

TOWN COUNCIL MEETING

NOVEMBER 28, 2000

6:30 P.M.

AGENDA

Blessing – Rev. Sydney Parker (Ret.)

1. Pledge of Allegiance and Roll Call
2. Correspondence
3. Consent Agenda
 - a. Consider and Approve Tax Refunds (#126-134) Totaling \$3,626.28- Tax Collector
 - b. Consider and Approve the Minutes of the November 14, 2000 Town Council Meeting
 - c. Consider and Approve a Waiver of Bid for the Purpose of Hiring HB Communications, Inc. of North Haven to Upgrade the Government Access Television Editing System at a Cost of \$3,145 – Gov. Access T.V. Manager
 - d. Consider and Approve a Waiver of Bid to Facilitate a Purchase of Voter Machine Repair Parts from Sequoia Pacific Voting Equipment - Registrar of Voters

(over)

e. Consider and Approve the Following Additional Grant Appropriations For the Board of Education:

<u>Rev. Acct. #</u>	<u>Revenue Source</u>	<u>Add'l. Funds</u>
1001-001-1039	Bristol Myers	\$ 20,000
1001-001-1096	Student Achievement	5,833
1001-001-1905	Magnet School Trans.	82,800
1001-001-1025	Class Size Reduction	67,668
1001-001-1025	Title VI	1,099
1001-001-1073	IDEA Handicapped	59,988
1001-001-1093	Perkins Voc. Ed.	3,885
1001-001-1580	PIC	6,890
1001-001-1107	Title II	73
1001-001-1026	Adult Basic Education	6,578
1001-001-1896	School to Career – Middle Sch.	36,806
1001-001-1896	School to Career – System wide	22,615
	Adult Ed – On Common Ground	8,748
	School Wiring	\$175,724

4. Items Remove from the Consent Agenda
5. PUBLIC QUESTION AND ANSWER PERIOD
6. Consider and Approve a Request to Change the Street Name of Chalet Drive to Miles Drive – Mayor
7. Consider and Approve Accepting Taylor Lane, a new road off of Mapleview Road, Accepted by the Planning & Zoning Commission at its November 13, 2000 Meeting – Town Planner
8. Consider and Approve a Transfer of Funds in the Amount of \$7,500 from Contingency – General Purpose Acct. #8050-800-3190 to Purchased Services – Negotiations Acct. #001-1300-901-9002 – Mayor's Office

TOWN COUNCIL MEETING

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ADDENDUM TO AGENDA

9. Executive Session Pursuant to Section 1-200(6)(D) of the CT. General Statutes with Respect to the Purchase, Sale and or Leasing of Property
- Mayor

TOWN COUNCIL MEETING

NOVEMBER 28, 2000

6:30 P.M.

SUMMARY

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4. Withdrawn	
5. PUBLIC QUESTION AND ANSWER PERIOD – Blight Ordinance Inquiry; Route 5 Former Amoco Station Complaint; Phase II QRLT Project Comments; C.A.P. Test Review; Killen Road Name Change Request; Police Dept. Info. Computer Confidentiality Inquiry	2-8
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8. Approve a \$7,500 Transfer to Purchased Services – Negotiations Acct. – Mayor	11-12
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TOWN COUNCIL MEETING

NOVEMBER 28, 2000

6:30 P.M.

A regular meeting of the Wallingford Town Council was held on Tuesday, November 28, 2000 in the Robert Earley Auditorium of the Wallingford Town Hall and called to Order by Chairman Robert F. Parisi at 6:33 P.M. Councilors Brodinsky, Centner, Farrell, Knight, Papale, Parisi, Rys, Vumbaco and Zappala answered present to the Roll called by Town Clerk Rosemary A. Rascati. Mayor William W. Dickinson, Jr. arrived at 6:50 P.M., Corporation Counselor Adam Mantzaris and Comptroller Thomas A. Myers were also present.

A blessing was bestowed upon the Council by Rev. Sydney Parker (Ret.).

The Pledge of Allegiance was given to the Flag.

ITEM #2 Correspondence

No items were presented.

