekend where it is all time and one-half or double time, it goes even quicker. I would forecast between now and the end of the winter, you may even see me here, again. Rather than go into the contingency fund this early on, hopefully the rest of the winter will be mild and maybe you won't see me. The reason we had a savings in the capital account was, the loader we purchased was \$131,000 and we expected a \$20,000 trade-in allowance but was pleasantly surprised to find that we were actually receiving \$42,500 trade-in allowance for a twelve year old machine. W.I. Clark was the low bidder.

Ms. Papale asked how the department was holding up with sand and salt supplies?

Mr. McCully answered, so far I don't see me needing any money unless we are hit by a couple of real big storms for salt and sand supplies.

Philip Wright, Sr., 160 Cedar Street had a few questions for Mr. McCully regarding his practice of purchasing sand and salt.

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

**ITEM #13 Consider and Approve Renewal of a Personal Property Tax Incentive Program
– Economic Development Commission**

Correspondence from the Chairman of the Economic Development Commission (EDC), Richard Nunn was read into the record at this time.

The Commission proposes that the guidelines be amended to lower the cap to \$3 million, the level of eligibility be standardized to a two year time period and the percentage of reduction be standardized at 50% when locating in an existing building and at 40% when locating in new construction. These changes, in effect, reduce the benefits that were available under the past program guidelines, which are attached for ease of comparison. The EDC recommends that the Town continues to make available a program. The EDC views this as a valuable marketing and promotional tool...therefore approval is sought for a program term that covers the grand list of October 2002 to and including the grand list of October 2005.

Richard Nunn, Chairman of the EDC introduced Don Roe, Economic Development Coordinator and Shelby Jackson, Town Assessor.

Mr. Nunn explained, the program was first adopted in 1993 in the throws of that decade's economic downturn. The conditions today are very similar to the conditions then; rising unemployment, down-sizing, increase in vacant space, etc. The EDC felt it necessary to reconsider and modify the plan for manufacturing concerns. It has proven to be a valuable tool for marketing and selling Wallingford and found it is useful in bringing clients to the table, encouraging their interest in Wallingford. Southington, Meriden, Hamden and Middletown all have enterprise zones. Wallingford is not a qualified recipient to be considered an enterprise zone, therefore we do have competition when we try to bring businesses, particularly manufacturing businesses to our community. Two companies have been awarded benefits in the last nine years of the program. Last year this amounted to approximately \$23,000.

Mr. Jackson stated, our role in the Assessing division is not to be an advocate for or against the program. It is a role of administering the program. IN terms of its viability, the best way I can describe the viability of the program is to explain to you the companies who have been on the tax incentive plan and perhaps share with you some figures. Last year we had two companies which came under the tax incentive program. Those companies, without the program, would have paid about \$43,000 in taxes on the personal property. Under the program they ended up paying about \$19,500. One thing you don't see in those figures is, for example in one case, one of the companies under the program came to Wallingford and built a brand new building worth several million dollars. On the one hand you are giving them an incentive on the personal property tax they are paying but in many cases they are coming to town and increasing our real estate grand list either by constructing a new facility or locating an existing vacant building where, almost in every case, they would have to do substantial renovations which would increase those real estate values. This year, one of those companies will come off the program and we do have one additional new applicant that would be considered if the program were approved for renewal, Proton Energy. Again, here is a company that came to town and constructed a

major facility, bringing jobs and impacting the local economy of Wallingford in many ways. More particularly, they are increasing our real estate grand list.

Mr. Nunn stated, the program extends a tax benefit to manufacturers on personal property only and only on that property that is not covered by a state program. The EDC recommends a continuation of this program with changes that both simplify the program and reduce program benefits. As in the past, this has been done in consultation with the Assessor and the Chamber of Commerce. The Chamber is in favor as an incentive program for the town. The purpose is to encourage the retention and expansion of Wallingford firms and the recruitment of new firms into Wallingford thus increasing real estate and personal property tax money that the community might not have ever seen. The tax incentive only applies to new money to be paid to the Town that we would not otherwise have received. We are only paying out money on new money that would be coming in had we not offered this and those companies not come to town, the part we share in would not have been realized.

Mr. Brodinsky stated, the old program went for seven years and the new program stops at two years. Is there anyone in the middle of the seven year term under the new program?

Mr. Nunn and Mr. Roe answered, no.

Mr. Roe stated, of the two companies that had benefits, one was for two years and one was for three years.

