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TOWN OF WALLINGFORD, CONNECTICUT

TOWN COUNCIL

TUESDAY, APRIL 27, 2004

6:30 P.M.

The following is a record of Minutes made and acted upon by the Wallingford Town Council at its regular meeting held on April 27, 2004. The meeting was Called to Order by Council Chairman, Jim Vumbaco, at 6:38 P.M. in the Robert Earley Auditorium of the Wallingford Town Hall. Responding present to the Roll Call given by Town Clerk, Kathryn Zandri, were Councilors Vincenzo M. DiNatale, Lois Doherty, Gerald E. Farrell Jr., Stephen W. Knight, Iris F. Papale, Robert F. Parisi, Michael Spiteri, Vincent F. Testa and Jim Vumbaco. Mayor William W. Dickinson, Jr., Comptroller Joseph Swetcky, Jr. and Janis M. Small, Town Attorney, were also present.

Reverend Mark Angerosa, White Oak Baptist Church, Wallingford, the meeting with a prayer. The Pledge of Allegiance was said.

2. Correspondence - None

3. Consent Agenda

- 3a. Consider and Approve Tax Refunds (#726 -748) Totaling \$18,624.08 – Tax Collector
  - 3b. Consider and Approve a Transfer of Funds in the Amount of \$300 from Maintenance of Vehicles Acct. #2035-550-5000 to Overtime Acct. #2035-101-1400 – Fire Marshal
  - 3c. SET A PUBLIC HEARING for May 11, 2004 at 7:00 P.M. to Consider and Act Upon an Ordinance Appropriating \$1,825,000 for the Planning, Acquisition and Construction of Various Municipal Capital Improvements 2004-2005 and Authorizing the Issue of \$1,825,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose
  - 3d. Consider and Approve an Application submitted Gaetano's Tavern on Main in accordance with Ordinance 62 Article IV to serve alcoholic beverages on the sidewalk in front of their establishment.
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- 3e. Consider and Approve empowering the Town Council Chairman with the ability to approve future applications submitted under the new Ordinance 62 Article IV, providing Said Application meets all of the criteria set forth in the Ordinance.
- 3f. Consider and Approve Transfer of Funds in the Amount of \$3,000 from Professional Services Acct. #6010-901-9014 to Office Expenses and Supplies Acct. #6010-401-4000

**Ms. Papale** made a motion to accept the Consent Agenda 3a –3f.

**Mr. Farrell** seconded.

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

5. PUBLIC QUESTION AND ANSWER PERIOD

**Robert Sheehan, 11 Cooper Avenue:** Through the Chairman asked the Mayor about the signing of the \$12,000 grant for the Town Clerk's Office. **Mayor Dickinson** said that he had not signed it and that he was still reviewing the matter.

**Pasquale Melillo, 15 Haller Place, Yalesville,** commented on increasing taxes to big business with the benefit going to senior citizens.

**Wes Lube, 15 Montowese Trail,** asked about department head salary referring specifically to salary increases and the system that is used. He talked about steps within the Board of Education. He talked about pay distribution system.

**Jack Agosta, Yalesville,** spoke about how the school maintenance budget gets cut when they don't have anywhere else to cut. He said that is they had spent their money properly we wouldn't be in the \$65 million project.

**Mr. Testa** said he wasn't interested in debating the subject but he had been on the Board of Education for eight years and has seen lots of budgets and doesn't want the perception in the community that the Board of Education has been negligent in maintaining their buildings, and therefore, have a \$65 million renovation project. He said that this is not true, and it's not the way it is. He said it is not fair to make those accusations and it's unfair

to make those comments because it causes a certain amount of distrust in the community about the overall activities of the governing bodies that is conducive to fair play. He said that he could have this discussion at another time in detail but that he wants to correct what he thinks is a misconception. He thinks that when Board of Education members talk about having to cut maintenance, what they are getting at is when the cuts are tight, maybe there is something nature in that capital plan maintenance that has to be put off an additional year but it doesn't mean that they are slashing and not doing the proper kind of maintenance to the buildings. The renovation project is due to design, age, ventilation problems and so forth. It's not because the schools were allowed to deteriorate. It's an unfair accusation.

**Mr. Agosta** said that's what I heard last week. They cut maintenance every Year. That is a sign of it.

**David Berto, President of Housing Enterprises** said that he made an application for the use of the former Simpson School. He said that he wanted to let the Council know that he was there and is happy to answer any questions.

**Pasquale Melillo, 15 Haller Place, Yalesville**, through the Chairman he asked the Comptroller if the Town is invested in derivatives, saying they are the most dangerous types of investments.

**Mr. Swetcky** responded, no, we are not.

**Mr. Mellilo** then asked about the ball fields and their future.

**Chairman Vumbaco** responded that all the fields are being provided for both Little Leagues this year and it seems that they have a full schedule. He said that they are not a complex right now for Wallingford Little League.

**Mr. Mellilo** asked about lights for night games.

**Mr. Testa** said that there are more than enough playing fields for all of the needs. He said that Public Works has prepared two additional fields and that all of them are well maintained and safe. He said that there is one complex in Yalesville have would like to have lights and at this point it has not been resolved and has not been done. He added that neither situation implies that

the facilities are inadequate or that there is not enough of them.

8.

**Chairman Vumbaco** moved Item # 8 up in the agenda.

**Ms Papale:** # 8 Consider and Approve a Transfer of Funds in the Amount of \$50,000 from Contingency General Purpose Acct. #001-7060-800-3190 to Professional Services – Specialists Acct. #001-1320-901-9003. This is asked for by the Law Department. So moved.

**Mr. Farrell:** Second.

**Chairman Vumbaco** conversed off mike with the Town Attorney and did not go forward with Item #8 at this time. **Mr. Farrell** removed his second, and **Ms. Papale** removed her motion.

6.

**Chairman Vumbaco** called for the PUBLIC HEARING.

**Ms. Papale:** Item # 6 is a Public Hearing on an Ordinance Entitled, "Aquifer Protection Agency Ordinance" be it enacted by the Town Council in session.

**Section 1. Policy Declaration**

The Town Council, in order to better regulate the activities of the residents of the Town of Wallingford and other which may threaten ground water quality and pursuant to the requirements of Statute 22a-354a, et seq., of the Connecticut General Statutes, hereby enacts an Aquifer Protection Agency Ordinance of the Town of Wallingford. So moved.

I have a letter here to read dated April 14, 2005, a letter to Mayor Dickinson.

At the Planning and Zoning Commission's meeting of April 12, 2004, the Town Planner informed the Commission that a new state statute has been created to safe guard the state's aquifers and groundwater. It seems that the Planning and Zoning Commission is being considered as the agency to administrate the statute in Wallingford. I disagree that the Planning and Zoning Commission should be the agency for this purpose and would advocate the Wetlands Commission is better suited for this role.