ITEM #3 Consent Agenda

ITEM #3a Consider and Approve Tax Refunds (#126-134) Totaling \$3,626.28- Tax Collector

ITEM #3b Consider and Approve the Minutes of the November 14, 2000 Town Council Meeting

ITEM #3c Consider and Approve a Waiver of Bid for the Purpose of Hiring HB Communications, Inc. of North Haven to Upgrade the Government Access Television Editing System at a Cost of \$3,145 – Gov. Access T.V. Manager

ITEM #3d Consider and Approve a Waiver of Bid to Facilitate a Purchase of Voter Machine Repair Parts from Sequoia Pacific Voting Equipment - Registrar of Voters

ITEM #3e Consider and Approve the Following Additional Grant Appropriations for the Board of Education:

<u>Rev. Acct. #</u>	<u>Revenue Source</u>	<u>Add'l. Funds</u>
1001-001-1039	Bristol Myers	\$ 20,000
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	School Wiring	\$175,724

Motion was made by Mr. Rys to Approve the Consent Agenda as Presented, seconded by Mr. Farrell.

VOTE: All ayes; motion duly carried.

ITEM #4 Withdrawn

PUBLIC QUESTION AND ANSWER PERIOD - 6:38 P.M.

Jack Agosta, 505 Church Street, Yalesville asked when the Blight Ordinance will be placed before the Council?

Stephen Knight, Chairman of the Ordinance Committee responded that it will be not long after the first of the new year.

Mr. Agosta asked if the former Amoco gas station on the corner of Christian Street and Route 5 would be in violation of the blight ordinance, if it were adopted and in effect as it stands right now?

Mr. Knight replied that he would have to review the 7-8 town ordinances presently in effect. One of them may well apply to the property, as it stands right now.

Mr. Agosta commented that the state took the tanks out of the ground in August and, according to a newspaper article, within one month the deal was supposed to be finalized. It has been three and one-half months now. If they are not going to do anything now, that building is not going to be taken care of, it will probably stay the way it is until Spring. If the deal fell through, someone should get after the owners to take care of the site. He felt the owners might be abusing the situation.

Mr. Parisi stated that the Health Department, at his request, has been after the owner of the property. He was told by the Health Department that they were successful in getting the owner to have the poison sumac cut down.

Mr. Agosta stated that he, too, had been in contact with the Health Department quite a while ago on this topic and the Health Director had returned his call to her. He also talked to her about the tanks being in the ground that needed to be taken out. She informed Mr. Agosta of who to contact at the state level about the issue and he placed the necessary calls to both the state and fire department. He wanted to see to it that this issue is followed up on and not left to sit idle. He stated that we should concentrate on the center of the town, for that is where people focus on when visiting the area.

Pasquale Melillo, 15 Haller Place, Yalesville stated that he was concerned with the fact that an engineer has been hired to design a tunnel and bridge for phase II of the Quinnipiac Linear Trail Committee while the project has not yet obtained the necessary permits it needs from the State D.E.P. and also hasn't obtained approval from the Town's Inland Wetlands and Watercourses Commission. He thought it was premature to hire the engineer if approvals have not yet been granted. He asked, what if permission/approval is denied?

Mr. Parisi answered, then they will have to find another route to take.

Mr. Centner explained, the Quinnipiac River Linear Trail Committee is conducting its monthly meeting next Thursday in Room #315 of the Town Hall. John Thompson, Town Engineer, will be giving a full report as to the status on the chronology of events. In most cases the bridge has to be designed before one can show the impact it will have on the environment. It is in proper sequence right now. The committee has to have some D.E.P. work done to see where they want to put the bridge in the first place, then apply for the local permits based on where they are going to put the bridge. All the information will be

disseminated at the meeting. He extended an invitation to Mr. Melillo to attend the meeting.

Jack Agosta, 505 Church Street, Yalesville referred to an article in Sunday's paper regarding the C.A.P. test and how the Board of Ed was reviewing the science portion of the test due to the unfavorable scores in this subject matter. The article stated that the issue cannot be addressed at this time due to the lack of classroom space. He did not understand the comment, especially since the statement was made recently by the School Administration that there is no overcrowding in the schools. There are only three new classrooms proposed in the school building project. Why aren't there more new classrooms being proposed if there is a lack of classroom space?

Mr. Parisi suggested that Mr. Agosta ask the same questions of the Board of Education at one of their regularly scheduled meetings. It would be better addressed in the Board's meetings than here.

