

TOWN OF WALLINGFORD, CONNECTICUT
TOWN COUNCIL MEETING

December 14, 2004

6:30 P.M.

MINUTES

RECEIVED FOR RECORD FEB 10 2006
AT 10:17 A.M. AND RECORDED BY
Sandra R. Weekes TOWN CLERK

A regular meeting the Wallingford Town Council was held on Tuesday, December 14, 2004, in the Robert Earley Auditorium of the Wallingford Town Hall. Town Council Chairman James M. Vumbaco Called the Meeting to Order at 6:45 P.M. Responding present to the Roll Call given by Town Council Secretary Sandra R. Weekes were Councilors Vincenzo DiNatale, Lois Doherty, Gerald E. Farrell, Jr., Stephen W. Knight, Iris Papale, Robert F. Parisi, Michael Spiteri, and James M. Vumbaco. Mayor William Dickinson, Janis Small, Town Attorney and James M. Bowes, Comptroller, were also present. Mr. Vincent Testa was absent due to business commitments.

The blessing was given by Rev. Mark Trister, Choate Rosemary Hall, Wallingford.

1. Pledge of Allegiance
2. Correspondence - none
3. **Consent Agenda**
 - 3a. Consider and Approve Tax Refunds (#465-480) totaling \$12,849.68
Account #001-1000-010-1170
- Tax Collector.
 - 3b. Note for the Record Anniversary Increases Approved by the Mayor
 - 3c. Note for the Record a Mayoral Transfer -Youth and Social Services
 - 3d. Consider and Approve a Transfer in the Amount of \$1,000 to Overtime
Acct. # 207-3070-101-1400 from Salaries and Wages Acct # 207-3070-
101-1000 - Youth and Social Services
 - 3e. Approve Revised Town Council Meeting Schedule for Calendar Year 2005.

- 3f.** Set a Public Hearing for January 11, 2005 for 7:00 P.M. to be held in connection with an Ordinance entitled:

AN ORDINANCE APPROPRIATING \$125,000 FOR THE PURCHASE AND INSTALLATION OF OUTDOOR RECREATIONAL LIGHTING AND AUTHORIZING THE ISSUE OF \$125,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMONORARY BORROWINGS FOR SUCH PURPOSE

- 3g.** Consider and Approve a Transfer in the Amount of \$8,000 to Chemical Expense Acct. # 461-8640-641 with \$6,000 from Maintenance Structures and Improvements – Treatment Plant Acct. # 461-8640-651 and \$2,000 from Maintenance Structures and Improvements – Pump Station Acct # 461-8620-631 - Sewer Division

Consent Agenda Addendum

- 3h.** Consider and Approve acceptance of Reservoir Drive and Lendler Lane as Town of Wallingford roads – Town Planner

Ms. Papale: **Moved to approve the Consent Agenda 3a. to 3g. and the Consent Agenda Addendum Item 3h. as read. Mr. Spiteri seconded. The motion passed with all Councilors present saying aye. (Mr. Testa was absent from the meeting.)**

Item #4

- 4.** Items Removed from the Consent Agenda - Withdrawn

Item #5

- 5.** Discussion and Possible Action regarding Renaming of High Street, Yalesville – Chairman James M. Vumbaco

Ms. Papale read a letter from Judith Giannettino, 40 High Street, Yalesville, regarding an issue with High Street, Yalesville and High Street, Wallingford. *(The letter is attached to the minutes.)*

Chairman Vumbaco: Before we get into comments or anything, the council has the authority to change and rename roads, I felt, as well as most of the Councilors up here that I spoke to, that we should at least look into the situation and see if it would cause any harm to the current

citizens on High Street, Yalesville, if we were to consider a name change. I don't think that we are going to propose a name change tonight but we need it for discussion purposes and see what our next step will be to go forward with it.

Judith Giannettino, 40 High Street: I think my letter said it all. I have so many problems with delivery. Just the other day my daughter, who lives out of state, sent me flowers. She called aggravated and scared because the company called and said that they were undeliverable that there was no one there by that address because it went to Wallingford. It such a hassle and takes so much time. If you could just make it High Street West, something very simple so that the post office could do something. Most computers go by 06492 so when they put that into the computer it comes up Wallingford. They do not add the 2245 for Yalesville.

Bill Loring, 32 High Street, Yalesville: I was talking to one of my neighbors just Yesterday. Her taxes were paid on the High Street in Wallingford and the Town of Wallingford sent her a notice that they were going to put a lien on her property because of non-payment of taxes. The same thing happened to Judy (Giannettino) so that's two that I know of. What we need is just a 'W' to indicate West of tracks and for the High Street in town an 'E' for east of tracks. That's all we need just a W and an E. I've been to the Post Office. They don't seem to want to honor the word Yalesville. They send it to Wallingford and they can't seem to get it right. This has been ongoing for us for 10 or 15 years, and we've lived on High Street for 22 years now. Thank you.

Mr. Farrell: I'm not opposed to doing something on this but maybe if I bring some of my experience with street names to the table. I think there are two issues here. Number one if there is a proposed name that it gets vetted by the Police and the Fire Departments. And the reason that I think that's important is that they wanted to make sure that there was not a similarity in name. Now if you are proposing West High Street, we have a West Street in Wallingford so I don't know how the emergency services people are going to look at that. They are concerned about a dispatcher hearing something. There is also a 911 issue that if you are changing an existing address that has existed for a lot of time, I believe that they will have to re-key it into the 911 system. I'm not saying do nothing about it but if we're going to do something, I think we're going to have to do our due diligence to make sure what we're hoping to solve one problem doesn't create

another. Maybe West High Street May seem simple, it may cause a couple of problems.

Mr. Parisi:

I actually met with the Post Office on this issue and the Post Office has actually removed the two High Streets from their automated system so that they are sorted by hand. To make a long story short, in my discussion with the Postmaster, there doesn't seem to be anything that they can do with the present set-up that will improve the delivery of mail. There suggestion is to just change the name and the name of High Street West what came up. I did also sent a letter to the 23 residents of High Street.

(Mr. Parisi read the letter, attached to the minutes.)

We mailed 23 letters and I did get five people saying 'no' and three people saying 'yes'. The rest of the people have not responded as of today. We had three, Mr. Chairman, that were of interest to me that were returned as undeliverable. That's going to have to be pursued because with all due respect the list came from the Assessor's Office and I'm not going to let anybody get away without paying their taxes. We'll have to correct that. My suggestion with your permission, Mr. Chairman, would be to call the rest of the residents over the phone if they are in fact in favor or not in favor of instituting a change and to report back to the Council and have some semblance of a survey on which to make out decision.

Chairman Vumbaco: That would be fine and maybe report back at the January meeting.

Mr. Parisi:

I would be happy to do that, Mr. Chairman. So May we table this for the time being?

Janis Small, Town Attorney: I just want to comment on the idea that you think you will solve the problem by adding the word 'West'. I live on Washington Street. I receive mail frequently for someone that lives at the same number but at George Washington Trail. Not only that the cable company has called, written and showed up at my door looking for some equipment. I looked at the guy and said that I didn't understand – "I don't know what you're talking about" and I finally looked at his sheet of where he was supposed to go, and he was supposed to be at George Washington Trail. Just adding the word 'West' I'll tell you if they can't get George Washington Trail right, I'd be careful that 'West' is enough to make a difference. I understand

what they go through and I don't know if this person gets my mail but I get his mail on a regular basis.

Mr. Spiteri: I am aware of more than one street on both sides of town and Church Street comes to mind. They might want to look into everything at once.

Mr. Parisi: There are several duplicate roads in town but it's interesting that this one seems to be having most of the trouble and in talking to the Post Office, the thing is that the 'West' identification with the automated system, they feel that this would help them with the delivery of the mail. I got a letter today addressed to South Side Drive, which is the street that runs parallel to my street. There is human error here that is going to go on forever.

Chairman Vumbaco: We'll table this for now and continue our survey. If we have to rename it completely and there is an issue, we'll take that as the next step. The ball is rolling.

Ms. Papale: Before we table this, Bob, you said that you were going to be in touch with the people on the street. What if it comes back that there is a majority that don't want it changed. How are we going to do this?

Mr. Parisi: That will be up to the Council. I would think we would discuss it, and in our wisdom come up with the right answer.

Ms. Papale: And I agree. I think that we all have to give thought to this situation and I'm sorry that it's been such a while since we got on the right track but Jimmy and Bobby know how to give us a little push. I think it's very important with what Bobby said that we have to go along with what the Post Office really advises us to do. I would be up front to get their advice before me before I'd make a decision. We're going to table this and be patient for another few months.

Chairman Vumbaco: Before we go into the Public Question and Answer period, there have been articles in the newspaper recently about the Youth Social Services Office and members of the peer advocate group from both Sheehan and Lyman Hall and I think on behalf of the Council and the Town of Wallingford, we'd like to thank those students for the effort they put forth in assembling gifts for soldiers in Iraq. We also saw that there was a lot of good Wallingford citizens and businesses

that stepped to the plate to help them pay for the postage to send these gifts overseas. From the Council, I'd like to make it known that we thank them for their efforts. At the last meeting we had questions raised during the public question and answer period that I forwarded to Mr. McCully, and I'll read his response. All Councilors should have a copy of this. (*Mr. McCully's letter is attached to the minutes.*)

Item # 6

6. PUBLIC QUESTION AND ANSWER PERIOD

Lucille Trzcinski, 262 North Elm Street: Said that she did not mean to imply that we don't need shelters when she came before the Council two weeks ago. We do and no one is opposed to having them. The one question from the ten questions already presented to the Council at the last meeting is who ultimately has the authority to make these decisions (*to select & purchase the bus shelters*). She is vigilant about downtown and wants to know the process of replacing things like bus shelters and light fixtures. She spoke about what research was done before the bus shelters were replaced and put in place. How does it get out to the people who care about the appearance of the downtown area when decisions are made. She pointed to the perception that people have of Wallingford when they drive through it. She said that it has been a life long goal of hers that people think that Wallingford is beautiful, and she gets upset when things are done just for expediency sake without taking the care and the concern and the looking into that so many people have done for so many years before decisions are reached. She does not like her tax dollars being spent without regard to the ultimate consequence. She thinks that there were alternatives and that the money spent on the downtown in the hundreds of thousands of dollars did not justify saving a few thousand dollars on the shelter replacement. Who makes the decisions? How are they arrived at? I hope that someone has an answer for me.

Mayor Dickinson: The decision ultimately is with the Mayor's Office. Certainly Public Works, Henry McCully, came forward with facts and figures when the bus shelter was destroyed over by the bank. The Risk Management Office was involved with that and at that time it was priced and it was in the \$24,000 range without installation. We needed more than one shelter. It was felt and ultimately I make the decision what we should do with the money that was available and

obviously there is debate about it. That's the root of the issue as far as decision making.

John LeTourneau, 3 Regent Court: Public Works did a great job downtown with the garbage and they swept. I hope that this will be on an ongoing basis. I want to follow-up with what Lucille said about the bus shelters. I was upset with the design of the bus shelters. He spoke about letters to the editor and articles in the newspaper, many opinions but everyone agreeing that we need the shelters. There are problems with the shelters. What I found on the internet and I've copied this for the Council, is a quote for a look alike shelter. I agree with that mayor that \$30,000 each for a shelter is a lot of money for the town. It can't be done. What I would like to show the Council is the alternative. I apologize to Mr. Spiteri that I was unable to scan and get them to you.

(Mr. LeTourneau presented the quote, which is attached to the minutes.) He pointed out that the specifications are the same as those of the replaced shelters. The quote came in at \$8,030 per shelter from a different company. You can actually deduct \$1,850 just by changing the finish on the shelter by using the company's standard brown color bringing the cost of three shelters down to \$18,840 for these open faced shelters, open front like those in front of Town Hall and the Post Office. He spoke about ADA compliance with measurements and turning radius that are problems with the shelters that were installed downtown because of the winter weather and snow. Motorized wheelchairs are already having problems getting in and out of the bus shelter downtown. He said he views the downtown the same way that he views his business since he always wants to improve it and find ways to make it better. It all goes to making the downtown a viable commercial center.

Pasquale Melillo, 15 Haller Place, Yalesville: Asked about and commented on foreign lands and terrorists and food supplies.

Lucille Trzcinski: Asked about process for next time.

Chairman Vumbaco: When these items come up and if do come up in front of the Council for budgetary purposes, we could look at them but if they come up on an as need basis like this the Council really doesn't have any knowledge that they are being done until they are done.

Henry McCully: Originally two bus shelters were put in my budget last year. We budgeted \$8,500 and we added a third one.

Chairman Vumbaco: Was the insurance collected on the one that was destroyed?

Henry McCully: An uninsured driver and Adam (*Mantzaris*) is pursuing that.

Chairman Vumbaco: Item #7

Item #7

Ms. Papale: Item # 7 is to Conduct a Public Hearing to Consider and Act Upon an Ordinance entitled:

"AN ORDINANCE APPROPRIATING \$500,000 FOR A SYNTHETIC ATHLETIC FIELD AT SHEEHAN HIGH AND AUTHORIZING THE ISSUE OF \$500,00 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Chairman Vumbaco: I hereby convene the Public Hearing for the \$500,00 appropriation and bond authorization for the Sheehan High School synthetic athletic field. The Ordinance which is the subject of this Public Hearing is available to the public and may be obtained at this meeting from the Town Clerk. Is there a motion and a second to read the title and section one of the proposed ordinance in their entirety and to waive the reading of the remainder of the ordinance, incorporating its full text into the minutes of this meeting

Mr. Parisi: So moved.