Mr. Nunn added, the plan has been greatly simplified by making all time periods to be the extent of two years. The net increase of assessed value is in the range of \$100,000 to \$3 million and the incentive is for existing building locations wherein the reduction would be 50% and the reduction for new construction is 40%.

Mr. Vumbaco stated, I am in favor of the incentive program. I am curious as to why if the goal is to incentive "ize" the existing manufacturers to increase their holdings in the town or bringing new ones in, why are we reducing the benefit? I would think that would be a disincentive, reducing the benefit they could gain.

Mr. Nunn replied, we are very cautious about any economic down side in a program where we are giving away Town funds for the incentive of retention and attracting new business. In speaking with the various parties and members of our commission... the feeling was that the program that is being offered, even though it is a slight reduction in what we have had in the past, it is sufficient to attract the companies and businesses that we are looking for.

Mr. Vumbaco stated, in your presentation you said there were two companies in nine years that took advantage of the program. Now Shelby said there was just two this last year. Are those the same two? So in nine years we had two companies take advantage of the program?

Mr. Jackson answered, that's correct. We have had two companies take advantage of the program thus far and, again, if the program is renewed, there is a third application that we have recently received for the 2002 grand list.

Mr. Vumbaco asked, if only two have taken advantage of the program in nine years, under the current incentive I, personally, don't see what lowering the benefit is going to do and encourage even greater participation to do what your ultimate goal is, which is to bring manufacturing jobs and businesses to the community. You only had two take advantage of a situation that you are claiming successful in nine years, now you are lowering this incentive. I would think there is less of a chance of someone coming in here and going to Southington or Meriden or wherever in their enterprise zones.

Mr. Roe answered, we didn't really want to deviate too far from the past and the commission's sub-committee, in their review, did not want to be coming back to the Council with a proposal to increase. Certainly companies would relish that. There is that balancing issue here. The refinements that are before you, we saw as being minor. What would be my expectation in terms of the future? How many would we see that would meet the criteria? There is several criteria that has to be met and continue to be met. The number of companies that would meet that criteria in my estimate would be another four to six companies. Our Assessor is aware of one (company); I am aware of another that has expressed an interest in making application. Again, it is an interest in not opening the barn door so wide or wider than is necessary. It is a judgment call.

Mr. Vumbaco stated, it is just on personal property tax so if we had someone come in who wants to build a \$10 million building and doesn't because they are going to lose...I am favor so as far as I am concerned, anything is better than nothing. I am not in favor of giving the ship away either, but I don't want to limit ourselves by reducing the program and possibly losing that one home run to Meriden or North Haven or Southington, that's my only concern.

Mr. Roe replied, again, I think if I were to have you look at that schedule and compare it to the old schedule, it is not a significant reduction.

Ms. Papale stated, I have always been in favor of a tax incentive program and continually I will stay on that track. Do you believe these two companies would have been attracted to Wallingford without this incentive program or do you think this was the reason they are here? How much does the incentive program really attract people?

Mr. Roe answered, the two companies that were awarded, I couldn't give you a good answer. I don't think that was a critical element in what they've done. However, the company that Shelby made reference to and the one that I made reference to in terms of their decision-making, certainly this was territory that they covered and that they looked at and that they want to participate have available to them.

Mr. Nunn added, there are many aspects a company looks at when they are trying to seek a location for their business, tax incentives, power costs, logistics, etc. Wallingford, as we know, is very well situated with the highway program that we have and the promotional efforts that we have put in. We monitor this all the time. If we found that there was something that really negated people making a decision to come to this town to locate their business, we would deal with it and perhaps add something to a program or to correct what would prevent a company from coming here. We are aware of what is going on, we are one of the few towns in the area that have staff people that are working for inducing companies to come to town, to tell them about our programs. We have a video that we offer; we have a lot of press that responds to companies. We advertise in national magazines and we attend local seminars. We work very closely with the Dept. of Economic Development and feel we are on top of the program. If there was something that would stand out against us, not in our favor for companies coming to this town, we would deal with it, bring it to your attention and see what we could do to correct that situation.

Mr. Toman asked, I am curious, I know you have to keep to manufacturing companies because that is under the CT. General Statutes, do we offer any incentives to non-manufacturing companies?

Mr. Roe answered, no, I do not believe we do.