Allison Manke, 21 Killen Road stated that she wanted to address the fact that the Council will be voting to change two roads names (agenda Items #6 & 7); one to a name on the approved list and one not on the approved list. She stated, precedent exists for changing the names of roads that are in existence. I will address the proposed items to be acted upon from the standpoint of how this action relates to the Killen Road residents' concern over wanting to change the name of our road. We feel that if the next two items go through, on the agenda as they stand tonight, and in light of other roads that have been changed; for example, Vumbaco Drive was changed and re-named again; there is absolutely precedent for changing the names of roads and we are asking, again, to have the name of our road changed. We need to know why the Council is changing the names of roads for some people and not for other people.

Mr. Parisi stated, the street that is being approved went through the proper process. The builder did not choose off of the (Council's) list; he came to the Council requesting permission for the name and the Council granted that permission. That was done about two years ago. Tonight we are not accepting the name of the road, we are accepting the street. That is the process and that is how it was done.

Ms. Manke asked, is it a fact then that Planning & Zoning did not pre-approve the name of Argyle?

Mr. Parisi answered, Ravenswood (developer) came and was advised of the list. They reviewed the list and did not want to change the name of the street, therefore when they

presented their name, it was rejected and Killen Road submitted in its place. That is the process.

Ms. Manke stated, the minutes of the meeting at which the road name was changed, that is not how it happened. (Atty.) Joan Molloy asked to take the list back to Ravenswood to let them pick a name. To change Chalet Drive to Miles Drive, you are doing it simply because the business asked for it. There is nothing wrong with Chalet Drive.

Mr. Parisi answered, there is apparently to the Marriott Corporation.

Ms. Manke replied, we have a problem with Killen Road where we have other families.

Linda Bush, Town Planner explained, the business did not ask to change the road name from Chalet Drive, I suggested it because Chalet Susse (hotel) had been sold and it is becoming a Fairfield Inn and Chalet Drive was never used as a mailing address; no one has ever used Chalet Drive, other than the police and fire departments for location purposes. When I found out that Susse Chalet was becoming Fairfield Inn, I suggested to the new owners that they ask the Council to change the name because Chalet Drive had no relationship anymore to anything in Wallingford. I knew the Council was interested in getting street named after specific people so I sent the list to the new owner, asking that they pick a name from the list. It was not the business, it was me.

Ms. Manke asked, why then is Taylor Lane o.k. if it is not on the list?

Mr. Parisi replied, I said there is a process that you follow; the builder chose not to pick the name off of the list. He picked Taylor for the name of the road. He came before the Town Council and was represented by legal counsel. The request was put on the agenda, on the consent agenda. It was not questioned or removed from the Consent Agenda, therefore it passed.

Ms. Manke stated, I fail to understand how this is different from our situation.

Mr. Parisi stated, I would be happy to try and explain it but I am not going to take the time right now.

Ms. Manke stated, we have been asking the question for six months and no one has explained it to us yet.

Mr. Parisi stated, I have explained it to you once already, your builder did not choose to use the list and he did not come before the Council. His legal counsel advised me that he was not changing the name. When it was presented here, for approval, it was rejected.

Ms. Manke asked, at what point did Atty. Molloy say that they were refusing to change the name because I believe.....

Mr. Parisi interrupted to inform Ms. Manke that he had had a phone conversation with Atty. Molloy on the matter. At that time Atty. Molloy stated that the developer did not want to change the name.

Ms. Manke stated, that is not what the minutes of the meeting represents where she clearly said that she wanted to take the list back to the developer.

Mr. Parisi stated, our phone conversation cannot be in the minutes, obviously.

Ms. Manke stated, in the minutes of the meeting she clearly asks to take the list back to the builder.

Mr. Parisi stated, she did that.

Ms. Manke disagreed stating, it was at that exact meeting that Mr. Farrell made the motion to change it at that exact moment to Killen Road, Atty. Molloy was not given an opportunity to take back the list.

Mr. Parisi answered, she was aware of the list and they were aware of the process and they did not choose to follow it. That is the answer I have; I am not going to debate my answer because that is all there is.

Ms. Manke stated, it makes no sense.