Mr. Farrell: Second

Chairman Vumbaco asked for a roll call vote to which all replied yes, except Mr. Testa who was absent. The motion passed

Ms. Papale: "AN ORDINANCE APPROPRIATING \$500,000 FOR A SYNTHETIC ATHLETIC FIELD AT SHEEHAN HIGH AND AUTHORIZING THE ISSUE OF \$500,00 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE"

Section 1: The sum of \$500,000 is appropriated for the planning, acquisition and construction of a new synthetic athletic field to replace the existing field at Sheehan High School and for appurtenances, equipment and services related thereto, or so much thereof as May be accomplished within such appropriation, including administrative, advertising, printing, legal and financing costs (the "Project"). The appropriation herein is inclusive of State and Federal grants-in-aid thereof. It is expected that the appropriation herein will be funded through a \$500,000 Department of Environmental Protection grant, which grant funds shall be applied against the appropriation and bond authorization herein authorized.

Chairman Vumbaco: this is a Public Hearing. Are there any comments from the Public?

Ted Curran, 26 Knollwood Drive: I'd like to point out that the first appropriation that be specifically named is for the football field. There's a difference there. You are doing the football field *and* the track, and I believe that the first one, I stand corrected if I am wrong, but that the first one is for the football field and the second one as is stated does say the track.

Chairman Vumbaco: That's correct. Any other comments from the public?

Robert Sheehan, 11 Cooper Avenue: You are appropriating \$500,000 but actually all this money of Town money but you don't expect to spend any amount of that because you've got in total you have \$1 million in state grants for the artificial surface over there and the track, hoping to get it all done for a \$1 million grant money from the state. Correct?

Chairman Vumbaco: Correct.

Robert Sheehan: I just want to make sure that taxpayer money isn't going, well, it is in a way. It's state money covered by a grant.

Chairman Vumbaco: That's correct. Even though this is a direct payment grant the bonds are there to pay the bills and then the state will reimburse the town for the funds.

Pat Melillo, 15 Haller Place, Yalesville: Wanted to know about injuries from synthetic fields.

Chairman Vumbaco: This was debated by the Board of Education back and forth on both sides of the issue, and this was a decision by the Board of Education to go forward with the athletic fields using the grant money and all this Council is now doing is going forward with that project. Results of the study can be gotten from the school administration. Any other members of the public? Seeing none, I declare the public hearing closed.

Ms. Papale: Are we going to change 'athletic field' at Sheehan High School to football field?

Mayor Dickinson: That should be addressed by the attorney. It isn't just the football field. It's soccer, football and field hockey. I think that the language complies with what the state grant allows.

Joseph Fasi, Bonding Attorney: We took that right off the state grant form. My understanding is that there is one particular field that is going to be done that's used for many purposes so as long as that's on the record here, and we all understand what field it is, then it should stay as it is.

Chairman Vumbaco: Thank you. Are you all set, Iris?

Ms. Papale: Yes.

Chairman Vumbaco: Is there a motion and a second that the Ordinance entitled

"AN ORDINANCE APPROPRIATING \$500,000 FOR A SYNTHETIC ATHLETIC FIELD AT SHEEHAN HIGH AND AUTHORIZING THE ISSUE OF \$500,00 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE", be adopted.

Ms. Papale seconded.

Mr. Farrell: So moved.

Ms. Papale: Second.

Chairman Vumbaco: Roll call, please.

Roll Call vote – DiNatale-yes; Doherty-yes; Farrell-yes; Knight-yes; Papale-yes; Parisi-yes; Spiteri-yes; Vumbaco-yes (*Mr. Testa was absent.*)

Chairman Vumbaco: I declare the Ordinance adopted. Item #8.

Item #8

Ms. Papale: Item #8 is to conduct a Public Hearing at 7:15 P.M. to Consider and Act Upon an Ordinance entitled:

AN ORDINANCE APPROPRIATING \$500,000 FOR A SYNTHETIC RUNNING TRACK AT SHEEHAN HIGH AND AUTHORIZING THE ISSUE OF \$500,00 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE.

Chairman Vumbaco: I hereby convene the Public Hearing for the \$500,00 appropriation and bond authorization for the Sheehan High School synthetic running track. The Ordinance which is the subject of this Public Hearing is available to the public and may be obtained at this meeting from the Town Clerk. Is there a motion and a second to read the title and section one of the proposed ordinance in their entirety and to waive the reading of the remainder of the ordinance, incorporating its full text into the minutes of this meeting.

Mr. Farrell: So moved.

Ms. Papale: Second.

Chairman Vumbaco: Roll call, please.

Roll Call vote – DiNatale-yes; Doherty-yes; Farrell-yes; Knight-yes; Papale-yes; Parisi-yes; Spiteri-yes; Vumbaco-yes (*Mr. Testa was absent.*)

Chairman Vumbaco: The motion passes.

Ms. Papale: AN ORDINANCE APPROPRIATING \$500,000 FOR A

SYNTHETIC RUNNING TRACK AT SHEEHAN HIGH AND AUTHORIZING THE ISSUE OF \$500,00 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE.

Section 1: The sum of \$500,000 is appropriated for the planning, acquisition and construction of a new running track to replace the existing track at Sheehan High School, bleacher repair and replacement and for appurtenances, equipment and services related thereto, or so much thereof as may be accomplished within such appropriation, including administrative, advertising, printing, legal and financing costs (the "Project"). The appropriation herein is inclusive of State and Federal grants-in-aid thereof. It is expected that the appropriation herein will be funded through a \$500,000 Department of Environmental Protection grant, which grant funds shall be applied against the appropriation and bond authorization herein authorized. To the extent required, the cost of the Project in excess of \$500,000 shall be paid from and constitute part of the \$67.17 million Wallingford Town-Wide School System Renovation bond ordinance.

Chairman Vumbaco: This is a public hearing. Are there any comments from the Public? No comments from the Public. I declare the Public Hearing closed. Is there a motion and a second that the ordinance entitled:

AN ORDINANCE APPROPRIATING \$500,000 FOR A SYNTHETIC RUNNING TRACK AT SHEEHAN HIGH AND AUTHORIZING THE ISSUE OF \$500,00 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE.

be adopted?

Mr. Farrell: So moved.

Ms. Papale: Second.

Chairman Vumbaco: Roll call, please.

Roll Call vote – DiNatale-yes; Doherty-yes; Farrell-yes; Knight-yes; Papale-yes; Parisi-yes; Spiteri-yes; Vumbaco-yes (*Mr. Testa was absent.*)

Chairman Vumbaco: I declare the ordinance adopted. Thank you.

Item #9

Ms. Papale: Item # 9 is to consider and Approve Authorization for the Mayor Enter into a Contract for a Grant from the State of Connecticut, Department of Public Health, in the Awarded Amount of \$79,621 and Designate Eloise Hudd, Director of Health, as the Administrator of said program for the Purpose of Local Public Health and Emergency Response Preparedness Activities. So moved.

Mr. Farrell: Second.

Eloise Hudd, Health Director: This grant is different in the sense that we did not solicit from the state and put forward a project. This grant comes directly from the state and tells us that we are to do with the grant money. In absence of the grant money we still have to perform the same functions.

Mr. Knight: What kinds of things will you be doing.

Eloise Hudd: The emphasis in public health has been for public health preparedness. Normally, public health is not thought of as a first responder. It's usually Fire and EMS. Obviously, the world has changed and CDC has put a lot of money into public health preparedness in response to communicable disease and surveillance. That's what this money is to do, to bring local health up to speed concerning preparedness. It lists training sessions that all staff members need to attend, including things that are traditional first responders such as ICS (Incident Command Structure) training so that in the even of an emergency, everybody knows who to report to and what functions that particular commanders have and risk communication. The programs are usually put on by DPH or CDH or other professional organizations. Beside educational training, we have solicited volunteers from the community to create a community response task force in the event of a communicable disease or a public health outbreak so that we could respond to the community in the sense of mass antibiotic distribution, education as far as prevention. We also are now responsible for participating in table top and drill exercises that are familiar to EMS and Fire. The other

thing that the grant now requires us to do is to broker with our neighbors concerning mutual aid and response. There is a state statute in concerning EMS in police for mutual aid. There is not for public health. We are in the process of expanding some mutual aid agreements with our surrounding towns for public health response issues.

Mr. Knight: One of the things you said are mass inoculations?

Ms. Hudd: This contract talks about three plans that we need to develop. We have already developed a mass vaccination plan for small pox based on last year's grant. This plan says that we have to expand our planning and include not just small pox but we need to expand to include anthrax, antibiotic distribution and we need to be prepared for pandemic influenza.

Mr. Knight: Who would carry out such a mass inoculation?

Ms. Hudd: The primary responsibility would be under public health to organize it of which we have already have some partners with Mid-State Medical, with our local volunteers and with our on staff EMS, fire and police and the actual supplies themselves would come from CDD in what's known as a push pack. We have the responsibility to do the first 48 hours of coverage from the standpoint of syringes, masks, gloves. The actual vaccine and antibiotics would be coming through the push pack. After that 48 hours, we would get additional supplies totally from the state and the CDC.

Mr. Knight: Will the public see drills of this kind of thing?

Ms. Hudd: We have already been participating in drills. We just participated with the drill that was held for the Biological Detection System (BDS) at the Wallingford Post Office. There were two phases to that – the first phase was the decon phase and the second was the antibiotic distribution of which we set up mock trailers We had staff there from Mid-State. We gave out antibiotics. We did the tracing of the people from an epi standpoint. So, yes, we will be participating in more drills.

Mr. Knight: I think the public is very interested in this and in seeing what is being done with this \$79,000.

Ms. Hudd: The public is a very big part of this because of our community

response really comes from our volunteers. There isn't any public health department who is staffed to handle their entire population if there's should be an event that we need to inoculate 43,000 people.

Mr. Farrell: If I could remove my second. Someone else could make the second.

Mr. Knight: Second.

Chairman Vumbaco: Thank you, Mr. Knight. Any other members of the Council have a question? I have one. This funding is providing the opportunity for the town to comply with the mandates, what about the same mandates next year? Are they going to be sending us money again next year or is this another state mandate that we're going to end up getting stuck with as taxpaying citizens?

Ms. Hudd: I really can't say but I can say that this is our third year of this grant award. The funding initially comes from CDC and then it goes to DPH and in turn it goes to the local health departments. Initially, I was told that there would be two years of funding and this is into our third year and I was told that there should be another year of funding and that's to get us prepared and level. At that point I cannot say what funding will be coming forward.

Chairman Vumbaco: So are you buying equipment?

Ms. Hudd: We have bought equipment to be shared not just by public health but by our EMS and Fire, our patient inflatable portable decon tents. We did not have them before, we have now purchased two of them with the grant money which is an asset for the town and used in the event that there's something other than just a biological, the decon tents can be used. We are trying to do things for us in all aspects of public health.

Chairman Vumbaco: So if sometime in the future there is no more funding, it's more a town personnel issue to dedicate themselves so it wouldn't have to be actually spending additional town funds.

Ms. Hudd: Correct. We have not hired any additional staff with the money.

Chairman Vumbaco: Any other members of the Council? Public? We have a motion and a second. All in favor? Opposed?

Mr. Farrell: Abstain.

Chairman Vumbaco: Mr. Farrell abstains. So moved. *(Mr. Testa was absent.)*

Chairman Vumbaco: Item 10.

Item #10

Ms. Papale: Item 10 is to consider and approve an appropriation in the amount of \$79,621 to Grant Expenditures Acct. and to State Grant Acct. by the Health Department. So moved.

Chairman Vumbaco: This is the funding that we just talked to Ms. Hudd about.

Mr. Knight: Second.

Chairman Vumbaco: Council? Public? We have a motion and a second. All in favor?
Opposed?

Mr. Farrell: Abstain.

Chairman Vumbaco: Mr. Farrell abstains. So moved. *(Mr. Testa was absent.)* Thank you Eloise.

Item #11

Ms. Papale: Item 11 is discussion with Habitat for Humanity asked to be discussed by the Mayor.

Mayor Dickinson: Mr. Chairman, members of the Council, we have William Casey, Executive Director, of Habitat for Humanity, John Wigmans on the acquisitions committee and Rev. Eric Fjeldal and Joe Tristine all representing Habitat for Humanity.

Bill Casey, 1287 Great Hill Road, Guilford: I'm the Executive Director of Habitat for Humanity of Greater New Haven.

Joe Tristine, 13 Haller Place, Wallingford: I am a member of the Board of Directors for the Habitat for Humanity

Eric Fjeldal, Pastor of the Yalesville United Methodist Church, 22 Wooding Road: I am on the Board for Greater New Haven Habitat for Humanity.

Chairman Vumbaco: For information purposes for the public, we had discussions with

the Mayor at the last meeting and we decided it would be good if you came before us because we have had ongoing dealings with Habitat for Humanity. Please tell us what you are doing.

Mr. Casey handed out a brochure and a fact sheet to the Council to promote the organization. He also showed a book of Habitat for Humanity houses to give a sense of what they look like, the first page representing the house they would like to build in Wallingford.

Mr. Casey: Habitat for Humanity of Greater New Haven is an affiliate of Habitat for Humanity International. They are independent and decide where to raise their money and where to do it. The mission of Habitat is to eliminate poverty housing through construction of simple, decent homes for people in need and people talk about Habitat as a charitable organization but we are not a charity. We expect our homeowners to work on their house putting in 400 hours of sweat equity. We consider it a "hand up" not a "hand out".

There are three criteria to be met to get a house. The first is that they must be 30 to 60% of the median income, which means a family of four is making less than \$40,000 and for the most part our families are the working poor. They are working two jobs and we also expect them to come every Saturday and work on the house. The second criteria is the need for housing. We find families that are living in substandard housing or the place is just too small for their family's size. The third thing is their willingness to partner and their ability to put in the hours that they need to. Also once they are in the house to maintain the partnership with us and that they are good neighbors and that they represent Habitat very well so that we can keep fundraising and helping people in the future. Our houses are sold below cost with a 0% 25 year mortgage, and we hold the mortgage.

The average monthly payment is \$250 in New Haven where we have built most of our houses. The total mortgage payment for mortgage and taxes is usually around \$600, and the average three bedroom apartment in New Haven is \$800. We try to cluster houses in New Haven and have seen a tremendous turn-around in neighborhoods in New Haven. It sets up community gardens, block watches, general working together in maintenance issues. We don't just build houses and walk away. We make sure that families are successful in being good neighbors too in our follow-up. This supports our fundraising.