The Planning and Zoning Commission receives information and newsletters from the Town Planner in regard to planning issues. We attend workshops to better understand land use and planning and zoning issues, not aquifer, water and wetland issues. The Wetlands Commission, on the other hand, is familiar with issues in regard to aquifer and ground water issues because they deal with this subject on a regular basis. Therefore, it is my opinion that the Inland Wetlands and Watercourses Commission should be the agency to administer the aquifers. The results of the issue of the amount of time the Planning and Zoning Commission commits to its role of proper planning of the town with multiple meetings and workshops each month. For the past several months we have had a very aggressive meeting schedule, and it will continue for the next several months as we continue our work on the plan of conservation and development. I do not feel that the Planning and Zoning Commission needs another responsibility; therefore, I respectfully ask that this request be considered by your office and the Town Council so that an alternate solution might be found.

Sincerely, John L. Whitney,  
Chairman, Wallingford Planning and Zoning Commission

I'll turn it over to Steve (Knight) who is our Ordinance Committee Chairman.

**Mr. Knight:** I'll just give you a little background on why this is coming before us. The State of Connecticut in its wisdom in the last legislative session decided that all the towns needed to enact an aquifer protection agency ordinance and establish the agency. Adam Mantzaris received word and drafted the ordinance that is before you right now. We informally polled the members of the Ordinance Committee. None of us felt strongly that we needed to discuss it session and decided to pass it along to the entire Council. That's where we stand right now. That's why we're soliciting public opinion. The Mayor may want to elaborate on that.

**Mayor Dickinson:** There was an administrative meeting that dealt with this. I believe that Linda Bush was there. I don't think Jim Vitali could make it. The Town Engineer was there. Adam Mantzaris was there. And Henry McCully may have been there. The issue was discussed. The reason the Planning and

Zoning Commission was chosen was that the Planning and Zoning Commission regulations already include a section on aquifer protection and I understand it may require additional work, however, to the extent that it deals with land use which Planning and Zoning regulations are directly related to, the aquifer protection prohibits certain types of activities within the aquifer area. Planning and Zoning obviously does that with their regulations. In addition, as you are well aware, we do not have permanent staff on Inland Wetlands and it's not a visible watercourse, it's not wetland soil. This is a mapped aquifer area over which there are restrictions as to what can be done in order to protect the quality of the water in the aquifer. That's a very quick idea of why Planning and Zoning was chosen. I think the chairman is here, John Whitney, and certainly he can speak to the concerns from the commission. The regulations as well as the lack of permanent staff elsewhere and the function of Planning and Zoning regarding land use encourage us to believe that this is the appropriate place.

**Chairman Vumbaco:** I had a discussion with Adam (Mantzaris), and he said that this mainly has to do with building and restrictive use within the aquifer, which is a P & Z responsibility. Once the mapping is completed, there will be some grand fathered-in-uses, and it should be up to the P & Z to make sure that those uses aren't expanded or go beyond the regulations.

**John Whitney, Durham Road and Chairman of the Planning and Zoning Commission:** I was just informed of this at our last meeting that we were going to be attached to this additional responsibility. Prior to that, Linda Bush, Town Planner, was telling us that we were possibility going to be the agency to administrate this new stature. We received absolutely no information on the regulation or the new statute. I have absolutely no idea what the responsibility is going to be for the Town Planner's Office or the Planning and Zoning Commission. I know now that the Town Planner's Office is quite busy right now with one part time and one full time person along with the Town Planner and the Assistant Town Planner with their tasks of enforcement of all zoning violations and all the meetings and reviews of all the plans. I'm assuming that the new statute is going to have an enforcement arm for aquifer protection. I would only ask that you wait a month until we can get a copy of the state statute to find out exactly what the details are of the legislation to

find out what exactly the Town Planner's Office and the Commission is going to be responsible for, not to complain that we have too much work. If it's just another line in the regulation book as far as a new regulation, that's one thing but if it's actually going to entail more work in the Town Planner's Office, I feel it would be fair if we had an explanation of what it is that we are responsible for.

**Chairman Vumbaco:** It's my understanding after speaking with Adam that these have been going on in Hartford, and that they finally just came down with the final version and I believe that they have to be enacted by May 2, 2004, and this is our last chance to meet the state regulations.

**Mr. Whitney:** It's been in Hartford for 14 years under discussion and it finally came down that they passed it. In my discussions with Linda Bush, the Town of Wallingford is actually ahead of a lot of other towns in that we have Class A surveys done and that kind of thing through the water department. I know that there is a time constraint as far as when the agency has to be named but I don't believe there is a penalty involved if it's not. I don't know if it will make any difference if we don't have it in action by May 2. If the Council feels compelled that they have to name the Planning and Zoning Commission the agency tonight, is it possible in the future that we could name another agency for it. In fact, if the Wetlands Commission gets a fulltime staff person.

**Mr. Knight:** That would certainly be an Ordinance Committee possibility. We can change ordinances and that's the point. What Jim referred to is the fact that we are under the gun and want to get something on paper in the proper time frame work and this is an opportunity to do so. I don't think (addressing Mr. Whitney), John, looking at this ordinance that you are going to be kicking off with full slate of meetings and training and the like. I believe, as you said, it took them 14 years to get this far. I think if it takes a couple of more months to ramp up, I don't see a problem, and yes, can it be revisited? Absolutely.

**Mr. Whitney:** If the Council feels that they have to name an agency, that's fine. The Commission will do whatever we are asked to do, of course, but I would like to ask that the Council agree to have an open mind in the future if we need to petition you to possibly change the agency. From the Wetlands consultant

issues of the last few weeks, there seems to be some support on the Town Council of hiring a part-time or full-time town employee to be the Wetlands consultant. And, if in that time if there is a lot of duties in the Town Planner's Office and for the commission that maybe we can shift the responsibility over to the Wetlands Commission and the Wetlands consultant.

**Chairman Vumbaco:** We'll take it under consideration. Thanks, John.

**Mr. Parisi:** Mr. Whitney, you can have this copy.

**Mr. Whitney:** Is that the state statute?

**Mr. Parisi:** No, this is the ordinance.

**Mr. Whitney:** Thank you, Mr. Parisi.

**Chairman Vumbaco:** Are there any other members of the public who wish to address this?

**Mr. Parisi:** Counsel, can't you give him a copy of the statute?

**Janis Small, Town Attorney:** Even with a copy of the ordinance, I have a package that was sent to the town from the state, and I'm going to give him a package.

**Pasquale Melillo, 15 Haller Place, Yalesville,** wanted to know how we relate all of our reservoirs to the word aquifer and asked what kind of impact does the word aquifer have on our reservoirs.