Mr. Parisi commented, whether it makes sense or not....that is not the problem.

Ms. Manke continued, it makes no sense that you are telling me that she is saying that the builder refused to change the name where, clearly, in the minutes of that meeting she stated that she wanted the opportunity to take the list back to the builder and at that meeting Mr. Farrell made the motion, on the spot, to change it to Killen Road and it was approved, on the spot. That was the June 22nd meeting. She was not given the opportunity to take it back to the developer, it was right there in the meeting minutes.

Mr. Parisi replied, yes she did. She knew there was a list and she had the opportunity to use the list. She and I discussed it on the phone.

Ms. Manke asked, before or after that meeting?

Mr. Parisi stated, I am not going to tell you that I remember exactly when that was discussed but we did have the conversation. I relayed the conversation to one of the other Councilors to my right. Discussion did take place with Atty. Molloy.

Ms. Manke asked, this is not reflected in any meeting minutes anywhere or in any record that is kept by the Town Council?

Mr. Parisi answered, no.

Ms. Manke asked, will Atty. Molloy verify that this conversation took place?

Mr. Parisi stated, I haven't asked her but I can certainly call her and ask her if she remembers.

Mr. Melillo next spoke to Consent Agenda Items #3c & #3d. He was opposed to waiving the bids for these items.

Mr. Parisi stated that the items have been approved and were done with.

Mayor Dickinson briefly explained, with regards to Item #3c, there is a need for the consulting capability of HB Communications, Inc. They have performed other work for Government Access Television system and the Fairfield Blvd. Studio. It was agreed upon by all involved that HB's expertise was needed for this matter as well. With regards to Item #3d, machine parts were ordered for voting equipment, the cost was underestimated, the parts were already received, therefore a bid waiver is necessary in order to cover the additional cost.

Philip Wright, Sr., 160 Cedar Street suggested that the residents of Killen Road see if they can secede from the Town of Wallingford and be annexed by Cheshire.

Mr. Agosta stated that Palm Springs, California names their streets after famous people; Bob Hope Drive, Gene Autry Drive, etc., when we name a street after someone in town, we should put the full name on the street. Maybe that will help eliminate the problem of possibly offending someone by the sound of the name. Bert Killen Road sounds better than Killen Road. I would rather see Frank Sinatra Drive rather than just Sinatra Drive.

Mr. Melillo wanted to talk about the pending investigation of Lucent Technology's use of the Police Department personnel's information.

Mayor Dickinson and Atty. Mantzaris stated that the matter is a pending claim and should not be discussed at this time. Any statements made on the subject can and will be held against the Town, therefore it should not be discussed. We are very concerned about what happened and we are pursuing all avenues available to correct the situation.

Mr. Melillo expressed concern over electric deregulation in the state. He wanted to make sure the Town was as well-prepared as it can be on this matter.

Public Question and Answer Period was closed at 7:05 P.M.

ITEM #6 Consider and Approve a Request to Change the Street Name of Chalet Drive to Miles Drive – Mayor

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

Mr. Zappala asked if there is a possibility that the street may have homes built on it some day?

Linda Bush, Town Planner replied, no, it is a commercial street. There are several vacant commercial lots along it and it will get extended but the only building that presently uses it is the old Susse Chalet and they have always used Barnes Road as their mailing address. No one has ever used Chalet drive as their mailing address and it seemed like an opportune time to have a more appropriate name related to Wallingford because no one has ever used it and the Susse Chalet is now gone.

Allison Manke, 21 Killen Road asked, why did the Town have to request that the business make the request to have the name changed? Why didn't the Town just change the name?

Ms. Bush explained, in a conversation I had with them I asked, do you want to keep Chalet Drive? They replied that they had not given it any thought. She suggested, if you want to change it, ask the Town to change it, so they did.

Ms. Manke stated, the Town has the power to do that without asking.

Ms. Bush stated, probably because the Council did not know that no one has ever used Chalet Drive as a mailing address. My office picked up on that because we deal with this

all the time. We pay more attention to this; we know what is going on more than the Town Council with regards to street names and whether the businesses are or are not using them, that's all.