Mr. Toman asked, as manufacturing jobs get continually exploited under trade agreements like NAFTA, the pool of available manufacturing companies shrink. It is the non-manufacturing companies, the service companies, the computer companies, the technology companies, that seem to be growing and offering a lighter pool of employment. I was wondering if we might explore that area in addition to the manufacturing area.

Mr. Roe replied, the answer is that we did. When the program expired in January, we extended the time out and had a committee of the EDC and some other people in the community that had been involved in the original formulation of the program look at what were the changes to state statute. State statute does allow the community to entertain giving tax benefits to telecom companies, however, when you then start looking at how one would define telecom companies, what became instantly clear is that, we might have to frame a program that would provide benefits to things that, my impression is, members in this community aren't real happy with called cell towers. The committee didn't know if they wanted to go there. We are framing a program that includes telecom that, again, piggybacks the state program and thereby has us locked into providing benefits for things that the community might not be interested in.

Mr. Toman answered, we are not slaves to state programs.

Mr. Roe continued, we then looked at, is there a way to frame our own program? What we then turned to was what you and I used to know as the Standard Industrial Classification (SIC) code where business and industry is classified. When you look at that there was no easy way to pick and choose what would be acceptable telecom and what isn't acceptable telecom.

Mr. Toman replied, industry by industry, service industries, whatever, we could offer tax benefits.

Mr. Roe answered, the statute would allow you to do manufacturing, telecom and information technology and that's it.

Mr. Nunn added, the personal property program that we offer, is not offered if it is already covered by a state program. The state also has a much broader definition of manufacturing companies than we do. We go case by case. There aren't that many companies that come in. It would be our purpose to see if a company applies, whether they qualify under the incentive program that we are offering. We would like to hear just how important an incentive program is to them for them to locate here.

Chairman Knight asked, you sent the Mayor a letter back in November referencing the same program and at that time you had anticipated maintaining the \$5 million cap and the percentages were basically what they were before. What caused you to change your mind?

Mr. Nunn answered, this is the third draft of this proposal. We reviewed it, in talking with the Assessor and, again, we were cautious about opening Pandora's box in that we would have a run that would cost the Town a lot of money without the benefit of having those companies make the decision to come to town. Again, it is a sales program. If they were coming anyway, there would be less of a need to offer an incentive, but because of the competitive nature of the neighboring towns which are vying for businesses to locate here, we felt this was the compromise, and the cautious compromise so that we still offered an incentive but kept it within a reasonable cost to the Town.

Chairman Knight asked, there isn't exactly a stampede for the original program and we are tightening this program up. Are we starting to offer a disincentive?

Mr. Roe answered, what has changed significantly in the marketplace from my point of view and the way we really identify this is, it is a marketing program. What it does is, when companies or brokers call, what now is almost the first question out of their mouth is, "do you offer any incentives?" We don't even get to second base unless we are at least able to say, "we do have a program. We would like to have you look at it." What it does is enable us to have a more extended conversation with them. We use it more often that way than as an actual economic award.

Chairman Knight stated, what you are suggesting is that, it really isn't the number, as long as we have the program?

Mr. Roe answered, o.k.? That is part of it; that is part of it, Steve. It is a marketing tool.

Mr. Nunn added, the workshops that we have held on this; we have met a number of times with members of the sub-committee of the EDC, the Retention Committee, the Chamber of Commerce, the Assessor's Office and this was a program that had the input from these other areas and felt that this was the best program that we could put forward and would be palatable to the Council and still an incentive program that assisted our marketing effort. Once we said we had a program, if we could get them at the desk... we have been able to do that and we have entertained; if you have seen the reports that we have come out with, it will tell you on a monthly basis, how many companies we address to offer space in town; some of which is direct contact; some is through our national advertising, word of mouth, etc. We are active in trying to bring companies into town and trying to retain. That is a big problem as well. As we all know, there have been companies in the last couple of years that have moved to other locations which is a loss to us as well. We try to bring new companies in; we try to hold the companies that we have.

Chairman Knight stated, we applaud your efforts, Jim and I. I keep referring to Jim because he and I were on the committee that developed this program. There may be some pride in authorship that makes us more than casually interested in this. We are of the same mind; we want to make sure you have all the tools you need to continue your work and we applaud your efforts.

Mr. Nunn stated, it is nice to see this bi-partisan support we have on this program.

Motion was made by Mr. Farrell to Approve the Renewal of the Property Incentive Tax Program as Described in the January 7, 2003 Economic Development Letter with Attachments (Appendix I), seconded by Mr. Toman.