**Mayor Dickinson:** Aquifers in general refer to ground water and that ground water can certainly recharge reservoirs. The aquifer that's identified for Wallingford is really along the Quinnipiac corridor. The only place it could have impact in on the Oak Street well. I don't believe it would influence or recharge the reservoirs on the east side of town.

**Chairman Vumbaco** invited other members of the public to speak. Hearing none, he recognized the Council.

**Mr. Testa:** It seems to me that the first responsibility of the agency that we name in this ordinance is going to need to adopt regulations, similar to what the Wetlands Commission had to do so in fact there are no regulations in place and it's going to be a little bit of work. So we really don't know what they are



going to have to regulate. In areas that are in this zone, there is going to be a third application that has to be made of Planning and Zoning Commission, of the Wetlands Commission, and then an application to this agency if it's applicable. Theoretically, you could require a new board just doing this. I don't recommend it but this is what it sounds to me like this is what's going to have to happen with this. Am I correct? Adopt the regulations first?

**Mayor Dickinson:** It's a procedural issue whether Planning and Zoning Commission could invoke it's authority as the Planning and Zoning Commission agency as well as the aquifer protection at the same time. They already have regulations that restrict activities in the aquifer area and they have been adopted for several years. It's been several years since the Level A mapping was done by our Water Division and that extends into the area in northern part of the town into the Meriden-Markham Airport area and that influenced what we were prepared to allow in the way of facilities at the airport. It's already functioning as an issue of protection. Whether something more has to be adopted as part of their regulations, that I don't know but there is already and enforcement issue and is already a land use restriction that we've been applying for the past several years.

**Ms. Papale:** I don't really see this as a large problem. I think we will certainly be working under the proper agency and I do have to say what our ordinance Committee did because they didn't have too much time because it had to be all set by May 2, 2004. I just don't understand how we do business here that the Planning and Zoning Commission did not have anything about this. I think that's the wrong way. I think they should have been notified knowing what was happening and not be so surprised about everything.

**Mayor Dickinson:** As I stated, we have an administrative meeting and the Town Planner was at the meeting so I don't know why the Commission wouldn't know. The Town Planner was there. The Town Attorney's Office was in attendance, and the parties presented their views and the ordinance was put together. The fulltime staff person certainly was aware of the issues involved and there was full discussion of what the statute required and what ultimately would have to occur.

**Ms. Papale:** Then I would say that she should certainly have been in touch

with her Commission and not leaving them in the dark in that way. That's not the way to do business just to be told. We as Council people wouldn't like to be told we had to do something and not even know what it's about. If the blame has to go to the Town Planner, that's what I feel she should be told that from now on she should certainly let her Commission know. And what did she think about this whole thing?

**Mayor Dickinson:** As I said, there was a full discussion. As I recall, there wasn't any animated objection.

**Ms. Papale:** She had no problem with the Commission doing it.

**Mayor Dickinson:** There's acceptance especially given that the Commission already had regulations that deal with the subject. There was some discussion about the enforcement issue as to how enforcement would occur and some question about the way the statute would apply but it was a reasonable discussion.

**Ms. Papale:** I don't want to make more out of it than what's going on but I can certainly just state again that I feel that's not the way we should be doing business and that from now on when something comes down like that the people involved should be aware.

**Mr. DiNatale:** The feed back you got from the head of Planning and Zoning was essentially that they were receptive to having this responsibility?

**Mayor Dickinson:** Well, there wasn't a refusal or objection. I don't know that it was stated that we really want this. It was a reasonable discussion. It wasn't, we shouldn't be doing this, there's no way this should be Planning and Zoning. There was no dialogue like that.

**Mr. DiNatale:** To me when you are discussing the aquifer districts and the types of land uses that would occur in those areas, Planning and Zoning would probably be the most appropriate board to look into those issues, so I would support this being a responsibility of Planning and Zoning.

**Chairman Vumbaco:** Any other comments by the Council? We have a

motion and a second on the floor. May we have a Roll Call vote please?

**Roll Call Vote:**

DiNatale – yes; Doherty – yes; Farrell – yes; Knight – yes;  
Papale – yes; Parisi – yes, Spiteri – yes; Testa – yes;  
Vumbaco – yes.

**Chairman Vumbaco** announced that the motion passes, 9-0.

7. Consider and Approve a Contract with the Horne Rose LLC for Planning and Pre-Development Consultant Services for the Caplan Wooding Property – Mayor

**Ms. Papale:** Number 7 is to consider and approve the contract with Horne Rose LLC for Planning and Pre-Development Consultant Services for the Caplan Wooding Property. This was asked for by the Mayor. So moved.

**Mr. Farrell:** Second.

**Chairman Vumbaco** recognized Mr. Smith.

**David Smith, 261 South Main Street, Wallingford:** The Chairman Robin Wilson sends her apologies for not being here tonight. It's a health issue. Other members of the Caplan Wooding Committee are here tonight Lucille Trzcinski, Caryl Ryan, Rosemary Rascati, John Letourneau and Larry Lettick. The Committee as you know finished our work and developed a series of principles of development. We shared those with the Council the last time we spoke and also shared that the only item that really stands between the development of the property i.e. the issues with the RFP is a more precise analysis of the development of the RFP that can then bring this property to the market as was the original charge to the Committee, and so we seek to move that forward as we discussed last time and engaged the Horn Rose Firm to accomplish that work.

**Chairman Vumbaco** called for questions or comments from the Council and hearing none he called on members of the public.

**Robert Sheehan, 11 Cooper Avenue,** asked how long the contract and how much it would cost.

**Mr. Smith:** The contract is not to exceed \$50,000, and the scope of services should be completed during the next 4 to 5 months. The Committee came up with a series of development principals and a host of uses that we thought were in keeping with the town and could also meet some other criteria, some were generating revenues. What we really didn't know was which ones are likely to work and which ones are likely to not work. In order to eventually judge any RFP that comes back, it's really necessary to know what's likely to be successful so what this firm is going to do is conduct a very specific market analysis and determine what are the development elements that are likely to be successful so that A) we can produce an RFP that's meaningful and B) direct it to people who are most likely to support it and C) end up with a development that will be successful. That's the purpose, sir.

**Pasquale Melillo, 15 Haller Place, Yalesville,** asked about the committee and real estate companies, and if other consulting companies were going to be contacted. He commented that he did not think a consultant was needed and that it should just go out to real estate companies and put it on the market.

**Mr. Smith** responded that, no, the committee would not be working with real estate agencies and that that would be from the town. The consulting work will not be farmed out at all. They might work with a consultant here in Connecticut. He responded to putting it on the market by saying that the committee had discussed this option and asked themselves how it would be judged. How will the town know what elements will be successful? They felt that measuring what will be successful first was important.

**Wes Lube, 15 Montowese Trail,** asked that if the \$50,000 is spent with this firm, will it carry to the preparation and publication of the RFP? Or will there be more costs down the road?