We use volunteer labor for the most part except for licenses trades like electrical and plumbing and heating systems. Professional construction staff supervises volunteer work. We get donated materials. We build only single family, detached houses. I've been with Habitat for nine and one half years, and when I came they had just realized that it was not a good idea to build duplexes or multi-family houses. We put as much quality into our houses as we can but also make them as maintenance free as possible so that they are easily maintained on lower incomes. We try to match the neighborhood with the exterior trim, porch style and so on so that it doesn't look like a low income neighborhood. We find that a house that looks good is a source of pride for the families.

Funding comes from our own fundraising. We are not allowed by Habitat International to use any government money for the houses so we have to raise all the money ourselves and we get that through corporate donations, churches, foundations and individuals. One of our biggest fundraisers of the year is a bike challenge. We have 90 college students that bike across country from New Haven to San Francisco, Seattle and Portland and last year they raised \$300,000 for us.

The staff is professional. I am a professional construction manager, which is where my degree is and I've been doing that for 30 years. We have a volunteer coordinator to handle all the volunteers. A family services coordinator who takes care of the families, getting them the training and the back up once they are in the house to see that they are successful. We have a business manager who handles the financial end of things and three professional construction supervisors. Our Board of Directors includes structural engineers, architects, attorneys, clergy and other professionals. I would like to point out that three of them are from Wallingford, two of whom are here tonight sitting with me.

Why are we here in Wallingford? We are here because we are Habitat for Humanity of Greater New Haven and we took over the Wallingford affiliate this past winter because they were having some troubles and Habitat International asked us to step in. There are six houses right now that are Habitat in Wallingford and we are working to address some of the outstanding issues on these houses. We just did some work recently on the Center Street house. We have already set aside \$180,000 to do two houses in Wallingford and we're very excited about doing that. We don't have to do any fund raising. We

are ready to go. We are just missing the lots. We have an active volunteer base here. We have several Wallingford families ready right now. We are ready to start construction in April of 2005. We look forward to working with you. Thank you very much.

Joe Tristine:

The reason I support this initiative in Wallingford is because I have seen first hand the very positive impact that our houses and our families have on the community. The industriousness and the mutual support that they exhibit every day is really an inspiration. They are in fact model citizens. The particular sites that we have identified are really ideal for us. By having houses next to each other, support and working together is readily available. They share their work. It also helps us with logistical issues when working on two adjoining sites.

Reverend Fjeldal:

This is the third community that I have had the privilege of working with Habitat. I also worked with them in Westchester and in Bridgeport. When I bring local church folks to work on houses, relationships and perhaps hidden talents emerge. I represent the Wallingford Clergy Association also. I am the president of that board and we have churches in town that are very excited about getting involved in this, Churches of all denominations and the synagogue. We have a lot of support from the community. The \$180,000 that Bill said was raised was raised largely in Wallingford.

Mr. Farrell:

There have been some discussions back and forth between the Council and you. A number of years ago I was on the Board of Directors of the local Habitat, the Wallingford Chapter and I was on the Council committee that negotiated the sale of the East Center Street property to the Wallingford Chapter. Part of the trouble that I have is that my back gets a little out of joint over the fact that you are not interested in the other lots that are available on East Center Street. That was largely John with the idea that if Habitat ever came back to the Council for future lots, those were going to be the lots. In effect, there is one house that sits in the middle of three lots. How are we supposed to sell those other lots or use them for some other public purpose the way it is. We have to weigh how we use the public resources and while we can in some occasions say we want to take a lot and donate it to Habitat. We want to help the cause of affordable housing in town. I don't know that you are putting us in the best of situations there that that whole block there was sort of designated in some ways for you to come back. And you have basically told the Council that you are not real interested in that. I'm

a little disappointed and I'll try to keep an open ear on it but I really think you need to explore that. I realize that the logistics and the geography of that site are not easy. Maybe you need to find someone with a lot of fill who could donate it. I'd really like to see you look at that some more if you could.

Mr. Casey:

We can look at that again but I can't fix what happened in the past but we can move forward from here. The lot that you are speaking of – one of the problems with that house is that it was so far down in the hole that the sewer system is below the street level line and that presents a problem for that house and there are a number of other issues that go along with that. What we are trying to do, we try to build a really nice house that fits into the neighborhood and we try to stay with the same plan because we did the custom building thing before and it's really expensive and time consuming and that's what that lot requires, so that's why we try to stay away from that and not give our families a maintenance issue down the road that they may not be able to handle.

Mr. Farrell:

We just have to balance many things and the lot that you are most interested in probably people in that area would argue should be a park if it's going to go to a different purpose. That's the perspective that I am coming from.

Chairman Vumbaco: Anyone else on the Council?

Mr. DiNatale:

The concern I have is the proximity of this property to the Senior Center, and although there may not now be an immediate need for more space, and as Jerry mentioned, this is a resource that we have, if there is expansion in the future then we're going to be put into a tough position to go to some of the surrounding properties to purchase for expansion. Until we exhaust all of those possibilities, I have some concerns of letting this go.

Mr. Casey:

We investigated the Washington Street property and it was perfect for our situation. We are looking to build two houses. It was enough square footage in there so we didn't have to go for a variance. It's on a nice street where we can really contribute something by building this type of house and putting good families in there.

Mr. Parisi:

I think that Councilor DiNatale raises a good point. Is there

anything in the future, Mayor, that would impact the decision that we make on that piece of property?

Mayor Dickinson: That issue has been reviewed administratively as to support function to the Senior Center. The topography there is just not very good for that purpose. It's a hillside away from the Senior Center. Any really useable access is limited given that the age of people who generally are using the Senior Center is above that which you'd want them walking down that hill in all kinds of weather and then gaining access to the Senior Center property. I don't think they could even go straight across and down. There'd have to be a transition which would mean down the hill. I know that there is difficulty with the Center Street property but I do think it's in the interest of the town to proceed with Habitat for Humanity project. Many of the reasons have already been mentioned. There is this issues over a site for affordable housing and maybe start with one and see how that goes and it nothing else surfaces, deal with a second in that location. I'm not aware of anything administratively that would make me feel that that's a site that would provide reasonable support for the Senior Center because of the topography in the area.

Ms. Doherty: Didn't you have a third choice for a piece of land?

Mr. Casey: We looked at a number of different lots in town, yes. None really seemed that suitable except for this lot. There was one actually on Oak Street that we thought was a good lot for us that we could make use of.

Ms. Doherty: For one or two homes?

Mr. Casey: For one as I recall.

John Wigmans: I am the Volunteer Coordinator for property at Habitat. Any of the other properties that we looked at, the square footage didn't work. The zoning laws would not allow it.

Mr. Knight: Referring to the lot, I know when the Senior Center committee was first established, it was really first established to examine the parking issue for the old Senior Center and I think it took about two meetings before it was determined that there wasn't a single member of the Senior Center that was interested in making those kind of climbs up and down the hills that were there where the parking might have been located. That's how that committee evolved into developing a

plan for a new Senior Center. I'm skeptical of that piece of property being used for future Senior Center parking. I just don't see it a feasible. I can tell you that the committee that first looked over the property the town is uses on the west side of Washington was not enthusiastic about parking anywhere in that area. I would just like to voice my support for Habitat for Humanity. I saw what they did on Center Street and I also my daughter worked a little bit on the ones on Wallace Row. It's very exciting to be even peripherally involved in an organization with this kind of enthusiasm and the kind of accomplishment and the concept of sweat equity. It's worked anywhere in the country where it's been tried. It's a wonderful organization and I'd like to support it and I think the property that they are looking for is not something that the town is in desperate need of and I think that we would do well to support their mission.

Ms. Doherty: I have tendency to agree with Vincenzo because we have had on special occasions in Wallingford where we've shuttled people from community lake for programs that have been held at the Senior Center. It's a nice level lot. I need to be convinced.

Joe Tristine, Habitat: Are there other lots in town that can serve as a parking lot from which people can be shuttled? If the idea is to use this lot as a parking lot from which people have to be shuttled, if you are using a shuttle, are there other lots in the area that could also serve that purpose?

Chairman Vumbaco: I'm not sure if there is. At the moment I don't think there is any.

Mr. DiNatale: I would add though that we do have other facilities that are short parking – community pool. There is the parking for this building here that on an average day is kind of tight. We do have a satellite parking lot. Parking is definitely an issue for some of our other facilities as well.

Chairman Vumbaco: Just to go off the track for a little bit on to a different thing. When you do have the individuals take ownership in the homes, what's the process in ensuring that they are maintained properly? It's just an issue.

Mr. Casey: I wouldn't have stayed with this organization with long if that wasn't happening. We do that by training before we get to the point where

they own the house. The volunteers stress that as the house is being built. The volunteers are giving their time to this house and to the homeowner. I can't recall a situation where I have had to call on a homeowner and speak about this issue.

Chairman Vumbaco: So you stay active with the homeowner.

Mr. Casey: Yes. There is constant backup for this.

Reverend Fjeldal: There is also a family selection committee that helps make the selection and stays with the family for a period of time to offer support and to mentor them through the process.

Mr. Farrell: My final comments would be that I can think of some single lots that the Town of Wallingford owns. I know you are looking for a double lot here but there are some single lots that in my own mind wouldn't be too hard to develop here and there and that that is probably, just speaking for my self, I would be more amenable to.

Mr. Casey: We did go look at a lot. John Wigmans did a lot of that work for us so we have investigated some of those. The Washington Street lots from our view are the best lots for us because of the economy of scale. We are going to lose money on these houses as it is. We can't sell them for everything that we are putting into them. Having two houses side by side just makes it so much easier from our stand point As far as construction goes for the economy of it and also for coordination volunteers. If they are all on one site, it makes an enormous difference. It has a better impact on the town. We make sure that we partner with not only town officials but also with the corporations and congregations.

Mr. Farrell: I think that the purchase price last time around was \$5,000 that the town sold the last lot for, and I go back to the point of I wish a further look would be taken. I understand some of the issues that you have but understand the issues that we have too. Thank you.

Mr. Casey: Yes.

Chairman Vumbaco: Any other questions from the Council? The public?

Ryan Stample, 19 Martin Avenue: I love approximately ¼ mile from this Habitat for Humanity house. While in theory, I support the concept of Habitat for Humanity's gifts for low income people and helping people get

homes. I have watched personally the development on Center Street. You have all pretty much documented and you know there's problems on Center Street. I feel bad for these people that you want to stick them in a lot that is almost unbuildable because of the grade and the water course below but I would also like to take notice of public record of the police log and the activity that has gone on there all summer long. As a resident going up and down, I've seen the problems with Habitat for Humanity what's going on up there. There have been two abandoned cars up there that we have called numerous times on. There have been beer parties. There's been a number of arrests. There's been people skate boarding. Large communities of children and people congregating on Friday and Saturday night almost blocking and shutting down Center Street. Is that what we want to continue to open up our neighborhood because you guys say you're all for helping and policing and what not but I haven't seen any of it as a resident. I'd like to bring that up to the Council before they make any decisions. Thank you.

Mr. Casey: I think we need to have a stronger presence in Wallingford to make sure that those kind of things don't happen. Every family has issues but we try to get involved and take a proactive stance and try to avoid situations so no harm is done to the organization. This is the first time that I have ever heard of that.

Joe Tristine: I would also like to point out, as I think that Council is award, that the house on Center Street was done by the previous Wallingford Habitat Chapter which was an all volunteer organization and did not have the professional staff that the current Habitat for Humanity for Greater New Haven currently has. We have a stronger organization that has more resources than the former affiliate had in order to prevent problems and to get the right families involved.

Mr. Parisi: Having said that , will your organization be exercising oversight?

Mr. Casey: About that issues?

Mr. Parisi: Yes.

Mr. Casey: Yes.

Mr. Parisi: I did not know that there was a change in the group and thought that it was the same group as the original.

Mr. Casey: The Wallingford affiliate was dissolved over the winter and we took it over completely.

Mr. Parisi: I would hope that this one would have a longer life so that there would be a continuity to what you do and to exercise that oversight which is as important for you as it is for us.

Mr. Casey: Yes. I couldn't agree more.

Rev. Fjeldal: I just want to say that I was on the Board of the other group for about four months before it dissolved and one of the reasons that it dissolved was because the people who built the house were totally burned out from the experience and there wasn't a lot of community support to rejuvenate the Board which helped facilitate the association with the Greater New Haven Chapter who has the expertise that we didn't. Some wonderful people worked very hard to make that house happen but when it came time for the final details, they just ran out of steam. An all volunteer organization has those problems as opposed to an organization that has a different structure. We learned from our mistakes. I'm sorry for the residents who live by that property and for the problems that they are having.

Mr. DiNatale: You mentioned that you provide the financing for these homes and when the previous organization dissolved, then what happened to mortgage?

Mr. Casey: We took over those mortgages and are servicing them

Mr. DiNatale: And I just want to clarify my standpoint. I think that the service this organization provides with volunteers is a wonderful service to this community and to surrounding communities and again my concern is this is a resource for the town and it's awfully difficult for us to replace it after if we were to let it go. Thank you.

Chairman Vumbaco: I want to thank you for coming and sharing your vision and your philosophy with us. We greatly appreciate it. It gives us greater insight.

Mr. Casey: And we are sincerely excited about coming to Wallingford and working here.

Chairman Vumbaco: Item #12.

Item #12

Ms. Papale: Number 12 is discussion and action on acceptance of proposed plan for Simpson School as presented by LaRosa Building Group put on by Chairman James M. Vumbaco.

Robert LaRosa, Managing Member of the LaRosa Building Group: with me on my is Genaro Martorelli, my attorney, and Ron Penton, Project Manager with our company.

Chairman Vumbaco: For information purposed, Mr. Parisi and I met with Mr. LaRosa et al and discussed the proposal that was put forth presented at a Council meeting a few meetings ago. Mr. LaRosa has come back with a revision to his proposal, which he will discuss.