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

ITEM #14 Consider and Approve an Agreement for Conveyance of Property to the Town of Wallingford and an Associated Easement from Olde Oak Village, LLC to be Utilized by the Sewer Division for Construction of a Pumping Station and Sanitary Sewer Lines to Serve Said Station – Water Division

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

The agreement relates to the obtainment of a parcel of land and associated easement which will be utilized by the Sewer Division for the construction of a pumping station on South Turnpike Road in exchange for the conveyance of the parcel to the Town, the Public Utilities Commission agrees to waive fees for downstream improvements to the sanitary

sewer system associated with the connection of the eighty (80) residential units in Olde Oak Village. Additionally, Olde Oak Village, LLC agrees to install segments of sanitary sewer pipe to be utilized by the Sewer Division when it constructs the pumping station for which the commission agrees to reimburse Olde Oak Village, LLC at the time that the pump station is constructed.

Roger Dann, General Manager of the Water & Sewer Division stated, several years ago the Sewer Division began planning for the replacement of a South Hartford Turnpike pump station. That is a station that is now approximately thirty (30) years old, has gone beyond its expected design life, and we are looking to replace it. The site that the existing station is located at, does not allow us adequate space to construct a new pump station and further has historically been prone to flooding concerns. As we began looking for a new site, we focused on areas that were a little bit higher up but approximate to the existing sanitary sewers which would bring flow to the station. We ultimately identified a site on the opposite side of the Hartford Turnpike from the existing station as being the preferred site and at the time that we began to initiate discussions with the then owner of the property, it was vacant at that time, a project began to develop on that site which ultimately became the Olde Oak Village project. As that project developed, we continued our discussions with the developer of that project with regard to their willingness to provide us with a site which we could utilize for the pump station, along with the easements necessary to actually construct the station. Those discussions ultimately led to this agreement, the terms of which are that the Sewer Division will obtain a pump station site we can utilize and need to utilize to construct our facilities. In exchange for that the agreement is that we will not seek downstream improvements which we would otherwise have requested that Olde Oak Village perform in association with their particular project. We have additionally given them a certain amount of input with regard to the construction of the station, specifically the architectural and landscaping aspects of it. They were sensitive to impacts up from the station relative to their project and the homes that they are constructing. Finally, because they wanted to make sure that our construction activity would not disrupt their project which was proceeding already, they were interested in putting in certain sections of sanitary sewer pipe in conjunction with our project and then being reimbursed for those at a later date so that we would not go into their freshly constructed project and immediately be digging up their landscaping, road system, etc. That was agreed to and a quotation for the work was obtained by them from the contractor that they have hired to perform the work, reviewed by us, found to be very reasonable and therefore we felt it appropriate to include the cost of the reimbursement in the agreement. Generally, that describes the history and the terms of the agreement.

Ms. Doherty asked, isn't it correct that the sewer capacity there now is almost 100%?

Mr. Dann answered, there is a segment of sewer which crosses from the Hartford Turnpike about at Cook Hill Road, under the river and across to a connection to our system on the other side which is essentially at 100% capacity at this time.

Ms. Doherty stated, I read that we may never use those sewer lines if they are put in or if the pump station is used, yet in some other PUC minutes that I read, it says that it is at 100% capacity.

Mr. Dann answered, it is referring to two different pieces of pipe. The pipe which would be utilized for the pump station, what you were referring to initially, that's what Olde Oak Village would be installing to be connected to bring flow both to and from the pump station at the time that it is constructed. The section of pipe which is at capacity is at a different location and collects a larger drainage area and conveys across the river. That segment of pipe does need to be upgraded and we anticipate that within the next several years that the Sewer Division will look to initiate a project to accomplish that.

Mr. Farrell asked, during the eight years I have been on the Council, I don't recall us doing a deal along these lines but perhaps prior in time we did something like this where we are getting land, we're waiving fees. Can you help us a little more on that, of evaluating that it's a good deal for the Town, economically?