Tom Brinkerhoff, Representative of Paramount Management Group, the company in the process of changing the hotel to a Fairfield Inn by Marriott stated that he had called Linda Bush to ask about the possibility of changing the name of the street. Obviously, Chalet means nothing to the Town. We spoke about the list; she sent it to me and I sent it to our company. We thought it was a great idea. We are putting \$2.5 million into the hotel to refurbish it, renovate it; we are bringing a lot of good things to the table, here, and we felt it was a good and positive change.

Mr. Parisi wished the company success and welcomed them to Wallingford.

Ms. Manke commented, I am getting conflicting information; the gentleman from Paramount said that he contacted the Town and Ms. Bush is saying that she contacted the company.

Ms. Bush clarified, Mr. Binkerhoff called me about something else altogether and we discussed the street name and I suggested that he contact....I don't believe that he called me just to say that they did not like the street name. He called about something else, I believe I brought up the suggestion. But it should come from them, it is their street. It is irrelevant who it came from, they or us, it doesn't really matter. I do think it came from me.

Ms. Manke stated, we have a street of eighteen houses that average \$300,000 in price so we are bringing a lot of revenue into the Town of Wallingford also. If it is a money thing, we are bringing in just as much as the hotel is.

Mr. Farrell thanked Ms. Bush for making a real effort of late to get a number of new streets and extended streets and streets that are being created out of some existing areas to take names off of our list. I want to commend Ms. Bush rather than criticize her this evening. I appreciate her efforts.

Mr. Parisi answered, we all do; hopefully it will continue.

VOTE: All ayes; motion duly carried.

ITEM #7 Consider and Approve Accepting Taylor Lane, a new road off of Mapleview

Road, Accepted by the Planning & Zoning Commission at its November 13, 2000 Meeting
– Town Planner

Mr. Vumbaco stated, I was not around for any road-naming or for when the list was developed. Taylor Lane, I am under the impression that it was accepted a couple of years ago on the consent agenda. Was the list available at that time?

Ms. Bush answered, yes. How it works now is, someone can come before the Planning & Zoning Commission and they propose a subdivision with a new road. If it has a new road name off of the list it is automatically accepted. If the developer is proposing a road name that is not on the list, they come to the Town Council and ask for permission.

Mr. Vumbaco asked, if the list was there, how did Taylor Lane make it as an approved road? I am hearing a couple of different conflicts; the builder didn't accept it so we passed it and then the other situation is, the builder did not accept it so we changed it. I am looking for fairness and for what the procedure is here.

Mr. Parisi stated, the process is as Ms. Bush stated; the builder did not choose a name off the list, he came to this Council with...it was requested to be put on the agenda by his legal counsel. It was put on the consent agenda and it was passed and there were no comments to the negative on it and that was it. That is the process as Ms. Bush explained it.

Mr. Vumbaco stated, I am getting lost in the shuffle. The builder would not accept any names off of the list and he wanted it to be Taylor Lane so the Council accepted it. Yet, then you said that Ravenswood would not accept a name off of the list and wanted to present Argyle Road and then we changed it. Why did we change it for Argyle and not change it for Taylor?

Ms. Bush stated, it wasn't that the developer for Taylor Lane would not take a name off of the list. It is my understanding that Taylor is the name of his granddaughter. He wanted it named Taylor. It wasn't that he wouldn't; he asked, "I want this for a road name, can I have it?" The Council said yes on a consent agenda. If the Council had said no, the Council, I think, would have accepted it as another name but, for that reason it was accepted. He wanted to name it after his granddaughter.

Mr. Vumbaco stated, if we are going to do it, we have to do it one way. If, in fact, we are going to accept names that are not on the list, then we should make that a proper rule, too.

Mr. Parisi stated, the opportunity was extended.

Mr. Vumbaco answered, right, but he didn't approve it. Yet, Ravenswood did not approve it either yet we voted it. That is where I am lost.

Mr. Parisi stated, Ravenswood had the opportunity to pick a name off of the list, they did not want to do so. They decided that they would stay with their own name. That is the difference.

Mr. Vumbaco stated, this person had the opportunity to pick a name off of the list, too...

Mr. Parisi interrupted, he did, but he came and requested a name change. There is a little difference there.

Mr. Vumbaco stated, I am not going to belabor this. I beg to differ that there is a difference, but...