Mr. LaRosa: Basically after our meetings with you and the Council, we identified the three issues that the Council had a concern with. One was the need for a higher percentage for affordable housing; the second was a desire to keep the original existing Simpson School; and the third was the age restriction of 55 lifted to a higher limit. In discussing the proposal and looking at our marketing and construction scheme, what we are offering is addressing the affordable housing by raising that limit to 30%. On the existing school, it's our opinion that after doing a feasibility study in our organization that it's not economically feasible to leave the existing school up; and the 55 age restriction is I think a very viable number to keep the project successful. So we have modified our proposal.

Chairman Vumbaco: I think that the best way to approach this is to open this up to discussion and questions from the Council and we can see where that takes us.

Mr. DiNatale: When you mention affordable, are you using the definition under the state guidelines?

Mr. LaRosa: Yes, the CHFA guidelines for the medium income in Wallingford is what we are proposing to keep it at.

Mr. DiNatale: What exactly does that mean?

Mr. LaRosa: The medium income is \$76,100 and that's the limit that we were proposing to keep to define affordable housing.

Mr. DiNatale: But the state also has guidelines under affordable housing where in

the private sector if you were to take any property, you can use those guidelines and one is to maintain a certain percentage of affordable housing. Are you familiar with this? It sounds where this is going.

Mr. LaRosa: I'm familiar with the concept, yes. I'm not sure what you are asking.

Mr. DiNatale: What I'm getting at is what you are presenting is essentially what the state offers as a guideline. You are suggesting that we impose a 30% affordability rate restriction, and you walk out of here tonight with a deed on this property and if you didn't have this imposed, how else would you develop this property? We're not the zoning board, so you still have another step to go and how do you see pursuing that next step under normal zoning guidelines?

Mr. LaRosa: You mean without affordable housing?

Mr. DiNatale: Take away affordable housing. You've evaluated this property and the current zoning. How would this property be developed under normal guidelines?

Mr. LaRosa: In our original proposal, and actually in our RFP that the Town of Wallingford. *(NOTE: Beginning of tape 3 –tape malfunction. Transcription begins in mid-conversation.)* ... back a few months ago, she had said that she wasn't sure which way she would recommend either but she looked at taking the DA zone and perhaps modifying that zone and modifying the ordinance of the DA zone and then also extending the DA zone out from the corner of corner and Center to the next corner which would encompass this property,

Mr. DiNatale: So the DA zone allows the density that you are proposing.

Mr. LaRosa: It actually allows a lot higher density than what we are proposing. I don't remember the criteria but I remember that we were well below the limits of that zone.

Mr. DiNatale: And if the zone, and that's another commission that would review this, so in fact, they didn't adopt the revised district, then another option would be unaffordable housing development because under the current zone you wouldn't, the density you are proposing is not permitted.

Mr. LaRosa: That's correct.

Mr. DiNatale: So you would have to self-impose a 30% affordable regardless of whether we consider it or not at this meeting as one of your options.

Mr. LaRosa: I believe that would be so.

Genaro Martorelli: We would self impose it as a condition of the sale by the Council.

Mr. DiNatale: Right but if you were to consider one of your options, when you leave this Council, and go to Planning and Zoning Board, then you would have to consider your alternatives, and one of the alternatives would be to self impose or adopt affordable under the guidelines of affordable housing regulations in the state of Connecticut or the Town.

Genaro Martorelli: That is correct but that probably would be one of the last alternatives that we would have normally looked at in terms of zoning so with the modification of the DA zone there is no requirement for affordable housing.

Mr. DiNatale: I read the latest correspondence, and what in summary, are you suggesting as far as restrictions on this property, based on the process that you've gone through to this point. There are some proposals as far as density and types of housing, size, where are you with some of these modifications at this point, some of the highlights?

Mr. LaRosa: Of our original offer?

Mr. DiNatale: Right.

Mr. LaRosa: We had proposed in the original offer thirty-one units on this property and that would be one of the contingencies that we would be looking for. Other than what we've got right here on the affordable housing as a self-imposed contingency, the age restriction is actually that's not a contingency on the sale of the land. I think on the sale of the land that only contingency that we are looking for is approval for 31 units.

Mr. DiNatale: This is for the Town Attorney -Are we suggesting that they have a deed restriction if they were to take ownership of this property? One of the things that was discussed was preserving the existing structure, if we had discussions, and everyone agreed that was something that was at least on the table. Is there any other?

Janis Small: Well, you don't want to buy it if you don't get 31 units. That's a condition of the sale so that would be initially as a sales condition, and then I'm not sure what the actual end up deed would say.

Mr. DiNatale: But if we had contemplated preserving the existing structure that was something that we had...

Janis Small: Right. We were all going to deal with whatever condition since you were going to put on this as to whether or not to just go into the contract and then once they are complied with, or whether or not they need to be in the deed. That would have to be addressed. May I ask one question?

Chairman Vumbaco: Would the 30% be part of the restriction too?

Janis Small: I had a question about the affordable housing. You're talking about a deed restriction when you sell that will comply with the state requirement so that these units would then contribute to our total list of affordable housing units that the state is tallying to see if we are meeting our percentage that we are required by law to have? Or are you talking something less than that?

Genaro Martorelli: Our research really has been confined to discussions with Connecticut Housing and Finance Authority and their definition of affordable housing and meeting those requirements. We're really not versed on how this impacts the town and the town's requirements. With regard to the best way to legally ensure that we will comply I think those discussions were going to take place between you and I later on whether it's going to be in the documents, the association documents themselves, or the deed requirements or if there's any other way that we can accommodate these town requirements. We would certainly make every attempt to do so.

Janis Small: It's really not affordable to us if it doesn't count toward that percentage that we are supposed to have so that would have to be something from my understanding it has to be a deed restriction for a certain number of years.

Mr. DiNatale: The fact that it's counted in the inventory and exactly how it's defined in the sense that we're trying to provide a service to

residents, elderly residents, is something that was discussed and how in fact we are providing that service. I'd like to know what comes out of this equation for affordable that we put together. And when you come out with a sales price, what this means when we talked about the Habitat for Humanity earlier tonight. We're using these terms loosely. What does this ultimately mean for the elderly resident who comes to you to establish a residence here? What is their sales price? What kind of commitments do they make? What kind of deed restrictions are required? What kind of financing – is it a zero % 25 years like Habitat for Humanity provides? I think that's important for me to see ultimately what those equations are instead of relying on some terms that say we're going to take CHFA and state guidelines and rely on them what they come up with. I want to backtrack for a second, I think what's important too is that I appreciate that this has come to the table tonight, and over the last several months, there has been lots of communication amongst the Councilors to really look hard at this issue, and I want to say thank you too to you guys for being part of this. We have accomplished so far is taking this matter to the table and that's most important. First and foremost right now is that we're looking and analyzing this. The second part is what we are accomplishing and I think that I still have some questions that are still unanswered.

Mr. Knight:

I'm interested in getting a little more definition of the term age restriction of 55. Is it the person who owns the house? Is it the primary occupants both of whom are over 55? Are all the occupants to be 55 or over. There has to be some better definition than we've got right here.

Mr. Martorelli:

Typically, the situation of 55 year and older age restriction, one of the owners has to be a minimum of 55 years old. I want to talk briefly to address Mr. DiNatale's question also comparing this to housing for humanity. This is a non-subsidized proposal so in terms of financing there is no fundraising. Everything is market rate financing. In terms of sales prices and things of that nature, all will be a condition of what type of market rate financing is available by the time the project is built and that's a function of where the interest rate is going to be at that time, a year or two from now. Quite frankly, the higher the interest rate, the lower the pricing would have to be on the unit, theoretically and visa versa. With respect to the age restriction, this is an important factor for the developer because in a private financing situation, putting yourself in the lender's position, the people who are 55 today are 75 20 years from today so

the financing for the development with the 55 year age restriction really is not a problem whatsoever today. The lenders tend to get stuck 30 years from today because when the whole project is in their 70s, 80s and 90s, the marketability of the project becomes a problem. A 55 to 60 year old buyer is less inclined to move into an age restricted housing where 90% of the people are in their 80s and 90s. So from our perspective, 55 is critical because between 55 and 60 years old may represent 70% of the buyers. The buyers start to trail off fairly quickly as the age gets up and quite frankly ten years from now that 55 will be 65 and most of those people will still love there. I think that the 55 is important for the town to make sure that this is a successful development as well as for the developer and it certainly is for the lender who will be financing the project. I hope that answers.

Mr. Knight: It does. The principal owner that's the restriction.

Ms. Papale: Right.

Mr. Knight: It's not restricted – no kids, or it's not restricted that everybody in the development is 55 or over. I appreciate your perspective. My initial reaction is that I share the concern of my colleagues that are interested in defining these terms of affordable housing and the age restriction because that when we started out many years ago marketing this property or trying to find the perfect use for this property which we defined at that time as senior housing. Our own Housing Authority had a crack at this development. We even hired people to find us public financing and were unable to do so. What my hope, and what we're looking to do, is to hang on to the as much of the original concept as possible while still at the same time make a viable project for somebody in the private sector, and that's where I'm looking.

Ms. Papale: As I'm reading this over I'm beginning to realize that the bottom line and the concern to some of the people on the Council and in the town is that Simpson School will be demolished. That is the way you are going to do the project, what would be feasible for you.

Mr. LaRosa: Yes.

Ms. Papale: I don't know if we've really gone into that but the school would be Demolished.

Mr. LaRosa: Yes.

Ms. Papale: Although I wouldn't be too happy about it, it has come to a point where the way it looks and the problems that the neighbors have over there that maybe it should be demolished because every day that it's there it gets worse and worse and I understand a little bit about why it wouldn't be feasible for you to keep it there. So let's say it's demolished and we have a big piece of open space there and what you would be doing is putting up apartments and townhouses.

Mr. LaRosa: Correct.

Ms. Papale: We've talked affordable, about seniors. Would this be an affordable senior community?

Mr. LaRosa: Yes, it would. It would still be age restricted.

Ms. Papale: And when you say the owner would be 55, what would keep the owner from having someone move in there with a lot less age than the owner for instance children. Now I'm not against children but the bottom line for me, I'm looking for housing for seniors. That was my first concept of this whole deal and to me that is the most important part of what I will be voting on so what would keep me from letting somebody live there that's 35 years old with three kids? Is it written in?

Mr. LaRosa: First off the units are going to be either one or two bedrooms only. There's not going to be more than two bedrooms in there and I think that in itself would restrict the number of children. As far as one being over 55 and someone else is 50 or 52, there's not much that we can do to stop that. What I think that most people that would move into there would naturally want to live in an environment that was conducive to themselves and that would be with their neighbors also. To answer your question, I don't know how we could restrict it from that. I think that the natural marketing of it will keep it to the 55 and older.

Ms. Papale: I picture in my mind maybe someone will go in and buy ten of those units. Anybody is allowed to do that. But ten units and be a landlord and rent it to anybody.

Mr. Martorelli: From a legal perspective the entity or association of the type of entity that we are looking at creating is a condominium where each house or unit will be owned individually by a homeowner, and there are two things that I want to mention. One is that I was recently involved with a 50 condominium unit development off of Ward Street Extension, Riverwood, and I don't think that there is a single school age child in the development. I'm not sure of that but if there is – and this is not age restricted at all – I think that if you look at condominiums in town, you will find that these types of entities are not generating school age kids in the first place. When you couple that with the age restriction, it is highly unlikely, not impossible. We wouldn't want to restrict anybody because of their age from being able to associate to live with somebody of a younger age. Now would we be able to in any way that we know that would be both legal and financially feasible.

Ms. Papale: I think I've made it clear what I would like to see there is an affordable senior community. I've wanted that for the seniors since day 1. I've changed my mind on a lot of things even as far as keeping the school there but like I mentioned before and I'm not going to dwell on it, I think the time has come where we can't leave that school there much longer, not the way it is. There have been so many complaints and we've seen the complaints. Although I would have liked to have seen this school made into different condos or apartments, it looks like money is talking and that it's not going to be feasible, I understand that you can't do that.

Mr. LaRosa: One of the reasons that went into our decision on that from personal experience I have elderly parents, a father who is on a wheelchair, and thinking of them parking a car and having to walk 150 feet to get to their apartment is a big part of that decision. What we're proposing is to have parking that's going to be adjacent to each unit. I think that's going to be more conducive for the elderly.

Ms. Doherty: I want to pick up on the affordable housing again. I know it's been talked about and it's been asked about and answered in different ways but I still don't have a straight forward answer as to what you are considering affordable housing.

Mr. LaRosa: I don't mean to be evasive on that.

Ms. Doherty: You're not?

Mr. LaRosa: If somebody could give a definition to me, I would appreciate it. Ron (Penton), our project manager, has spent a lot of hours at CHFA and at HUD to get a definition of affordable housing. They won't give you a definition. There isn't any definition. It's one that's created by the developer and by the town and along that line, I believe when we go to the Planning Commission that's also one of the steps that we have to bring forward to them as to what we're defining as affordable. It would be looked at there at that level also.

Mr. Martorelli: I want to add to that just a little bit.

Ms. Doherty: Good because I still don't have my answer.

Mr. Martorelli: One of the issues that came to our attention early this evening through the conversation with Mr. DiNatale was the question of the city's housing stock and making sure that these were included within the housing stock. Although the only perimeter that we've been able to give you tonight was income restriction and what CHFA considers affordable by income restriction to say that we would be in those guidelines, we will also, if the Council approves this proposal, immediately work with the town staff and town attorney to make sure that the proposal would be included in the Town's numeric count of affordable or inventory of affordable. If there is somebody here that can elaborate on how that happens, then help in answering that question ourselves.

Chairman Vumbaco asked the Town Attorney if there was a standard? What does the Town use?