**Mr. Smith:** It was required that they produce an RFP document at the conclusion of this engagement.

**Mr. Lube:** Publish it or just submit it?

**Mr. Smith:** Publishing would probably be the decision of the Council or the town but they are required to submit it as a document that is part of the engagement.

**Mr. Lube:** So the publication would be the expense of the Town.

**Mr. Smith:** I'm sorry, I don't quite follow the question.

**Mr. Lube:** The publication, the publishing the RFP would be the expense of the town. The \$50,000 does not include the publication.

**Mr. Smith:** I would make an assumption. I would assume the following. The work product we're going to get is a report which gives an analysis based on a substantial market as to what will work. There is going to be a great deal of research that goes into this prior to that. I anticipate that we are going to get an RFP document – 5, 10, 15 pages long from them - so when you ask if it will be the responsibility of the town to bear the cost of publishing, it would be my assumption that it will be photocopied to a select group and then mailed so I'm not sure if there is any significant cost there.

**Mr. Lube:** The wider the distribution, the more the chances are that someone is going to pick up the bait. In your charge to the consultants are you asking them to come up with the best use or are you pluralizing that?

**Mr. Smith:** I think that's a real estate term that generally refers to the greatest possible financial yield from a piece of property, if I'm not mistaken.

**Mr. Lube:** You said earlier that you were concerned that it would be something that would be beneficial to the community but at the same time would work. I assume would work meant economically feasible.

**Mr. Smith:** Yes, in our last meeting with the Council, I think that you spoke then and when we announced the principals of development, one of the principals was that there be a positive financial consequence to the town. This committee is composed of a number of people appointed by the Council with a wide variation of views, and the one item that we coalesced on, and there was a consensus, was that the missing step that would make this a reality is the degree of expertise as to the likely success to whatever comes back in the RFP responses.

**Mr. Lube:** Are you asking these consultants to focus or are you asking

them to broadcast? In other words, there may be in their opinion the finest improvement would be the equivalent of an astrodome, but we may not have any investors around this year who intend on building an astrodome. They may want to build something else that would be equally attractive so are you asking them to focus on a particular use or a number of potential uses, all of which could be economically feasible to the investor and to the town.

**Mr. Smith:** We are asking them to focus on a wide range of uses which the committee received both from the public, adjoining property owners and members of the committee. But let me be more specific. This is not an intellectual exercise. This is an exercise of people that are hard-nosed real estate consultants who understand what works and what doesn't. We talked to an awful lot of people who were often very philosophical. They didn't receive our recommendation. The reason we are recommending this group is because in development after development they not only had a nose for the market but they recommendations ended up being a financial success for the communities and for the most part very attractive and able to be used by the communities. We are giving them choices and telling them if they have other items that they believe can work and can prove to us that they can work, we are certainly willing to listen.

**Mr. Lube:** It's a \$50,000 gamble from what you say. We could lose the \$50,000 if it doesn't work.

**Mr. Smith:** I would say this to you. You have a group of citizens who have spent about one and one half years, appointed by the Council, trying to determine the best course. We think it's a prudent course to travel. There is always risk but we've attempted to minimize that as much as possible.

**Mr. Lube:** I think the committee has done a good job. I hope it works.

**Mr. Smith:** So do we. Thank you.

**Lucille Trycinski, 262 North Elm Street, member of the committee:** I want to encourage you to accept the proposal that we are making, simply because the company that we have looked at will more than consider the Wooding Caplan property. They will look at it in light of the entire downtown. They will look at it as a project that will benefit the entire town socially and

economically. That's why this company and this project is so important. As a realtor, I am right now marketing a commercial property about which I know very little, and I've marketed it expensively throughout New England. People who call always want specific information, and I don't have the information that I need to give them to get them to move ahead. That's exactly what happened with people I have brought to the Wooding Caplan property both before I got on the committee and after I got on the committee. We are not able to say to them, "This is what would really work," so you are trying to market a pig-in-a-poke. I am amazed that we were able to do an appraisal, and that's the problem when you have something unique, nothing to compare it to, so I can guarantee that if you put this piece of property on the market, it's going to be very, very difficult. The one thing I always say is, "Who is the buyer?" that's the first thing I ask, and I go after that market. I have no idea who the buyer for this property is. None whatsoever, and I venture to say that given its current condition and what we know about it, or don't know about it, as far as its economic feasibility in light of the entire downtown, nobody else does either. It is critical that we have this property developed in a way – I've been sitting on the downtown focus group and also the workshops that we're having for the new plan of development and in both instances, no definitive answers have come to the fore as to the best way to develop and to improve the downtown. Here is a company that will sit back and after talking to government people, town's people, merchants, neighbors and will come back with a proposal or several proposals that will determine the best use for that property in light of the entire downtown. We can't think of it as just those 3 ½ acres. It think that it's absolutely critical in the step of development of that property that we spend this money. Put yourself in the best selling position for that property, give the buyer everything he needs to know up front.

**Chairman Vumbaco** asked for comments from the public again and then turned to the Council for comments and questions.

**Mr. Parisi:** Just a touch of history on this. This is a Council appointed committee. This proposal came forward at a price of \$50,000. The committee was charged to go back and talk to the Horn Rose Company to see if they could bring that in at \$50,000. Obviously they did and I commend you for that. At the time, the discussion was for the \$50,000 to come out of

Contingency and the payments would be made in three installments and I did check with that, and I am told that that would be feasible. It's not in the contract but it could be tweaked. I hope that gives my colleagues that are newly arrived a little perspective on the development of this project. I will say that this committee had an almost impossible charge. We told them to come up with a use for that property and I believe every person on that committee called me three times and said, "What do you really want?" and I said, "We don't know. That's your job. Find out what we want. Come up with an idea." They did labor long and hard, I'm sure, and I know that it got rather exciting in a few meetings in the discussions. I think they are to be commended for the job they've done, and I hope that the Council will see the value in moving this forward and will support it.

**Mr. Testa:** As I understand it, they will basically present a report back which as they say their goal will be to find a range of different feasible visions and uses. They will present those options in pretty good detail and in doing so they will highlight what they consider to be the best and recommended option. And at that point it's up to us to make a decision about whether we agree that that's the best option and let them know that or whatever option we prefer and at that point they would then prepare the RFP. Am I on the right track here?

**Mr. Smith:** I think if you instructed them to select some of the options for inclusion in the RFP because some are more desirable than others, it certainly would comply.

**Mr. Testa:** As I said, the RFP comes after we accept the suggestions.

**Mr. Smith:** Yes, that's correct.

**Mr. Testa:** So at that point, not knowing what those options are that RFP may very well not be for sale. It may be we put out an RFP for development that doesn't include selling the property. Is that correct or is this all revolve around a way to sell the property?