Mr. Farrell stated, I wasn't around when Taylor Lane was approved but, and I am not trying to be funny but, if I had to look down at the name, I might have mistaken it for being on the list. I offer that for what ever it is worth.

VOTE: All ayes; motion duly carried.

ITEM #8 Consider and Approve a Transfer of Funds in the Amount of \$7,500 from Contingency – General Purpose Acct. #8050-800-3190 to Purchased Services – Negotiations Acct. #001-1300-901-9002 – Mayor's Office

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

Correspondence from Mayor Dickinson states that the transfer is being requested to cover the balance of an existing invoice and to leave his office with an additional \$6,500 in the account for future negotiation invoices. He states in the letter that it is not known at this time if this amount will be enough to cover expenses to the end of the fiscal year.

Mr. Vumbaco asked Mr. Myers, what invoices caused us to use up the funds? Were there unanticipated additional expenditures?

Comptroller Myers replied, they are the costs incurred in arbitration. There isn't any way one can estimate what arbitration will cost and when it will hit us.

Mr. Vumbaco asked, are these costs associated with arbitration?

Mayor Dickinson answered, this is all mediation/arbitration costs. We have had a large increase due to the Martin Luther King Day controversy.

Philip Wright, Sr., 160 Cedar Street asked, can anyone tell me what it actually cost the Town to fight the MLK Day fiasco?

Mayor Dickinson answered, at this point I don't think we have any outstanding bills but it is approximately \$31,300.

Mr. Wright asked, is that the legal expense?

Mayor Dickinson answered, that is the mediation/arbitration expenses.

Mr. Wright asked, that's the legal; what it cost to take it to arbitration, is that correct?

Mayor Dickinson answered, this wouldn't necessarily include lawyer's fees.

Mr. Wright stated, that is my question.

Mayor Dickinson answered, that would be within the money that we budget for our labor attorney. I don't have that. That is a fixed sum for the year, I believe.

Mr. Wright asked, is there a way of finding that out?

Mayor Dickinson replied, first of all, I don't know if he was involved in all of them; Terry Sullivan (Personnel Director) was our lead negotiator. I would have to talk with him as far as what time Dennis Ciccarillo spent on it.

Mr. Wright asked, how would I find that out?

Mayor Dickinson suggested that Mr. Wright speak with Terence Sullivan.

VOTE: All ayes; motion duly carried.

ADDENDUM ITEM #9 Executive Session Pursuant to Section 1-200(6)(D) of the CT. General Statutes with Respect to Purchase, Sale and/or Leasing of Property

Motion was made by Mr. Rys to Enter Into Executive Session Pursuant to State Statute 1-200(6)(D), seconded by Mr. Knight.

VOTE: All ayes; motion duly carried.

The Council entered executive session at 7:20 P.M.

Present in Executive Session were all Councilors, Mayor Dickinson and Corp. Counselor Adam Mantzaris.

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

VOTE: All ayes; motion duly carried.

The Council exited executive session at 7:35 P.M.

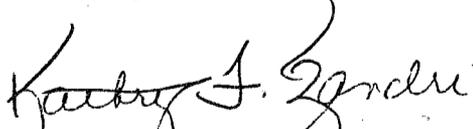
Motion was made by Mr. Rys to Adjourn the Meeting, seconded by Mr. Farrell.

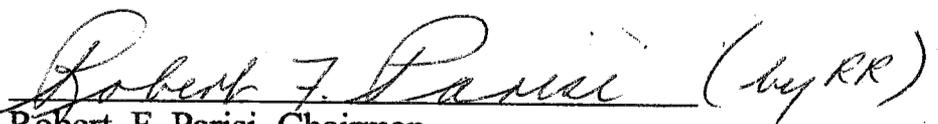
VOTE: All ayes; motion duly carried.

Mr. Parisi announced that the Council will hold one meeting next month which is scheduled for December 19th.

There being no further business the meeting adjourned at 7:35 P.M.

Meeting recorded and transcribed by:


Kathryn F. Zandri
Town Council Secretary

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

1-17-01
Date

Rosemary A. Rascati
Rosemary A. Rascati, Town Clerk

1-17-01
Date

RECEIVED FOR RECORD 11-30-00
AT 9 H 55 M A M AND RECORDED BY
Rosemary Rascati TOWN CLERK