Ms. Small: For affordable housing? We have a couple of examples where it is the developer who develops what they are presenting as a plan which goes through some state approval too. I don't think that it's just the Planning and Zoning Commission. The only thing that I can think of is that you need that deed restriction for it to count toward out inventory. We can argue all day long that we have affordable housing in town but it doesn't count if it's not deed restricted. Certainly you can look at what we presently have and what their formulas that were used but if in conformance with the guidelines that are through definitions provided by the state.

Chairman Vumbaco: So that would be worked out through the approval process also with Planning and Zoning?

Ms. Small: Right.

Ron Penton: I did spend quite a bit of time with CHFA, the state agency, and HUD, the federal agency, trying to get definitions and guidelines of affordable housing and it's like trying to push water up hill. Nobody is willing to give you a definition of affordable housing. There are many guidelines and many suggestions and many programs and different percentages but nobody will say –This is affordable housing. What we did in formulating our proposal, we took the best recommendations that we could verbally get from a consensus of CHFA and HUD people, so we took the median income of Wallingford and said that - and correct me if I am wrong – we would restrict the deed so that 30% of the units could not be purchased by people whose income exceeded that level. We are certainly aware of the criteria that the State of Connecticut imposes that they like towns to have 10% affordable housing. We would be happy to work with the Town in attempting to craft words for the deed that helps the Town of Wallingford make sure they qualify for that. But right now, much like your own Town Attorney, we don't know exactly how to do that. We think that we could reach that consensus because obviously other towns do. It's just very difficult to find the exact numbers.

Chairman Vumbaco: So Ron, you used Wallingford median. You didn't use New Haven County or anything.

Mr. Penton: Yes. Both the state and the federal government does publish on their websites the current median income list and that's what we based it on. It wasn't the number that we came up with.

Mr. Farrell: The more that you hear about this, the more that you should have pause about it. First, Mr. LaRosa backed away from his commitment to keep the Simpson School building. Now we have spent more than one half an hour hearing out of Mr. LaRosa and his staff, who includes a fairly sophisticated land use attorney, who's been a developer on his own, that there's no definition of 'affordable'. And we can continue to debate around that for the entire night but that gives me pause because we do have somewhat of a definition of affordable housing in this town. We have in our zoning code two developments that have come through as affordable that have deed restricted properties. The developer and his attorney who's had lots of experience on land use have now wasted a good half hour of our

time dancing around this question. That should send alarm bells to you to say what is it that we are going to get in the end? What is it that we're going pin the developer down to? We go back to that Habitat debate that we had earlier. We only have certain resources in this town. If we're going to sell this property to Mr. LaRosa for \$100,000, we'd better be getting something in return for it and when the Town Attorney points out that those units better count towards out affordable housing units, we'd better pin that down and I can't tell you how disappointed I am in the applicant because I really think that he's backed away from some of the stuff he said initially and I would remind this Council that we have sent other people away since Mr. LaRosa that we said - Well, he's acting in good faith. He's coming forward. He's put a proposal on the table and we said, well, we want to continue talking with him. The more that we have talked with him, the more it's moved away from the original proposal. If that's the case, why don't we go back to some of the people who have come in and said I'd like the same deal that LaRosa is getting. Thank you, Mr. Chairman.

(Applause)

Mr. LaRosa: May I address those comments. It's right in my written proposal on March 11 that we gave you that although it was our intent to keep the original Simpson School, we reserve the option to replace it if we determine that it wasn't feasible to use it. When I spoke at the Public Hearing the last time you kept, you yourself, kept aggressively asking me if we were going to keep it. And you said I was fudging on it and I said that I was *not* fudging on it, I was still considering it. Once the Council went to the point where they said they would like to continue our discussions, when we made that determination was after that point and I very clearly addressed what we were going to do with the Simpson School. I'm not backing away from it and I'm not fudging on it. It was due process and our due diligence that got us to this point. Affordable housing was never mentioned also in the original proposal. It wasn't until sometime in May that the issue came up and we address it in our letter.

Mr. Farrell: You know I have my own opinion too that we are often, often, accused of being sold a bill of goods - that the Town agrees to one thing and gets something very different. And as politicians we have to take the heat on that. We thought you had agreed to this but you agreed to that. If anyone has listened to the Council debate on this from the beginning, it's been about affordable housing to some

degree. I don't know how you can say that it's been interjected because in the eight years I've been on the Council that's been one of the key criteria here. I just feel that the further we get into this, the more the things are going to be backed away from.

Mr. Martorelli: Mr. Chairman, Councilors, we take great exception with the characterization that Mr. LaRosa has in any way backed away from any of his commitments to this Council and there are times when we have to agree or disagree. His position of the Simpson School has been very consistent and his position on affordable housing has also been very consistent. In the letter of June 18 addressed to the Council, there is a question posed by the Council – What is within the definition of affordable housing to meet qualifications to apply for government funds, e.g. HUD? Answer is – Connecticut Housing Finance Authority currently lists one and two person households earning up to \$76,100 per year is eligible for mortgages within a cap on the sales price. We would follow these guidelines for units for sale as affordable housing. You have not heard anything tonight from this group that is any different than what you have heard on May 11 or June 18. There have been questions here to ask us to expand on that definition which we were not fully prepared to answer but we did say that we would what's necessary to comply with the laws and to comply with your requirements that we meet the – whatever requirements are necessary so that they are included in the Wallingford housing stock. To summarize, we take great exception with the characterization that in any way, shape or form that Mr. LaRosa has approached the town, the community or this board in a way that's less than morally correct and with a great deal of integrity. Thank you.

Chairman Vumbaco: Thank you. Mr. Parisi.

Mr. Parisi: I'm not familiar with this process so bear with me. If we have two other builders who have more or less established affordable housing, doesn't that help you in any way by what they've done? Does it tend to establish a formula or some way of determining what the number would be?

Mr. Martorelli: Certainly we can look to see what these people have done and say OK, if this is what's worked for them and it's been acceptable, that would also work for us, not to say that our proposal wouldn't work.

Mr. Parisi: I'm not saying that.

Mr. Martorelli: What we are committed to doing is to make sure that if this Council gives us the green light to go forward in terms of crafting an agreement with the Town Attorney that we address the issue 'affordable' and I would say that from the 20% proposal since this meeting with the committee, Mr. LaRosa has increased the amount of affordable units proposed by 50%, from 20% to 30%. So I think he has shown good faith with regard to this issue, and we will continue to show good faith, and I'm sure we will meet the requirements.

Mr. Parisi: I'm not quite seeing that at all. Really, I'm not. What I'm trying to understand is when would we get to what affordable is. Would it be \$100,000? Would it be \$180,000? My concern is that with affordable be truly affordable for those who need it? Do you know what I'm trying to get at?

Mr. LaRosa: I do. As I listened to the Habitat for Housing (Humanity) talk about \$40,000 on a private market development, you just couldn't do it at \$40,000. We have to pick a number somewhere. When Ron did his research, and he talked to the people at CHFA, they indicated that \$76,000 was the income limit that they use what they consider –I'm not sure if they considered that – that's the medium income and that's what they cap income for mortgages that they give. They're in the business of helping people to afford houses. Whether or not that meets the definition of 'affordable' housing that the state might take, I don't know. And we did try and get that answer. We just could not get that answer but we'd be happy to look at the other developments that has affordable housing accepted by the state and see what their criteria is.

Mr. Parisi: What was the median income for Wallingford?

Mr. LaRosa: I believe it's \$76,000.

Mr. Penton: I don't remember the exact number but it's stated in our proposal.

Mr. Parisi: Median income, is that what you said you looked up?

Mayor Dickinson: I think that has to be multi members of a family. I think Wallingford comes in for a single person at median is somewhere around \$24,000 to \$25,000. We're lower than the state average.

- Mr. Penton:** It was the family income limit. That's what CHFA uses and that's what we've proposed right from day one.
- Mr. Parisi:** I'm asking for my own enlightenment. I didn't realize. That's a total family income.
- Mr. Penton:** That's correct
- Mr. Parisi:** It could be two people, three people.
- Mr. LaRosa:** I believe it was for two people.
- Mr. Parisi:** And my other question, Mr. Chairman, if I may, is I thought that originally that we had discussed the ability to have oversight in this project. I thought that initially we had discussions that we wanted to have some form of oversight as to how this project would be developed. I think we are trying to protect ourselves in the sense that we would like to have some say as to what it looks like and how it fits into the neighborhood and whatever other reasons we had for attempting to maintain some oversight. Am I incorrect in that?
- Chairman Vumbaco:** I don't remember that, Bob, but we might have. I don't remember saying that we had oversight on what it looks like. That's a Planning and Zoning issue. We don't have any other oversight on housing developments that are built in this community.
- Mr. Parisi:** I know that.
- Chairman Vumbaco:** I don't think that's the purview of the Council to have oversight on what it looks like.
- Mr. Parisi:** Steve, am I remembering?
- Mr. Knight:** I think what we established certain goals that we were looking for when we started with the Wooding Caplan property but there are things that are goals and we set out to make those goals come true in one method or another and I thought at one time we had felt that we could achieve those goals only if we maintained ownership of the property. What they are suggestion and what this proposal is that we are going to have to achieve our goals through other means or as I said earlier, achieve as much of our original goal as is feasible. It may be, and I'm out of my realm, in the way the deeds are written up. We're wrestling with for the last 45 minutes is definitions.

Mr. Parisi: That's right.

Mr. Knight: And especially a definition of affordable housing. If I could just take a minute of your time. My question follows yours. I want this proposal to work. I want to do something with the property. I am a little concerned however, Mr. LaRosa, is that we're trying to frame what affordable housing is. If I'm investing millions of dollars, you should be coming to us and telling us exactly what you mean by 30% affordable.

Mr. LaRosa: I did. My definition of affordable housing was an income limit of \$76,000 and that we would set aside 30% of those units with the income restriction imposed.

Mr. Knight: OK. My mistake then I wasn't listening carefully enough. And that seems to satisfy Janice? That seems to satisfy the State of Connecticut? I mean we don't know.

Ms. Small: It would all be done through Planning and Zoning and the reason why I asked the question was that I wanted to make sure that we were all on the same – people use the phrase 'affordable housing' and it means nothing to us if it doesn't meet the criteria helps us meet with the State says we are supposed to have which requires a deed restriction. As to the formula used that's the developer's job to figure out what they're going to use for a formula, what the down payment requirement is and all that is presented as a package to the Planning and Zoning Commission. You'd be surprised as to how high a unit that's selling as 'affordable housing' actually sells for. We're not talking about really low prices here. In fact, one of the arguments the Commission had in the past couple of years in denying an affordable housing complex was because they didn't believe in fact that it was affordable. That you in fact could get something significantly less expensive than what was being offered as part of this new development. Unfortunately for the Commission that's not what the law says because it met the formulas or whatever the test is under the statute and therefore it was approved as affordable housing complex. So when we say it's affordable and it has to meet these criterias, we're really not talking about something that's going to be dirt cheap. You'd be surprised as to how high that purchase price can be and meet this formula. They need to develop that. It goes into how much of a percentage of a down payment is required, the income levels...I think it does talk about a cap on the price but I'm

not certain. The deed restriction talks about how much it can be sold for in relationship to the income. That's something that the developer develops as part of his presentation to the Planning and Zoning Commission but if that's what you want, and I think it is what you want, then we certainly have to make sure that the contract for sale says that you're going to comply with that requirement in these affordable housing units and will in fact contribute to our town required quota for affordable housing units or you really haven't accomplished anything on that.

Mr. Knight: I kind of put it into Bob's floor time

Mr. Parisi: No, you're following along. All I'm concerned about, Mr. chairman, is that I don't have a problem with the project. I'm disappointed in a couple of areas but I understand that it has to be economically feasible for the developer otherwise he can't go forward. I just don't want to hear when the project is completed that we made a mistake. I think that's where I'm getting a little sensitive and a little gun shy. Maybe I'm overly concerned but I've been doing this for a long time and it's like somebody punching your arm and after a while it gets awfully sore and I really don't want to get hit again. I want to be sure that we're doing this right. I'm not trying to impugn you in any way. I want to be sure that we're right and that we have as much control over the outcome of this as we possibly can and as we legally can so that at the end it's something that we can all be proud of.

Mr. DiNatale: Along those lines and I think to repeat the point that you made that we certainly want to clarify however this develops, it counts toward that inventory definition that's mentioned. If you want to get the green light from this board expanding on how you define, how you perceive what means to be affordable. It should come first before you leave this Council and expand on it to the point where you mentioned some numbers to be income of an individual or a family. Ultimately what that calculation comes out and what we're going to be presenting approximately to the elderly population of Wallingford. I think that has to be expanded first then under normal circumstances you would take that to the Planning and Zoning Commission. This is unusual obviously because it is a property that belongs to the Town of Wallingford.

Mr. Martorelli: Just to summarize where we are right at this very moment. Mr. LaRosa has offered a definition and has also stated for the record that he's willing to accept a condition that the number of affordable

units in this project that also meet the requirements to be considered part of the Town's inventory of affordable units. So we have a definition, we'd like to accept a deed restriction and any other reasonable restriction that ensures that these units will qualify as affordable for the Town's stock or inventory of affordable units. That's where we are right now.

Mr. DiNatale: Some of that detail needs to be developed before you are to leave here. One of the specific questions would be of one or two bedroom residences, what you would be offering them for sale, a typical scenario of down payment of financing, that sort of thing which should be worked out. Because the affordable - state CHFA - everybody can expand on different directions but specifically what you would present to Planning and Zoning Commission should be presented here not as a condition but as part of the review before we give the green light.

Mr. Martorelli: Is there a requirement or consensus from the Council thatwe'd like to see if there is some kind of consensus from the Council. And is that consensus that if this whole perimeter meets all of the requirements to include these units as part of the affordable housing inventory, is that acceptable to the Council? And if it is, I would ask that the Council to take action on this and allow this to move forward instead of delaying it for what reason at this point.

Mr. DiNatale: That's only one aspect of it, meeting the inventory requirement which is a legal matter but how we look at it is another matter. I think what you are offering should be expanded on, specifically.