**Mr. Smith:** I'd rather not speculate. I think it really has to do with uses and the associated costs.

**Mr. Testa:** I just want to get an idea what an RFP might actually



encompass and what we'd be asking somebody for after we decide on what option we like.

**Mr. Smith:** In our discussions, we understand that their recommendations end up being pretty precise because it's based on primary market analysis.

**Ms. Doherty:** Under your schedule, it has "our hourly rate sheet is attached" but we didn't get that.

**Mr. Smith:** There are various individuals who are associated with the Project, and they have different bill rates, so they will elect how they want to use those individuals in the project so the guarantee was to be less than \$50,000.

**Ms. Doherty:** So this would be like sub-contracting.

**Mr. Smith:** There would be an agreement with them for the contract. They can choose in their own internal ways how much they choose to compensate their employees.

**Mr. DiNatale:** Just to clarify, this study could take us in a lot of different directions and some of the things I assume that would not be out of the question is this study could say this could be a green space, this could be some kind of park.

**Mr. Smith:** Potentially, yes, although the principal development included a multiple uses of which the combination was the most desirable recommendation from the committee. We'll need to learn from these people which is the best use.

**Mr. DiNatale:** But it has some community use as well.

**Mr. Smith:** That's correct. That was one of the principals of development that it be able to be utilized by the citizens of the town and enjoyed by them.

**Mr. DiNatale:** It's difficult for anybody whether it's us on this side of the table or someone on that side of the room to make a move on this without some kind of direction. These are going to be the blueprints for which way we go. Some of the things that I have heard which could have potential it could mean making a green space or it could mean some kind of commercial development. It's definitely hard to stomach spending some money on a study. I don't see any other mechanism to bring

everybody together. I definitely support this proposal and am anxious to see what comes out of that.

**Chairman Vumbaco** recognized the public again.

**Stuart Hecht, 360 Woodhouse Avenue and 9 North Main Street, owner of the Book Vault** said that they have a direct barrier to the rear property, the Wooding Caplan property. He wanted to know if the full 3 to 3 ½ acres were what was under discussion. His comments included that customers of his from other towns comment on how beautiful Wallingford is and people who have lived in Wallingford and are here on visits like the changes they see in the town, such as restaurants and the variety of stores. He said he thinks it would be marvelous for something to take place in the back, a mixed use where there would be residential properties and green space because in the upper part of downtown that is missing. He talked about a bandstand, small shops or restaurants. He said that he has been in business for about 6 months now and the issues he sees are that some of the buildings will need to follow suit in the facelift many places have already done. He asked if there would be ordinances requiring people to do that if we go ahead with this project. He said it would be a shame to produce something beautiful and then have to look at properties where people don't choose to care for. He said that he would like for the committee to consider ordinances associated with this to encourage strongly that these properties be dealt with and cared for. Thank you.

**Ms. Papale:** It seems like many, many years ago when this first came to us on the Council as far as purchasing the property, I don't think there was anyone as excited as I was. I'm trying to keep that excitement going. I've seen many plans. I am very happy to support the \$50,000 and we have to keep in mind that the Police Department needs maybe some of that property. If that is taken, they will have a problem with where they park their cars. Good luck.

**Janis Small, Town Attorney:** I wasn't aware that the Council wanted the payment to be in three installments. It was never communicated to me and that's not what the contract says so if that is your wish then I suggest that you approve the contract subject to .....

**Mr. Parisi:** It may not be necessary now. At the time, in was in the wintertime and we were concerned about the need for salt and sand. Obviously, I can't see it being a problem.

**Ms. Small:** Ok, the contract doesn't call for that and I would anticipate that the bills would go to the committee and the committee would sign off if appropriate and the bills would come to my office for payment.

**Mr. Smith:** They are going to submit monthly invoices on a de facto basis

**Chairman Vumbaco:** Is there any interim reporting going to be happening during the process? Or progress reports just to see if they're on track and where we stand?

**Mr. Smith:** If the Council would like that and we are going to be working very closely, we would be very comfortable in gaining the information that they have to date and reporting back to the Council.

**Chairman Vumbaco:** Yes, I think that would be a good idea on a periodic basis. At least to let us know where you stand, maybe once a month. It's 120 days, and if we start this May 1<sup>st</sup> and it ends on August 31<sup>st</sup>. Maybe at the end of each month we could get a progress report. We have a motion and a second. All in favor? Opposed? So moved.

8. Consider and Approve a Transfer of Funds in the Amount of \$50,000 from Contingency General Purpose Acct. #001-7060-800-3190 to Professional Services – Specialists Acct. #001-1320-901-9003 – Law Dept.

**Ms. Papale:** Number 8 is to consider and approve a transfer of funds in the amount of \$50,000 from Contingency General Purpose Acct. #001-7060-800-3190 to Professional Services – Specialists Acct. #001-1320-901-9003 asked for by the Law Dept.

**Mr. Farrell:** Second.

**Chairman Vumbaco:** We have a motion and a second to transfer \$50,000. All in favor? Opposed? So moved. Item 9.

9. Discussion Regarding Bid Proposals Received for the Town-owned Former Simpson School Property as Requested by Chairman James Vumbaco

**Ms. Papale:** Item 9, Mr. Chairman, is to discuss bid proposals received for the town-owned former Simpson School Property as asked for by Chairman James Vumbaco.

**Chairman Vumbaco:** I asked for this tonight to keep the process moving. We all received the Phase A and Phase B of the proposals. We got two proposals, one from LaRosa Construction and one from Housing Enterprises, Inc. Basically, I just wanted to see if in fact all of the information that the Council requested is here for us to start taking this to the next step or is there some other areas that we should be looking at before we start determining whether we want to actually have a vote or discussion on these topics. It is my understanding that when we did this that there was a compromise – we were going to go RFP and if we didn't accept the RFP, we are going to go realtor route. So we have to make a decision whether we want to go forward with the RFP scenario with the two that we did get or do we want to open it up again or possibly go with a realtor. I'm opening it up for discussion. I have a couple of questions myself. Iris has a letter from the Mayor that she would like to read into the record.

*(Ms. Papale read the letter which is appended to the minutes.)*

**Chairman Vumbaco:** Steve (Knight) made a good suggestion and maybe the Council could put our heads together for a few minutes answered on these two proposals and then we could submit them back to the two bidders and take it to the next step if that's OK with everybody.

**Ms. Doherty:** Did we ever have an official appraisal of the property?

**Chairman Vumbaco:** No, I don't believe we have.

**Mayor Dickinson:** No, there has not been a paid appraisal. We have work from the assessor and Vision Appraisal and there is a street card on it. The assessor's office has an identified value. the value is identified as approximately \$325,000 for land and \$325,000 for building for a total of \$650,000 on the Vision Appraisal. The assessor himself in 2000 did some work on it to try to identify the value and thought that it was closer to

\$300,000 total and he still believes that today given the condition of the building and some given unknowns about what might need to be removed in any kind of renovation or demolition.