Mr. Dann answered, there was another occasion where this sort of transaction occurred and it related to the Williams Road pump station which replaced the Durham Road pump station and that was probably within the last five to seven year period. To help you evaluate this deal, the value of the parcel that we are obtaining, this was appraised, we appraised this early in the process and it was actually a slightly smaller parcel at the time it was appraised, was valued at \$60,000. The value of the downstream improvements that we are foregoing is about \$33,000. We are going to incur some additional costs associated with the architectural and landscaping aspects and those things, \$5,000 - \$10,000. In the end, I think it looks pretty favorable for us that, in fact, our expenses are probably slightly less than what the appraised value of the property was. The second major element to this is that the site itself is well-situated to the construction of the pump station. If we were unable to obtain this site and began to have to expand our search further and further away, then several factors occur which influence the cost of the pump station. There is more pipe to be laid, both to and from the pump station to tie into our existing system and if you get into property which is at a higher elevation, now the depth at which you have to construct is greater and that will influence the cost of the pump station. It is well-situated if we had to move away from this, we would likely experience increased costs for the pump station construction, itself.

Mr. Farrell replied, that answers the question, the Town is coming out ahead here, this is not just some benefit to the developer to put in this particular development. It is very helpful to us, that we would otherwise get ourselves in a situation where we had to acquire land, we might have to use eminent domain to get it where we need to put it and for actually a bit of a windfall here, we get what we need.

Mr. Dann stated, yes, I believe it is a good deal for us and certainly the Commission, in recommending this, felt the same way.

Mr. Toman asked, what was the estimate of the fee give up here with eighty (80) units?

Mr. Dann answered, we had evaluated what improvements to the sanitary sewer system would have to be made in order to accept the flow from this eighty unit subdivision? We identified several segments of pipe which would need to be rehabilitated. The value of that rehabilitation was about \$33,000. Additionally, as we further developed our thoughts on this, we realized that even if we had to make those improvements, it would accommodate their project but it was not consistent with what our needs would be in the longer term. In essence, we would have been asking them to make improvements which, within the foreseeable future would have had to have been replaced in any event. It seemed that it made more sense for us to utilize that dollar value as an offset against the value of the site that we were trying to obtain.

Mr. Vumbaco asked, with this on Hartford Turnpike and with people pulling out of that development, are they going to have any sight issues?

Mr. Dann answered, I don't believe so, that's a pretty straight flat run.

Mr. Vumbaco asked, does this have to go in front of Planning & Zoning for approval? This wasn't part of the developer's original site plan was it?

Mr. Dann answered, this was not part of the developer's original site plan. We will need to create the lot. Yes, I do anticipate that we will need to make submittals both to Inland Wetlands and to Planning & Zoning.

Mr. Vumbaco asked, why would we want to be signing an agreement with them prior to getting site plan approval; Wetlands and Planning & Zoning? Should this be made contingent upon that? I would think that you would have had the approvals before you came in front of the Council asking for us to give you rights to sign the agreement.

Mr. Dann answered, I think the concept for proceeding on this would be that we would go out to bid for a design/build contractor. Until that contractor had been hired and proceeded with that work and we had invested funds at that point, there would be nothing to put in front of the Planning & Zoning Commission. On the flip side, to proceed to hire a contractor to begin work on a pump station without the assurance that we have a site in hand, we don't generally do. We don't want to hire someone to perform work associated with a project if we don't have an assurance that we, in fact, own the property that we are going to build on.

Mr. Vumbaco asked, what happens if there is a wetlands issue and we sign this deal with the developer? We will own the property and can't do anything with it? Is that the worst case scenario.

Mr. Dann answered, I guess the absolute worst case is we would own the property and not be able to do anything on it. Certainly in looking at this site and evaluating what we were planning, we anticipate that we will be able to construct this and make it acceptable to both Wetlands and Planning & Zoning. There was some thought that went into that process but it is not guaranteed of course, as you know, until the actual approvals are obtained.

Mr. Vumbaco asked, what is the size of the building height and width that you are proposing?

Mr. Dann answered, the above-grade utility structure is probably going to be something on the order of 25 square or less. It is relatively small portion of this that is above grade. Most of the station construction is below grade.

Mr. Brodinsky asked, why wouldn't there be an advantage to adding on the final page of the agreement which lists the contingencies, a seventh contingency that the appropriate approvals be obtained from Planning & Zoning and Inland Wetlands? It wouldn't hurt us; can't hurt them.

Mr. Dann replied, perhaps within the agreement, if the desire is not to take the parcel until you get to that point, the conveyance occurs after we have given them a written request. If you go back to the third item here, details when the conveyance would occur. It follows a request from us. If we wanted to hold off on that request, I guess we could until that point in time and then request the parcel. It is not normally our process to proceed to contract with someone to design and/or build on a site without possessing the site that we are ultimately going to construct on. I think that's been, in the past, at the recommendation of the Town Attorney's Office. We could discuss that with them further. I think at the point we hire someone to proceed with the project, we are committed to some extent to that project, we ought to have the property.