Chairman Vumbaco: If I may, this has been going on since before I was a member of the Council five years ago. Prior to when this final RFP went out, we floated tremendous options. All kinds of options to try to develop this into senior housing through private and public development through Housing Authority development through everything that's possible and nothing has worked out. Steve has even indicated that there is money from the state was gotten in order for us to even float the issue to see if our Housing Authority can go out and get money in order to fill the senior housing project. None of that has worked. The prior Council voted to go out on an RFP to see what can be done with this property. I beg to differ because there were only two individuals. There weren't many people that we were turned away as Mr. Farrell has indicated, there were two that actually sent in proposals, yourself and Housing Consortium and we

chose you over the Housing Consortium. So there weren't multiple developers knocking on our door looking to develop this property. The proposal, when Mr. Parisi asked about oversight, and I think Steve hit the nail on the head, that was during the time the process of the time that we were trying to get state and federal money with our Housing Authority for oversight. In the RFP that was put out, there was nothing that states in the RFP that there is oversight from this Commission on what it looks like, how many units are going to be put in there. We left it up to the developer to come in from of this Council and make a proposal. We have two in front of us. We had two in front of us and we chose Mr. LaRosa. There were some questions and concerns that were proposed to him and I felt that he answered those in presenting this. That's why I brought this this evening. If in fact there's a consensus on the Council not to go forward with Mr. LaRosa proposal, then we are back to square one and we'll go out for another RFP which I fully feel is not fair to Mr. LaRosa because not that the whole issue has been bared out there that we're going to go out and allow other developers to come in here and make similar proposals. I think it behooves this Council to work with Mr. LaRosa to come up with what our decision was and our decision basically was to see what we can do that's best for this property and for the community. I'm one to firmly believe that half a loaf is better than no loaf at all. We've put this property out for sale This is the best bet that we have. Both developers that came in front of this Council basically had the same price in mind. One wanted the Town to absorb the cost of pollution abatement. This gentleman has decided to take it on himself and when you net the two together, there were two separate, distinct proposals that came in around the same price. If this Council does not want to go forward with this, then we should just put this on a motion and vote. We can add addendums to this if they're going to be willing to meet the affordable housing, etc. but we can go on and on and on with this and maybe we should just take a vote on it and see.

Mr. LaRosa:

I just looked at the original RFP that came out and I'd like to read the criteria that the Town was looking for at the time. 1) It would review proposals that provide for elderly housing that is in keeping with the surrounding neighborhood. 2) It reviewed the conversion and re-use of the two story building to be desirable however demolition could be proposed 3) The town views proposals that buffer the abutting residential properties from the proposed project

and offer park-like setting 4) That the property has access from Center Street and 5) That the town would view proposed rental rates as an important consideration and 6) The deed will restrict the property to elderly housing only. A further addendum that came out later identified elderly housing that we did not have to stay to 62 or older. No where in the original RFP did it say affordable housing was necessary to put this proposal forward. When we came on March 11, that's the basis that we came in on. In June, we modified it again based on the town's concern, and once in October we came back again and upped the ante one more time for affordable housing. Although we are sensitive to that issue of affordable housing, we've agreed to go to the 30%, I think that a lot more is being made of it than was asked for in the original proposal.

Chairman Vumbaco: Let me just ask a question that I think would solve some of these issues. Would you be willing to hammer out language prior to us voting to go forward with this with the Town Attorney to see if in fact we can put this issue to bed, and come back in January with that language in advance so that this Council can review it and see if it's acceptable, and then we can make a vote one way or the other?

Mr. LaRosa: I would. That would be fine but I would like to get a consensus from the Council that if the only issue on the table is defining affordable housing - is that the only issue that's on the table? Or are there more issues that are going to pop up? If I could get a consensus of that somehow I think I'd feel better about going forward and hammering out the affordable housing definition.

Chairman Vumbaco asked for comments from the public.

Lynn Johnson, 40 Lake Street: Spoke about the Town Council's intention of having senior housing and for there to be bottom age deed restrictions for the people living in those homes. She spoke about the neighborhood in keeping with what the Town Council sees.

Carol Schillo, 15 Martin Avenue: Was told that on moving into Wallingford, she was told that the Simpson School Property would be turned into elderly housing and that is what she would like to see.

Ryan Stample, 19 Martin: Thinks that the Council is biased, especially the Chairman, and doesn't want a vote pushed and wants to know what happened to the concept of open space and an open park. Is that not an issue to which the Chairman responded that it never was an issue.

He quoted the newspaper, which Mr. Stample said reported that Mr. DiNatale and Mr. Farrell favored open space at the price of \$100,000. He talked about property values, wants other access to Martin Avenue and finally he expressed an age 55 deed requirement and that units be owner occupied to maintain neighborhood quality.

John LeTourneau, 3 Regent Court: Through the Chair, Mr. LeTourneau questioned the 30% of the project is affordable housing wanting to know about the other 70%? Asking if that would be through fair housing to which **Mr. LaRosa** responded that the other 70% would be open to the market but age restricted. Mr. LeTourneau pointed out that affordable has become very expensive and the attorney responded that would be so and best for the neighborhood. Mr. LeTourneau mentioned 'affordable' and 'low income'. The median house price in Wallingford is around \$250,000, so affordable could conceivably be a house that's \$200,000 or \$150,000. In other towns in Connecticut a low income house could be \$250,000. He said that he would think that in Wallingford, affordable housing would be \$250,000 if that's median price if that's the simplistic view. He wanted to know about owners renting units and expressed his concern. **Chairman Vumbaco** responded that the consensus of the Council is that the units be owner occupied only.

Ms. Small : You can mention that in the Homeowner's Declaration you can have the age restrictions defined, require age verification. The whole attractiveness of a 55 and older community that has a Homeowner's Association, people want to be in those types of development and that's what the market is today and they themselves have an interest in seeing that those rules are abided because that's what they bought into and who can be in there and it would be a violation of the association to not comply. I've seen on document that gave the town the power to enforce those restrictions that the association did not since the town had an interest in seeing that it was complied with.

Chairman Vumbaco: When would that be defined, Janis?

Ms. Small: The declaration if could be or should be part of the Planning and Zoning approval. It terms of your contract with them, I think it would say that – there's going to be a homeowner's association and they are going to give you the definition of what they consider to be age 55. Some of them say the owner has to be age 55. It can be

owned by a trust for the benefit of somebody whose age 55 or older. The 55 year old can have a spouse who is not 55 but no children or children above 21 years of age. There are a variety of ways of defining it and it is permitted by law and I think that they need to define that for you so you know what you are getting in terms of an age restricted community. It's all spelled out and if you don't do it, you are in violation of the rules and somebody can enforce it.

Mr. LeTourneau: Expressed concern for protection for the town and having the legal wording in place to have an association formed. He noted a property that the town now owns because it wasn't done.

Chairman Vumbaco: That's done under Planning and Zoning, and there are no COs given unless the association is formed so it's a condition of approval then there's no way that they can get even one person to live in the building until that association is formed under the perimeters that you establish.

Karen Charest, 16 Bonny Court: Mrs. Charest read her statement, which is included in the records of this meeting. That was my prepared remarks but my unprepared remarks are that it seems to me that the LaRosa Group has sat here and said to you that they will comply with a definition of affordable housing through their attorneys that will meet the needs that the town has to increase its housing stock in affordability. That assurance that their attorneys are going to work together should be enough for you to move forward. You're not the body that would judge that document, let the sale go forward so that we can go forward.

Dave Brandy, 704 and 702 Center Street, directly across from the Simpson Street School. He said that when he moved to Wallingford, he took over a home that was in disrepair with abandoned cars in the yard and all sorts of activities. He said that he was shocked at what he saw around the school and that it was in such disrepair. He empathized with the residents of Martin Street. and expressed sympathy for the seniors who live at Savage Commons who drive through there every day. He agrees with the LaRosa plan and wants the proposal to go forward.

Sharon Sanders: Has a 77 year old aunt who bought affordable housing and her daughter moved in with her but when her aunt dies the daughter has to move out.

Wes Lube, 15 Montowese Trail: Complimented the Council on their concern about housing for the elderly, affordability here is talking about 9 units and he said that it's not going to impact our town's statistics really. He spoke about income statistics in town. And the restrictions applied by the Housing Authority on units here in town already. He talked of occupant age and owner age in condominium documents according to the buyer's specifications and pointed out that these specifications should come from the town in instructions to them. Now is the time to exercise control with expectations of the developer.

Jack Agosta, Yalesville: Spoke about the condition of the school.

Pasquale Melillo, 15 Haller Place, Yalesville: After listening to all the discussions here, Mr. Melillo's opinion is to tear down the Simpson School building and then put the property back on the market given the strength of the market now.

Phil Wright, Sr., 160 Cedar Street: Spoke about the time that has past in attempting to work with various entities and the resulting condition of the deteriorating school today yet does not think we should jump out of the frying pan and into the fire. He asked the Chairman the current cost of the property.

Chairman Vumbaco: \$100,000 with the developer absorbing the cost of the abatement.

Mr. Wright commented that he thought it sounded like a give away. He spoke about the fact that there are no pictures before us to show where anything will be located – driveways, etc. – or the design of the homes. He wants this to be better evaluated.

Chairman Vumbaco asked one final time if the public had any other comments, and there being none, he brought the discussion back to the Council.

Mr. Farrell: Thank you, Mr. Chairman, just to set the record straight, I know that Attorney Martorelli somewhat questioned the correctness of my statements on preserving the building and I look back at the spreadsheet that our own Chairman composed based on the two proposals and it asked a whole variety of questions and it has the LaRosa proposal and it has the Housing Enterprises proposal. Under LaRosa it says 'original building saved?'- "Yes" and under Housing Enterprises, it says "Yes or no". Mr. LaRosa can say all he wants and it's probably not even the issue at this point of whether the

building gets preserved but certainly your spreadsheet showed it at the time and I was not the only one at that time under that impression. Maybe Mr. Martorelli wasn't aware of the spreadsheet and maybe he wasn't here when it was given out but certainly the Council was left with somewhat of an impression. Thank you.

Mr. Spiteri:

I haven't had any questions on this issue up to now but I want to make a few comments. The way I look at this whole situation is we've had a parcel of land for at least a decade under town ownership that's been at best a headache and it's getting worse not better. We've got a proposal here in front of us that gives us some income. The demolition will be at least twice what the town is getting in capital from this. We're going to get ten units affordable elderly housing by your definition, age 55 or older, and 31 tax paying units. I don't see what the problem is here. I think that the Council has been micromanaging for the last 45 minutes. I have all the confidence that Chairman Vumbaco will let Planning and Zoning know what we want and they will hammer it through with Mr. LaRosa. I will vote affirmative for this.

Chairman Vumbaco: Any other members of the Council who would like to make a comment? From what I gather, Bob, we have two options. I think the only option that's on the table is this issue of affordability. Mr. Farrell is in favor of keeping the building but I haven't heard that from any of the other Councilors so I think that might be off the table. We can do one of two things. We can either vote this proposal tonight and expect your attorney and Janice hammer out the details based upon what we established as perimeters or we can hold this off and err on the side of conservatism and have you hammer out that wording and present it to this Council at the next council meeting to make a final vote. I've sat on Planning and Zoning Commission on numerous occasions when we've always said that we will approve with conditions and then I'm not always sure everyone of those conditions has ever been approved and then when you go and see the project later on, and you're saying- Hmmmmm, that's not what I really voted on so I personally would err on the side of conservatism to have you spend the next couple of weeks working with Janice in hammering out the numbers. I think you've gotten 55 and over – and please Council, through in your number here- if it's possible we'd like to have the floor at 50 years old as was stated earlier. The main issue is that the house be owner occupied. Those kind of situations that you are going to have a homeowner's association and rules and regulations. We're not asking you to write

out the whole thing but we're giving you pretty much what the guidelines are and that 30% will be affordable under whatever that definition works out to be. I do suggest that you use the two developments in Wallingford as guidelines, which were worked out over multiple meetings with the Planning and Zoning Commission. Linda can give you the scenario on that. Is there anything else Council that we're looking for?

Mr. Parisi: Is the formation of an association automatic? Or is it at the discretion of the developer?

Mr. Martorelli: If it were going to be a rental complex, there would be no association. There wouldn't need to be.

Mr. Parisi: That's the way the builder completes the project and that's closure, and it's turned over.

Mr. Martorelli: It's actually the form of ownership is divided from one owner of the whole piece into 31 owners and that is recorded on the land records prior to the sale of the first unit.

Mr. Parisi: It was for my own edification. Thank you.

Ms. Papale: I hope that all of you all realize the compromise that we're doing up here. Speaking for my self, my thoughts were to have a beautiful building, congregate housing that was all for seniors. The affordable part never entered my mind until a few weeks ago. We're comprising and trying to go along with you and we realize it's time and we want the neighbors to know that we're on the right track and I hope that you come back to us and we can really put it to bed and you guys can go to work. Thank you.

Mr. Knight: As somebody who is really unfamiliar with building industry, I found a lot of this discussion really interesting especially from the professionals and from our Town Attorney. There is a lot of detail, as Jim said, that needs to be worked out but we're not that far apart. We would like to be comfortable and I think that I can speak for some of us on this side of the aisle that we would like to be comfortable knowing exactly what this road looks like. We're very interested in maintaining direction of this project tonight, and I think we are heading in the same direction.

Chairman Vumbaco: Any other comments? Bob, would you like to make a final

comment.

Mr. LaRosa: I'd just like to thank the Council for their consideration and I agree that it's best to get the details out of the way and make sure that there is a clear understanding of where we are.

Chairman Vumbaco: So we have one more month to trod through it. That's all.

Mr. LaRosa: One more question. We will be working with Attorney Small on the contract in the interim. Is that idea?

Chairman Vumbaco: I would believe so. Janice?