**Ms. Doherty:** Thank you.

**Chairman Vumbaco:** I think if we are thinking of selling this property, I think I think we need an official, paid appraisal. I talked with Shelby (Jackson) about that, and he didn't inform me that he had anything. He said he didn't feel that Vision Appraisal was qualified to even give us a number, and now you are saying there is a street card number on it. I just talked to him a couple of weeks ago so I'm a little confused about that.

**Mayor Dickinson:** The street card number is a Vision Appraisal number. That's what they (*undecipherable*) in 2001.

**Chairman Vumbaco:** That's what I was saying, I asked him if there was such a thing and I was told there wasn't and it would be better to go to another firm that understands commercial appraisal. That's why I was confused that you had the number tonight.

**Mayor Dickinson:** It's a very rough number. If we're going to pay for an appraisal which is what we would have to do to really have a professional identification.

**Chairman Vumbaco:** I think that's the way to go at least we should get an official appraisal on the property.

**Mr. Parisi:** Won't we need it anyway no matter what we do? Whether it's an RFP or we decide to sell it, we still need it.

**Chairman Vumbaco:** We need an appraisal. I do agree. We'll put that on the list.

**Mr. Knight:** This is sort of a comment but it's a question for the entire Council. The two proposals differ in that one is aimed at the population that we intended to serve by any kind of development and the other LaRosa appears to be one that is completely market driven like most every other development that is going on in this town. I think we probably, if these are our two, and we want to consider either one we have to decide whether or not we want to abandon the idea that we were going to insist that elderly housing be built on this

property. If I'm missing something, I'd certainly like to know but that's what I'm getting out of it.

**Chairman Vumbaco:** I think the scope is what we actually.... should stay the same that's what we actually went out....I thought you said there was elderly housing in here in.

**Mr. Knight:** The LaRosa, the letter ... let me just read the paragraph here and perhaps somebody here can enlighten me here. "As previously described in our submission, our proposal is to purchase the property and to construct a mix of single family homes, duplexes and townhouses. These units would either be sold and/or rented at market driven rates based on the size of the units and their location." Doesn't that make reference to specific population? And in fact in using the term 'market driven', it would certainly indicate that that's not the direction that in which they are heading.

**Mr. Farrell:** I think Steve is somewhat right but maybe not entirely. I know the premise initially from way back when and it's quite a few years ago when we were initially talking to the Housing Authority that we were looking for something I think akin to Silver Pond where it was private. The rents were in reach of a middle to low income elderly person and that's what I think our thought was. I'm not sure that still a plausible thing because the problem that we've gotten into, and the newer Council members may not be as attuned to it is that Housing Authority went out and looked for these kind of funds and there's a real question of whether these funds would ever walk in the door. Then you are left with the question of—well, if a form of subsidized housing, whether it's through CHAFA or DCD or some other government entity isn't going to be a possibility where are you left? Do you want to try age restricted housing and then try to clip at the economic range possibly. I don't know that we could quite go exactly where we originally intended to go that unless there is government funds, there is no way to bring the rate of rents down in the area that we were envisioning so that's one thing where things have changed somewhat. Mr. Chairman, you had asked about issues that we wanted to put on the table to have the bidder address in future materials. I had two things that I thought could be addressed. Number one, there is the possibility that there's decent amount of hazardous materials, particularly asbestos, that may be out there. I read through the language that each of the proposals uses, and I'm not sure exactly

whether they're the same or if they differ. One of the proposals said we're offering this price but we would then subtract from it the amount of abatement so I think that we need to nail down that question in both of the proposals since it seems to drive the price a little. The other issue for me and I know for some residents too is what's going to be done with the original Simpson School, the brick building that is up in front close to the street. I'd like to see it retained if possible because I think it blends in nicely with that neighborhood. The proposals differ on that question as to whether Simpson School that front block is retained, does it become commercial or is it residential like the rest of the proposal. I think we need to nail them down – Are you retaining Simpson School, the original building, and if so, what are you doing with it? I'm not sure that the residents want to see commercial there. That's at least what I've heard.

**Chairman Vumbaco:** Thanks, Jerry. I'd like to comment. I looked at the last page of their proposal – the proposal is based on market driven conventional development of the property as an adult community for those age 55 and older. At this point we retain the right to either sell or lease the units either in total or individually. And then under objectives, they do propose deed restrictions of 55 and older. So I think they are kind of addressing the adult issue. This is LaRosa.

**Mr. DiNatale:** The new Councilors, I speak for myself, are catching up on this issue. You brought up some interesting points, Mr. Farrell. Are we still at the consensus that we're looking at one segment of the population, and given the points that Jerry brought up, if we don't have those mechanisms, are we still heading in that direction as a group? That's my first question if we are all on that same page. If we are, I'm not sure if we are jumping too far ahead of ourselves with these proposals. We need to look again to see exactly if we are going for a certain segment of the population, we need to team up with the Planning and Zoning Commission and say here is a property that we have certain need in town and we are some regulations maybe to accommodate that – maybe it's elderly housing and still keeping in mind what Jerry said some mechanisms to get some limitations on making these affordable. Do you know what zone this property is in?

**Mayor Dickinson:** Housing Enterprises only has 17 parking spaces and 40 are necessary and that's with using the existing building, 11,000 square feet.

**Mr. DiNatale:** So it's a residential zone?

**Mayor Dickinson:** I think the commercial zone stops on one side of Martin Avenue so it is residential but there isn't enough parking for a multi-family building so there would have to be a waiver on parking. On the LaRosa, I think that requires extension of the downtown apartments zone, so it would have to be a zone change to accommodate the LaRosa proposal.

**Mr. DiNatale:** *(Speaking to the Town Attorney)* Can we potentially put a deed restriction ourselves when we sell the property a requirement if it was a desire of this commission to maintain the Simpson School building and whatever renovations would have to include that. The building would have to remain standing as part of the development. Is that possible?

**Ms. Small:** Put it into your agreement for the sale, all that agreement would survive the closing on the property so I think there are mechanisms to put in those protections.

**Mr. DiNatale:** In closing, my suggestion would be for the benefit of some of our newer Councilors to revisit sort of what the consensus is on whom we are addressing. I think we are all in agreement on that anyway, and then maybe bringing our ideas to the Planning and Zoning to incorporate that into their plan of development and possibly introducing new regulations into the zoning book to accommodate this kind of development.