Mr. Brodinsky replied, but we have a contract for the property which is enforceable in every way, as long as we get the approvals. We have a legal interest in the property, once having that contract signed, we could go ahead and get your design built.

Atty. Small stated, Roger, I thought we were resolved on the Planning & Zoning issues so there is no problem with the agreement, itself, with one of the conditions being that we have all the necessary approvals, otherwise we are not interested in taking title. I don't think Joan Molloy (Atty.) is going to have a problem with that. You don't want to acquire it if you are not going to be able to build a pump station, do you?

Mr. Dann answered, we have no use for it if we are unable to construct it.

Atty. Small stated, that would be a normal contingency. I thought that the Planning & Zoning issues had been resolved. I can't see Joan Molloy objecting to that as a condition.

Mr. Dann answered, just to clarify, I don't believe that there are Planning & Zoning Issues but we do need to make those submittals for Wetlands approval to Planning & Zoning and until those approvals are obtained, we don't actually....

Atty. Small stated, that would be a normal contingency, though. I don't think that should be a problem.

Chairman Knight asked, would it be appropriate for us to add a contingency of our approval that such language be added to the agreement?

Atty. Small answered, yes, I think your approval of accepting a conveyance would be conditioned upon all the necessary Planning & Zoning and Wetlands approval. You don't want to accept conveyance of the property if we have no use for it. I would assume that is what the Council would want to do, so that's fine.

Motion was amended by Mr. Brodinsky that a Contingency be Added and Numbered 7 which Requires that Approval be Obtained from all Appropriate Commissions and Boards, seconded by Mr. Farrell.

VOTE ON AMENDMENT: Parisi was absent; all others, aye; motion duly carried.

VOTE ON MOTION AS AMENDED: Parisi was absent; all others, aye; motion duly carried.

ITEM #15 Consider and Approve a Transfer of Funds in the Amount of \$20,000 from Contingency – General Purpose Acct. #001-7060-800-3190 to Law Department Professional Services – Lawyers Acct. #001-1320-901-9002 – Town Attorney

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

Mr. Farrell read correspondence from Atty. Small which states, in part, that on July 17, 2002 the Town Council approved the hiring of outside counsel to assist in the Masonic tax appeal case up to the sum of \$20,000. At that time Atty. Mantzaris indicated that the office would seek a transfer in that amount because it was anticipated that we would need those funds in our Professional Services Lawyers Account for other legal matters. Hence the purpose for the request this evening.

Atty. Small explained, we have expended approximately half of the \$20,000 on attorney's fees for the Masonic case and anticipate spending more. The primary need for additional funds in that account is, we have a heavy load in the workers compensation area right now and I see that being needed for the rest of the fiscal year and I think it is going to be pretty tight. Funds are needed by the department. I didn't budget for the Masonic Home case so when he was interested in doing that and I agreed with him, those expenditure of funds I

hadn't anticipated using and it is almost predominantly worker comp matters. We have quite a bit of activity in that area this fiscal year.

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

Prior to entering into executive session, Chairman Knight welcomed Deputy Comptroller, Eva Lamothe to the meeting.

ITEM #16 Executive Session Pursuant to Section 1-200(6)(D) of the CT. General Statutes With Respect to the Purchase, Sale and/or Leasing of Property – Mayor

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

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

The Council entered into executive session at 8:50 p.m. Present in executive session were all councilors (with the exception of Chairman Parisi), Mayor Dickinson, Atty. Small and Jeff Borne.

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

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

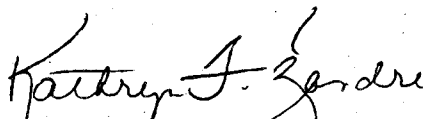
The Council exited executive session at 9:37 p.m.

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

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

There being no further business, the meeting adjourned at 9:37 P.M.

Meeting recorded and transcribed by:


Kathryn F. Zandri
Town Council Secretary

Approved by: Stephen W. Knight (by RR)
Stephen W. Knight, Vice Chairman

2-11-03
Date

Rosemary A. Rascati
Rosemary A. Rascati, Town Clerk

2-11-03
Date

RECEIVED FOR RECORD 1-29-03
AT 3:45 P M AND RECORDED BY
Rosemary A. Rascati TOWN CLERK