Ms. Small: You're going to draft it, and you're going to give it to me. Don't forget to put all of your conditions. I'm assuming you're not buying this – it's all contingent upon your getting through Planning and Zoning and whatnot. All that stuff has got to be in there so you put in there what you think has to be in there and I will tell you what we need.

Chairman Vumbaco: Thank you. Item #13.

Item #13

Ms. Papale: Item #13 is to consider and approve a revised *Municipal Access Manager* Job Description . Personnel Department. So moved.

Mr. Parisi: Second.

(Tape #5 -There is some problem with the tape skipping during Item #13)

Jim Hutt, Assistant Personnel Director: I am representing Terry Sullivan who is home recuperating from surgery. This is a revised job description for *Municipal Access Manager* at the request of the supervisor of the incumbant a job analysis for classification purposes was done on the job by Mr. Sullivan using the interview method, the job audit method, the desk audit method and based upon what he found and after speaking to the incumbant and the supervisor, we are proposing a revision to the job description to now call it *Manager of Government Television*. For the Council the word(s) that have line(s) through it are to be deleted and the wording that highlighted, underlined and in boldface is to be inserted into the job description. I would be happy to answer any questions that you may have.

Ms. Papale: This is for Mr. Hanley's position?

Mr. Hutt: That's correct.

Ms. Papale: Are there any questions from the Council? Any questions from the public?

Mr. Parisi: It's a long time coming, and I'm glad we got here.
Item #14

Ms. Papale: All in favor? Opposed? Motion passes. *(Mr. Testa was absent from the meeting.)* Item #14 is to consider and approve a transfer in the Amount of \$4,700 to Regular Salaries and Wages Acct. from Regular Salaries and Wages Acct.– Personnel. So moved.

Mr. Parisi: Second.

Chairman Vumbaco: OK, we have a motion and a second. All in favor of the transfer? Opposed? So moved. *(Mr. Testa was absent from the meeting.)*

Chairman Vumbaco called a five-minute recess.

Chairman Vumbaco: I'd like to call the meeting back to order.

Ms. Papale: #15 is a report out on the Town Council's Commission on Diversity and Equal Opportunity asked for by Chairman James M. Vumbaco.

Item #15

Chairman Vumbaco: I issued a report out to the Council dated December 7, 2004. I want to let the public and the Council know that the Commission has been meeting since September 23 on a bi-weekly basis, collecting information both from their own internet search and from Council personnel. The Mayor, Mr. Sullivan and Mr. Hutt have been at every meeting and have been very good at handing out and providing the Commission with lots of information to work on. We are on a hiatus now for the rest of this year and we will be reconvening in January to begin workshops at the request of the Commission to digest some of the information that they've gotten and they will start putting some information together and hopefully at the next quarterly report out, we'll have some results. If there are any questions, I can answer them now. If not, we can go forward. Any members of the public have questions?

Item #16

Ms. Papale: #16 acceptance of a deed from Ahearn Rogers, LLC to the Town of

Wallingford for the island located in the Quinnipiac River adjacent to 380 Main Street, Yalesville together with other easements brought to us by the Town Attorney's Office. So moved.

Mr. Parisi: Second.

John Thompson, Engineering: Mr. Thompson gave an explanation of the location of the property pointing out areas on the map that was displayed so that the northern portion of the island (Fireworks Island) could be seen in relation to the trail that is being built, the Wilbur Cross Parkway and the Quinnipiac River. He spoke about Phase 2 of the project, the bridge and tunnel project that is underway. He showed two possible paths to get to the island in relationship to the rest of the trail and to Ahern property and then out to Main Street. The island is a critical piece in the puzzle for the trail section and with the transfer, this part of the puzzle will be in place.

Ms. Doherty: Talked about prior miscalculations on previous maps in regard to the 12 foot pedestrian path and suggested that engineering stake out this area before any more construction.

Mr. Thompson: We can certainly do that.

Mr. Spiteri: Is anyone looking into buying the rest of Fire Island?

Mayor Dickinson: Talked about the Town's interest in purchasing the island since the 1980s. Efforts were unsuccessful for a variety of reasons. The owners of the middle of the island are adamantly against sale and the southern end is now owned by Friends of the Linear Trail.

Chairman Vumbaco asked about the town's restrictions on this property.

Mr. Thompson: It's for passive recreational purposes. The trail would just be one small element. There has been discussions about having a canoe launch. I don't know whether there is a possibility of building athletic fields on it. This would probably be too intensive a development for the island.

Chairman Vumbaco: The town isn't going to use it for storage space or dumping road debris or anything like that?

Mr. Thompson: As far as I know, that's never been discussed.

Chairman Vumbaco: Is that restricted in the use? I am raising this because a while ago one of the owners raised this question with me that this was one of their hesitations in deeding this piece of the island over to the town because it might be used for other purposes than strictly recreation.

Mayor Dickinson: The terms are that it can only be used for passive recreation. There is a possibility of erecting a boat house on the current site of the existing boat house but other than some parking, there is no other activity other than the trail and just passive recreation.

Chairman Vumbaco: Thank you. And the parking is for the trail use or the developers use or a combination?

Mr. Thompson: Both. If you look on the plan, that's the site plan for the Ahern Rogers apartment complex. There is a driveway that goes out to the island from Main Street in Yalesville. If you come across the bridge the developer is building a new bridge across the raceway for vehicular traffic and for pedestrians, a separated walkway. As you come across the raceway to the right, north, is a 20 space parking area which would be designated as overflow for the apartment complex, and to the left hand side is a 14 space designated for trail and recreational purposes.

Chairman Vumbaco: Would there be a problem if the trail-recreational used the other 20 parking spaces?

Mr. Thompson: It's going to be signed for.

Chairman Vumbaco: Signed to them in one piece. OK. Thanks. Any other questions? Public?

Jack Agosta, 505 Church St.: Asked a question about the right-of-way as you cross the bridge.

Mr. Thompson: *(Using the visuals on display, Mr. Thompson pointed to the across developers property where there is an easement. He showed the bridge, the raceway, the river and across the bridge to the overflow parking area and the trail-recreational use parking.)*

Mr. Agosta expressed that he wanted to know about the right-of-way because he said they are going to build another building.

Mr. Thompson: There is another easement that runs down the southerly side of the

site that is strictly for pedestrian use.

Mr. Agosta commented on the site saying that he walked the island on several occasions down to the river and said that it is a nice site, and he is pleased with the project. He mentioned racing shell storage on the parking area.

Chairman Vumbaco: Any other questions?

Mr. DiNatale asked about the wooded area and if the abandoned buildings were still there.

Mr. Thompson: Reported that the abandoned buildings have been removed with the exception of one, which is identified as boat storage.

Mayor Dickinson: I think they're supposed to remove that.

Ms. Doherty: That's not what is in the deed.

Mr. Thompson: It may have been a condition of Planning and Zoning.

Chairman Vumbaco: Lynn?

Ms. Doherty: If you look where it talks about an addition to the encumbrances on the third page

Lynn Hoffman, 40 Lake Street: The last time I talked with Rusty Rogers, he had rehabbed that whole building thinking we might want some storage area and the Mayor was concerned. He thought that we might want to turn that building into an open pavilion there. I don't know if he has approached the town about the possibility or not.

Mayor Dickinson: He hasn't contacted us. According to Henry McCully and the others who looked at it that building is in no condition to try to do anything with it. No one has contacted me with regard to keeping it. We'll just be in a position of having to take it down ourselves.

Ms. Hoffman: I think part of it said that he would take it down. He hasn't because he didn't know if we would like to turn it into a pavilion or not.

Chairman Vumbaco: There is no use for the building? If we're not going to use the building then we should have Rusty take it down. Why should we have to pay for it?

Mayor Dickinson: I think he indicated that he would take it down earlier.

Mr. Parisi: Why don't we make that contingent upon accepting the deed?

Ms. Small: Do you know how long we worked to get to this Point? You do know that this is a gift, right? Rusty said he would take it down if we wanted. You can do that if you want to. We can talk to Rusty to take it down. He said he would. It's been a while since we had the conversation about it. I think we ought to accept the gift.

Mr. Parisi: What if he doesn't take it down.

Ms. Doherty: We'll have a party.

Mayor Dickinson: Mr. Chairman, I don't think it's a reason to not accept the deed. This wouldn't be in the deed anyway. We'll have to contact him. Certainly my concern was that it's kind of an attractive nuisance and in no condition really to be used for anything. There could be a substantial amount of time before there is a trail over that part of the island.

Chairman Vumbaco: Any other members of the public?

Wes Lube, 15 Montowese Trail: Wanted to know if there was any chemical abatement that would need to be done when this building is taken down? To which Mr. Thompson responded that he did not know.

Mr. Spiteri: Janice, are you aware if there was any boring that was done on the island? Samples taken?

Ms. Small: That was tested environmentally, and I think reviewed by the DEP prior to Rusty buying it and the DEP signed off on it.

Chairman Vumbaco: Any other questions?

Mr. Agosta: Commented on fire crackers, the building and ZBA cooperation from the landholder.

Henry McCully: When we inspected the building last year during a walk of that property - severe dry rot, it needs a whole new roof and sheathing. That building is in no condition to save. You'd save money by demolishing it and building a new one.

Chairman Vumbaco asked if he knew when he (*Rusty Rogers*) rebuilt it, and Mr. McCully said that the walk of the property was about a year ago and no one responded that they knew when it was rebuilt. Mr. McCully said that if you were strolling past, it's standing but upon closer inspection, it's not worth saving.

Chairman Vumbaco: We have a motion and a second. All in favor? Opposed? So moved. (*Mr. Testa was absent.*)

Mr. Farrell left the meeting at this time. (approximately 10:25pm)

Item #17

Ms. Papale: Consider and Approve a Transfer in the Amount of \$25,000 to Capital- Field Lighting Acct. from Salary and Wages asked for by the Recreation Department. So moved.

John Gawlak, Recreation Department: I'm here tonight to get approval for transferring \$25,000 for the cost of the lights that the Wallingford Little League is proposing to sell to the town from out salary & wages account to a new capital field lighting account.

Chairman Vumbaco: Questions Council? You have \$25,000 coming out of your salary account. I was under the impression that next month when we go through the Public Hearing that we're going to reimburse that \$25,000. That's going back into your salary account?

Mayor Dickinson: No, that will not go back into the salary account.

Chairman Vumbaco: Where will it go then?

Mayor Dickinson: It will go back into the general fund.

Mr. Knight: John, you are making application to the Department of Health for clearance to erect lights at Woodhouse. How far are you along with that process?

Mr. Gawlak: I talked with Henry and John about trying to - the Woodhouse soccer field to address drainage issues, so while they were making application for that, we wanted to make sure that we could get the lights done on Woodhouse 1 and in talking to John Thompson, he said that the process is well on its way.

Mr. Knight: Do you ever get preliminary indications from the department of health?

Mayor Dickinson: I can't speak for John but the other application that we submitted, the early indications were, no problem, and then it was denied. So on this, my anticipation is that it shouldn't be a problem because it's already a field where we are just renovating the field and making improvements to an existing disturbed area. I don't expect that there's a problem but prior history doesn't encourage anything but caution. I don't think the application is ready to go or certainly not at the Health Department. I'm expecting that the early part of next year.

Mr. Knight: What's your best guess as to the time frame for making a judgement?

Mayor Dickinson: Given that we are already in a legal battle over one of our applications, I'm not going to venture an opinion.

Mr. Parisi: Have we asked the state delegation for any help with this new application?

The **Mayor** responded that we can let them know when it has been submitted but it's not a simple process when they return it and re-evaluation of something or for re-drawing of something else. **Mr. Parisi** again encouraged the help of our state representatives in the process.

Chairman Vumbaco: Any other Council questions? I have no problem purchasing these lights but I really think that we should not even consider installing them in any field until we get an affirmative decision from the Department of Health for Woodhouse. The soccer fields need to be lighted. There's one over there that the soccer community has been looking at for years to have Woodhouse 2 lighted, and I don't think that we should decide to put them somewhere else if we don't know for sure that we can do them at Woodhouse or not. The plan that I see written in the paper and what I saw presented was that we were going install lighting at Community Lake, maybe Woodhouse, if not Praegman, so it looks to me that the decision is to put one set of lights at Community Lake. I think that the consideration should be Woodhouse until we get a determination. Personally, I'd like to see us finish up Praegman. We have one more field down there and it would be nice to get one complete field under lights and then we can worry about Community Lake in the future, especially since we don't know where we stand with the rest of the Wallingford Little

League situation as of now. We need an affirmative from the state first before we install lights. I'm sure that can be brought up at the public hearing. Tonight is about buying the lights. We can't keep the soccer field hanging on forever either.

Mayor Dickinson: Mr. Chairman, there are eight lights involved. This wouldn't even be here if it weren't a very good financial investment for the town. We don't know how long it's going to take to determine whether it can go at Woodhouse. Four lights go to a field. For us to stock pile these is not in the interest of the lights or in interest of playing ability. We're buying them from the Little League. Community Lake area is not a controversial for putting in lights. Both Little Leagues will be able to use that field and we certainly have had requests from Yalesville about lights and the potential for putting in lights at Parker Farms is just not really good. We have the ability to light two fields. We certainly should move ahead with one as soon as possible, which would be Community Lake. The other four lights – we can hold off until we know regarding Woodhouse if not Woodhouse then Praegman. Praegman already has five fields lighted so a sixth would be nice but it's not an absolute critical factor. The Community Lake site is not controversial and there are already lights there with the tennis courts and both Little Leagues would be able to use that field if they desired.

Chairman Vumbaco: I don't want to be controversial here but I contacted both Little Leagues. The one that they want to light at Parker Farms is the larger field for the kids that are older that don't mind playing at night. When I talked to the Little League presidents, they both said that the most use from Community Lake is Friday and Saturday nights because it's the younger kids that play and not many parents appreciate their kids playing at 10pm at night Sunday through Thursday, so what we are doing is committing to put lights on a field that will be used only two nights per week because those are the smaller fields. The one at Parker Farms is the larger field for the older kids who do play at night. We have professionals who work in this community. We have a grant person who is in charge of grants who works with Hartford. We have Mr. Thompson. We should be pushing the State of Connecticut to give us an answer one way or the other but to sit back and just accept what they send back and forth is to me just not acceptable but I don't run the administration. That's just my feeling. I'm all for purchasing the lights this evening but I still think that when they go in front of the public hearing there needs to be some discussion on where they are put.