**Mr. Testa:** I'd like to get some clarification from both bidders on whether they did a detailed tour of the properties in order to come up with their ideas about what they thought abatement might involve. This wasn't a factory. It's a school. I can understand asbestos and I can understand asbestos being involved. I don't anticipate we're going to find PCBs. I don't anticipate this being a large environmental abatement project since it was a school. I do know that the cost of asbestos abatement shouldn't be too drastic so I was a little more comfortable with the proposal that said the price would be reduced by any required abatement as opposed to the one that took for granted that a certain amount would be required so I would like some clarification from them as to just how they came up with that idea and I like the requests for clarification as to utilization of the main building and somebody make reference



to 1955, I'm assuming that's the additions. I'm in favor of maintaining that structure (the main building) no matter what happens. I'm assuming that the rest of it is going to be taken down by both people but I don't know. The other think that I want to know about is there is discussion about potential unavailability of federal funds. Are we talking about possible federal or state funds that could be used for the development of the property or are we talking about the potential for funds that are used to subsidize rents. It's two different issues. I'm curious what was addressed. I'm not sure what they were getting at here.

**Mr. Farrell:** I can only tell you what I was referring to that a number of us have followed what the Housing Authority did and their attempt to get funds through a state agency, specifically CHAFA and DCD. They're telling us and other people are telling us that the likelihood of those funds is small. It's been four years that they have been pursuing them and that's sort of why we ultimately gave the Housing Authority the graceful departure as preferred developer. That it wasn't going to come to be.

**Mr. Testa:** They were in search of funds to be used for the development and all of that.

**Mr. Farrell:** That's my understanding.

**Mr. Testa:** I'm thinking for example, Silver Pond is subsidized rents.

**Mr. Farrell:** Right. I think that's a different issue.

**Mr. Testa:** I think that's a critical thing to keep in mind here. A proposal would say we're bypassing a certain route because of the unavailability of government funds. I don't think there's going to be any question that if certain housing is constructed and they're concerned about possible subsidized rent. I don't think that's a concern. I think that availability is there. You can look at it two different ways.

**Mr. Farrell:** I think some of it was that depending upon the development being subsidized that it would have certain costs associated with it that would translate into rent amounts. I'm reaching back four years to the original discussions with the Housing Authority but I thought that the cost of development will ultimately have some bearing on an unsubsidized rent that it

would be not dollars coming in matching what the person is putting in but just that that person's rent is set to a lower par.

**Mr. Testa:** That kind of clarification would be useful for me. What is the intention regarding that.

**Mr. Parisi:** Are we aiming for one segment of the population or not. I'd like to have that clarified. I thought that the original idea was that it be elderly housing because we are supposedly in need of elderly housing in Wallingford.

**Mr. Knight:** Let me just add a note to that because, if you compare the two proposals, there's actually two segments. One is an age segment and the other may well be an income segment. The LaRosa proposal appears to be aimed at an over 55 group of people but there does not seem to me to be any mention of income guidelines. However, the other proposal is certainly driven by that because, especially if you receive all this federal assistance, those income guidelines are going to kick in. That seems to me to be the difference between the two proposals. It's been clarified that the LaRosa proposal is aimed at an older population.

**Mr. Parisi:** So they become more similar.

**Mr. Knight:** They're similar in their aim for the age group but they are very dissimilar in which part of that age group is going to be served.

**Mr. Parisi:** I think that's important.

**Mr. Testa:** I see a lot of development in my business and there are some pretty nice over 55 communities that are developed and we could see Wallingford's version of Fisher Island and that's certainly not going to serve the elderly population that we are concerned about in Wallingford. Although it would be desirable to a developer to maximize their profits so that definitely needs to be clarified. As Lucille said we have to keep in mind we're not the developer who is going to be the end user, who is the buyer, who are we looking for here. That's going to be critical to stay with the vision of previous Councils. We all agree that we want to serve that population and make it affordable.

**Mr. Farrell:** It would seem that if we want to have those kinds of

discussions with either of the parties, we need some measuring sticks of what's out there. For instance, what's Silver Pond going for on a square footage basis so that you could try to evaluate if they answer that kind of question, where we want to reel it in at. I couldn't quote for you the numbers that were thrown around four years ago but, for instance, the Housing Authority had some fairly specific numbers of what they thought rents would go for, and they'd been the developer of Simpson School. That would give a backdrop to figure some of this out.

**Ms. Doherty:** Does anyone know what Phase I environmental study is? What it consists of? Or how much it would cost? And the same with the Phase II study.

**Ms. Small:** We've done Phase I which is a general survey of what could possibly be there, and you've got to do a Phase II to confirm in fact it is or is not there. So the Phase I was, I think, in the \$4,000 range and the Phase II could be anything because it depends on what they do in Phase I. It certainly would be in excess of that and it could be, depending on the site, what they recommend. Here we are talking about the building but I don't know if the land site has any history to it. If they hear a gas station existed you will be doing test borings. Or if it was a farm site, that's what phase I does. And then you go on to Phase II. If I could go on, on the issue of comparable rent, I think you might want to the planning office. Planning and Zoning keeps track of affordable housing and we are talking about affordable housing as defined by state law and I believe that they keep track of the different types of units in town that fall into those categories. They may have some information on rent. And that may be something if you're going to consider as to whether or not this elderly housing would be deed restricted so it stays elderly housing from here on or end after a period of time and whether or not it actually in fact could fit within the definition of affordable housing and then that would go towards the town's affordable housing stock when the state does the numbers and see what percentage the town has.

**Mr. Farrell:** Assuming we went in that direction, Planning and Zoning has enacted regulations that deal with affordable housing and if I recall correctly, some of that is driven by we have to meet a certain number of units. Maybe I'm getting that somewhat wrong. Would having this as affordable housing under the

state definitions be of legal help to us? If I understood correctly, we have to have so many in town or be seen to be achieving a certain goal.

**Ms. Small:** Yes, there is a certain percentage of the housing that has to fall into their definition of affordable which generally if you're talking about private owners you have to be deed restricted so it's not in the legal sense that it helps the town if it did in fact fall within that definition then that would be housing stock that would contribute to the percentage that we're required to have and once you reach that limit then you have certain rights to say no to affordable housing once you've gotten to the limit that the state says you are supposed to have. The Planning and Zoning Commission has affordable housing regulations in place for specific properties. Any developer can take any piece of property in town and propose an affordable housing regulation for that site. You have that exposure on any piece of property in town.

**Mr. Farrell:** I suppose that as another little twist on this that you could have a development on that site that's similar to those that have been built where some of the units have an economic restriction on them that others don't.

**Ms. Small:** You could do that. You control it because it's your property and you're going to decide whether to sell it or not. I haven't seen the two proposals, I've only seen the part B sections. If you said we are going to make it elderly and you want it to stay elderly and when you said that my thought was maybe income is going to be a consideration, it may be a project that can fit into that category and then that would contribute to that affordable housing stock that we're required to achieve.

**Mr. Farrell:** But at the same time, part of it, if it is market rates, also helps the economics of the project.

**Ms. Small:** Yes. Right. That would help make it work.

**Chairman Vumbaco:** Any other comments?

**Mr. Spiteri:** Are we going to set a time frame for this?

**Chairman Vumbaco:** For completion of the project? Or for deciding what we want to do?

**Mr. Spiteri:** For decisions.

**Chairman Vumbaco:** I would think that if we could put together this list. We have representatives from both firms tonight here but it wasn't my intention to try to get into a back and forth discussion on this tonight. I think it would be fair if we put together the list of questions and I can get it out to all the Councilors asap to make comments on them so we can fine tune them and then get them out to the two developers that made proposals to us and give them a timeframe of a couple of weeks to get back to us so we can keep this process going. And then make a determination. I think there is a consensus that it stay senior for now and income restricted seniors.

**Mr. Di Natale:** Just to clarify, depending on which direction we go after the good discussion tonight, we could technically go in a different direction and re-submit this for bid depending on the input we've had.

**Chairman Vumbaco:** I think that would be a possibility too if in fact we gather the information and we start to fine tune our proposal we could always go back out again but I think we are under some sort of time responsibility to start to get this project at least started if anything just for the neighbors.

**Mr. Knight:** I think we've more or less concentrated our discussion on the proposal that the LaRosa Company made and I am interested in and more discussion about the other one. The reason that I think that there is a little bit of skepticism is something Jerry and Bob have both mentioned it. The Housing Authority made a real good run at trying to attract state funds and indirectly federal funds, and they struck a dry hole every time they went to the state, and I'd like a little more information about why Housing Enterprises can open doors that our own Housing Authority could not. I think that would make me a lot more comfortable to consider both firms equally. I think that's really critical. I would think that would be an important thing for us to examine in depth.

**Chairman Vumbaco:** Yes, I agree. I have here the time phase of the money. LaRosa is willing to put the money up right now, and the other one is applying for funds through HUD, etc. and how long is that going to take? In fact, is that a viable option?

**Mr. Parisi:** I would amplify what Steve was saying. You just have to look to the north to Carabetta Enterprises and I would venture to say that a good 60% of what they have was developed on HUD funds. There is a private company that actually was extremely successful of opening the door for HUD funding. I know because years ago my father-in-law worked for them and was successful in getting seven of his project off the ground. While the Housing Authority may not have been able to do it, it doesn't necessarily mean that a private enterprise could be also unsuccessful. They might be the ones that will be successful. We have to be very careful to count anyone out.

**Chairman Vumbaco:** We can put together a list of questions from this meeting and get it out to all Councilors within a week. Once we get that fine tuned and get it out, would a three week period be sufficient for a response? In the meantime, Janis can go out for an appraisal.

**Ms. Small:** I think an appraisal is going to cost more that \$4,000 for Simpson School so for revaluation purposes, I did go out for professional bid so my suggestion would be that I select one of the firms that went through that process in that I would request that you waive the bid if you want it done. Appraisers are very busy. There is one firm in particular, Cushman and Wakefield, that I can put some pressure on to move it as quickly as possible but I request that you consider that you waive the bid in order for me to do that.

**Chairman Vumbaco:** We can put it on the next agenda.

**Ms. Small:** The next agenda or you can Waive Rule V if you want me to get it going. I can talk to them anyway in the meantime.

**Chairman Vumbaco:** I think we need to keep this going so I'll take a motion to Waive Rule V.

**Mr. Parisi:** I so move, Mr. Chairman.

**Mr. Knight:** Second.

**Chairman Vumbaco:** All in favor? Opposed? So moved. Do we have a motion for a waiver of the bid? How would you like the motion to be?

**Ms. Small:** To hire an appraiser to appraise Simpson School property.

**Mr. Parisi:** So moved.

**Mr. Farrell:** Second.

**Chairman Vumbaco:** We have a motion and a second. Is there any Council discussion on the motion?

**Mr. Spiteri:** Would that appraisal include the demolition fee of the back part of the building?

**Ms. Small:** If they in determining what they view to be the best and highest use of the property, if they believe that a certain portion of it in fact would be in fact demolished, they will take that into consideration.

**Mr. Testa:** Do we get an idea of what type of cost we are looking at as we waive this?

**Ms. Small:** It wouldn't be substantially more. I'm thinking it would be between \$4,000 - \$6,000. I will ask if it can be under \$4,000.

**Mr. Testa:** I understand. I just want to make sure that I know what I'm waiving.

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

**Mr. Knight:** I just wanted to make one more comment. When we consider the LaRosa proposal, one of the parts of the proposal is that we sell them the property for \$100,000. Under anybody's estimate that is significantly less than the market value and I think that part of our consideration as Councilors has to be whether we want to subsidize a private development and if so, what restrictions we will therefore put on the use of the property and the kind of development that is made if we indeed want to provide what amounts to an invisible subsidy of probably several hundred thousand dollars to this project.

**Mr. Parisi:** I don't know when we'll discuss it but it's very distasteful for me to even consider selling this property for \$100,000. I'll be very honest with you. I don't care how much of a hurry we're in. We're not selling it. We're giving it away. There just isn't enough land. I think Mr. DiNatale can attest to that with his

experience in the field. Land is at a premium and here we are taking a nice piece of land and we're willing to settle for \$100,000 to \$300,000. It raises a serious question.

**Chairman Vumbaco:** I think that's a good question and that's why we need the appraisal and from there we can take it to the next step.

**Mr. Parisi:** Thank you.

**Chairman Vumbaco:** Any other comments or concerns? That ends the discussion. We will be closing this Council meeting and them in ten minutes we will be reconvening for our final budget workshop which is obviously Council only.

**Mr. Parisi** moved to adjourn the meeting

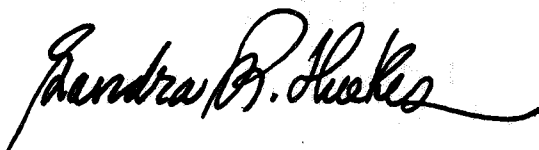
**Mr. Farrell:** Second.

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

There being no further business to consider, the meeting adjourned at 8:40 P.M.

Meeting recorded and transcribed by Sandra R. Weekes


Respectfully submitted,



Sandra R. Weekes  
Town Council Secretary

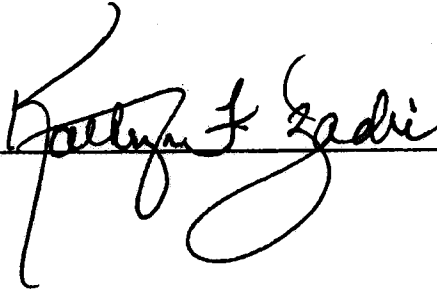
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Approved by:

  
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James M. Vumbaco  
Chairman

8/14/05  
Date:





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**Kathryn F. Zandri**  
Date:  
**Town Clerk**