Mayor Dickinson: Mr. Chairman, John, did you discuss with the Little Leagues?

Mr. Gawlak: We haven't, and also that I have had a dialogue with soccer people and they are here in the room tonight that we were going to wait for some sort of decision to see if favorable but we still wanted to go ahead and put the lights in at Community Lake but that we would put in – if the decision came down from the state that it was favorable, then soccer would get their lights, and everybody would be all set at that point.

Chairman Vumbaco: Prior to the Council meeting and when we have the public meeting, I would like you to get a letter from both Little Leagues that says what timeframes they will be using that. If in fact they are going to be using it seven days per week, then I'm all in favor of it but if it's only going to be a two days a week issue, I think it's a waste of time when we could be using it seven days a week at Praegman. That's my concern. Any other comments by the Council? OK. We have a motion and a second. All in favor? Opposed? So moved. *(Mr. Testa and Mr. Farrell were absent.)*

Item #18

Item # 19

Ms. Papale: I make a motion to go into Executive Session pursuant to Section 1-200 (6) (D) of the Connecticut General Statutes with respect to the purchase, sale and/or leasing of property and also an Executive Session pursuant to Section 1-200 (6) (B) of the Connecticut General Statutes to discuss pending litigation in the matters of FAH Silver Pond v. Town of Wallingford and Connecticut Subacute, LLC v. Town of Wallingford.

Mr. Parisi: Second.

Chairman Vumbaco: We have motions and seconds. All in favor? All opposed? So moved. *(Mr. Testa and Mr. Farrell were absent.)* The Council is now in Executive Session.

Ms. Papale: I make a motion to come out of Executive Session.

Mr. Knight: Second.

Chairman Vumbaco: All in favor? Opposed? So moved. *(Mr. Testa and Mr. Farrell were absent.)*

Attendance at Executive Session for Items 18 and 19: *Mr. DiNatale, Ms. Doherty, Mr. Knight, Ms. Papale, Mr. Parisi, Mr. Spiteri, Chairman Vumbaco, Mayor William Dickinson and Town Attorney Janice Small*

Item #20

Ms. Papale: I'd like to make a motion to consider and approve the settlement of the pending litigation matter of FAH Silver Pond v. Town of Wallingford as discussed in Executive Session.

Mr. Knight: Second.

Chairman Vumbaco: All in favor? Opposed? Mr. Parisi said nay. So moved. *(Mr. Testa and Mr. Farrell were absent.)*

Item #21

Ms. Papale: I'd like to make a motion to authorize the Town Attorney to take action in the case of pending litigation matter of Connecticut Subacute, LLC v. Town of Wallingford as discussed in Executive Session FAH Silver Pond v. Town of Wallingford as discussed in Executive Session.

Mr. Parisi: Second.

Chairman Vumbaco: All in favor? Opposed? So moved. *(Mr. Testa and Mr. Farrel were absent.)* I'd like to take this opportunity to wish the citizens Happy Hanukkah and Merry Christmas and my fellow Councilors and the Mayor and Janice.

Ms. Papale: I make a motion that this meeting is closed.

Mr. Parisi: Second.

Chairman Vumbaco: All in favor? Opposed? So moved. *(Mr. Testa and Mr. Farrell were absent.)*

The meeting adjourned at 11:26pm.

Respectfully submitted,

Sandra R. Weekes

Town Council Secretary

Approved by:

James M. Vumbaco, Chairman

Date: _____

Kathryn F. Zandri, Town Clerk

Date: _____



TOWN COUNCIL

Town of Wallingford, Connecticut

45 SOUTH MAIN STREET
MUNICIPAL BUILDING WALLINGFORD, CONNECTICUT 06492 (203) 294-2155 FAX (203) 294-0180

TOWN CLERK

James Vumbaco, Chairman
Iris F. Papale, Vice Chairperson
Vincenzo M. DiNatale
Lois Doherty
Gerald E. Farrell, Jr.
Stephen W. Knight
Robert F. Parisi
Michael T. Spiteri
Vincent F. Testa, Jr.

MEMORANDUM

TO: COUNCILORS, FINANCE DEPARTMENT, LAW DEPARTMENT, MAYOR'S OFFICE AND TOWN CLERK'S OFFICE

FROM: SANDRA WEEKE *SRW*
TOWN COUNCIL SECRETARY

DATE: March 10, 2005

At the March 9, 2005 Town Council meeting, a meeting rescheduled from March 8, 2005, the Council approved appending full copies of two ordinances to the minutes of December 14, 2004. The Ordinances for Items 7 & 8 are attached. Please append them to the minutes of the December 14, 2004 meeting. Thank you.

7) AN ORDINANCE APPROPRIATING \$500,000 FOR A SYNTHETIC ATHLETIC FIELD AT SHEEHAN HIGH AND AUTHORIZING THE ISSUE OF \$500,00 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE.

8) AN ORDINANCE APPROPRIATING \$500,000 FOR A SYNTHETIC RUNNING TRACK AT SHEEHAN HIGH AND AUTHORIZING THE ISSUE OF \$500,00 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Standing Committees

EDUCATION

Michael T. Spiteri, Chairman
Iris F. Papale
Lois Doherty

PERSONNEL MERIT REVIEW

Iris F. Papale, Chairperson
Michael T. Spiteri
Lois Doherty

P.U.C LIAISON

Vincent F. Testa, Jr., Chairman
Gerald E. Farrell, Jr.
Robert F. Parisi

ORDINANCE

Stephen W. Knight, Chairman
Vincenzo M. DiNatale
James Vumbaco
Gerald E. Farrell, Jr.
Robert F. Parisi

FINANCE

James Vumbaco, Chairman
Vincent F. Testa, Jr.
Stephen W. Knight

PLANNING & ZONING

Vincenzo M. DiNatale, Chairman
Gerald E. Farrell, Jr.
Robert F. Parisi

PUBLIC SAFETY

Vincent F. Testa, Jr., Chairman
Gerald E. Farrell, Jr.
Robert F. Parisi

HOUSING AUTHORITY

Iris F. Papale, Chairperson
Gerald E. Farrell, Jr.
James Vumbaco

PARKS & RECREATION

Vincent F. Testa, Jr., Chairman
Michael T. Spiteri
Lois Doherty

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3/11/05

AT 11 HOURS AND RECORDED BY

Katherine J. Gidycz TOWN CLERK



TOWN COUNCIL

Town of Wallingford, Connecticut

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PARKS & RECREATION

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12/14/04-#7

AN ORDINANCE APPROPRIATING \$500,000 FOR A SYNTHETIC ATHLETIC FIELD AT SHEEHAN HIGH AND AUTHORIZING THE ISSUE OF \$500,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Section 1. The sum of \$500,000 is appropriated for the planning, acquisition and construction of a new synthetic athletic field to replace the existing field at Sheehan High School, and for appurtenances, equipment and services related thereto, or so much thereof as may be accomplished within such appropriation, including administrative, advertising, printing, legal and financing costs (the "Project"). The appropriation herein is inclusive of State and Federal grants-in-aid thereof. It is expected that the appropriation herein will be funded through a \$500,000 Department of Environmental Protection grant, which grant funds shall be applied against the appropriation and bond authorization herein authorized.

Section 2. To meet said appropriation \$500,000 bonds of the Town or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the twentieth year after their date. Said bonds may be issued in one or more series as determined by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, and the amount of bonds of each series to be issued shall be fixed by the Mayor, the Comptroller, and the Town Treasurer, or any two of them. Said bonds shall be issued in the amount necessary to meet the Town's share of the cost of the project determined after considering the estimated amount of the State and Federal grants-in-aid of the project, or the actual amount thereof if this be ascertainable, and the anticipated times of the receipt of the proceeds thereof, provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, or, be combined with other bonds of the Town and such combined issue shall be in the denomination per aggregate maturity of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the Town by the manual or facsimile signatures of the Mayor, the Comptroller, and the Town Treasurer, or any two of them, bear the Town seal or a facsimile thereof, be certified by a bank or trust company designated by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, and be approved as to their legality by Murtha Cullina LLP, Attorneys-At-Law, of Hartford. They shall bear such rate or rates of interest as shall be determined by the Mayor, the Comptroller, and the Town Treasurer, or any

two of them. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The aggregate principal amount of the bonds to be issued, the annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds, shall be determined by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, in accordance with the General Statutes of the State of Connecticut, as amended.

Section 3. Said bonds shall be sold by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, in a competitive offering or by negotiation, in their discretion. If sold at competitive offering, the bonds shall be sold upon sealed proposals at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds. If the bonds are sold by negotiation, the provisions of the purchase agreement shall be subject to approval of the Town Council.

Section 4. The Mayor, the Comptroller, and the Town Treasurer, or any two of them, are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be executed in the name and on behalf of the Town by the manual or facsimile signatures of the Mayor, the Comptroller, and the Town Treasurer, or any two of them, bear the Town seal or a facsimile thereof, be payable at a bank or trust company designated by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, be approved as to their legality by Murtha Cullina LLP, Attorneys-At-Law, of Hartford, and be certified by a bank or trust company designated by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, pursuant to Section 7-373 of the General Statutes of Connecticut, as amended. They shall be issued with maturity dates which comply with the provisions of the General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the project. Upon the sale of said bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. Resolution of Official Intent to Reimburse Expenditures with Borrowings. The Town (the "Issuer") hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and after the date of passage of this ordinance in the maximum amount and for the capital project defined in Section 1 with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the Issuer. The Bonds shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the project, or such later date the Regulations may authorize. The Issuer hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Comptroller or his designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration.

Section 6. The Mayor, the Comptroller, and the Town Treasurer, or any two of them, are hereby authorized, on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to nationally recognized municipal securities information repositories or state based information repositories (the "Repositories") and to provide notices to the Repositories of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this ordinance. Any agreements or representations to provide information to Repositories made prior hereto are hereby confirmed, ratified and approved.

12/14/04 # 8

AN ORDINANCE APPROPRIATING \$500,000 FOR A SYNTHETIC RUNNING TRACK AT SHEEHAN HIGH AND AUTHORIZING THE ISSUE OF \$500,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Section 1. The sum of \$500,000 is appropriated for the planning, acquisition and construction of a new synthetic running track to replace the existing track at Sheehan High School, bleacher repair and replacement, and for appurtenances, equipment and services related thereto, or so much thereof as may be accomplished within such appropriation, including administrative, advertising, printing, legal and financing costs (the "Project"). The appropriation herein is inclusive of State and Federal grants-in-aid thereof. It is expected that the appropriation herein will be funded through a \$500,000 Department of Environmental Protection grant, which grant funds shall be applied against the appropriation and bond authorization herein authorized. To the extent required, the cost of the Project in excess of \$500,000 shall be paid from and constitute part of the \$67.17 million Wallingford Town-Wide School System Renovation bond ordinance.

Section 2. To meet said appropriation \$500,000 bonds of the Town or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the twentieth year after their date. Said bonds may be issued in one or more series as determined by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, and the amount of bonds of each series to be issued shall be fixed by the Mayor, the Comptroller, and the Town Treasurer, or any two of them. Said bonds shall be issued in the amount necessary to meet the Town's share of the cost of the project determined after considering the estimated amount of the State and Federal grants-in-aid of the project, or the actual amount thereof if this be ascertainable, and the anticipated times of the receipt of the proceeds thereof, provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, or, be combined with other bonds of the Town and such combined issue shall be in the denomination per aggregate maturity of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the Town by the manual or facsimile signatures of the Mayor, the Comptroller, and the Town Treasurer, or any two of them, bear the Town seal or a facsimile thereof, be certified by a bank or trust company designated by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, and be approved as to their legality by Murtha Cullina LLP, Attorneys-At-Law, of Hartford. They shall bear such rate or rates of interest as shall be determined by the Mayor, the Comptroller, and the Town Treasurer, or any two of them. The bonds shall be general obligations of the Town and each of the bonds shall recite that every

requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The aggregate principal amount of the bonds to be issued, the annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds, shall be determined by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, in accordance with the General Statutes of the State of Connecticut, as amended.

Section 3. Said bonds shall be sold by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, in a competitive offering or by negotiation, in their discretion. If sold at competitive offering, the bonds shall be sold upon sealed proposals at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds. If the bonds are sold by negotiation, the provisions of the purchase agreement shall be subject to approval of the Town Council.

Section 4. The Mayor, the Comptroller, and the Town Treasurer, or any two of them, are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be executed in the name and on behalf of the Town by the manual or facsimile signatures of the Mayor, the Comptroller, and the Town Treasurer, or any two of them, bear the Town seal or a facsimile thereof, be payable at a bank or trust company designated by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, be approved as to their legality by Murtha Cullina LLP, Attorneys-At-Law, of Hartford, and be certified by a bank or trust company designated by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, pursuant to Section 7-373 of the General Statutes of Connecticut, as amended. They shall be issued with maturity dates which comply with the provisions of the General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the project. Upon the sale of said bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. Resolution of Official Intent to Reimburse Expenditures with Borrowings. The Town (the "Issuer") hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and after the date of passage of this ordinance in the maximum amount and for

the capital project defined in Section 1 with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the Issuer. The Bonds shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the project, or such later date the Regulations may authorize. The Issuer hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Comptroller or his designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration.

Section 6. The Mayor, the Comptroller, and the Town Treasurer, or any two of them, are hereby authorized, on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to nationally recognized municipal securities information repositories or state based information repositories (the "Repositories") and to provide notices to the Repositories of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this ordinance. Any agreements or representations to provide information to Repositories made prior hereto are hereby confirmed, ratified and approved.