

TOWN COUNCIL MEETING

OCTOBER 8, 2002

6:30 P.M.

AGENDA

Blessing

1. Pledge of Allegiance & Roll Call
2. Correspondence
3. Consent Agenda
  - a. Consider and Approve Tax Refunds (#168-225) Totaling \$12,419.68 – Tax Collector
  - b. Consider and Approve a Transfer of Funds in the Amount of \$1,000 from Contingency General Purpose Acct. #001-7060-800-3190 to Purchased Services Golf Course Study Acct. #001-1110-901-9003 – Chairman Robert F. Parisi
  - c. Approve and Accept the Minutes of the September 10, 2002 Town Council Meeting
  - d. Consider and Approve an Appropriation of Funds in the Amount of \$7,270 to Preventive Health Grant Revenue Acct. #001-1040-050-5506 and to Preventive Health Grant Expenditures Acct. #001-3010-902-9001 – Dept. of Health
  - e. Consider and Approve a Resolution Authorizing the Mayor to Make Application to the State of CT. Department of Health for Federal Grant Funds for the Purpose of Bioterrorism Response Preparedness – Health Dept.
  - f. Consider and Approve a Transfer of Funds in the Amount of \$4,500 from Social Services Contribution Elderly Meals Program Acct. #3070-600-6771 to Counseling Program Acct. #3070-600-6772 – Program Planner

- g. Consider and Approve an Appropriation of Funds in the Amount of \$5,000 to Grant Revenues and to Program Expenditures in the ACES Grant Budget of the Board of Education
  - h. Consider and Approve an Appropriation of Funds in the Amount of \$1,000 to Grant Revenues and to Program Expenditures in the SERC Grant Budget of the Board of Education
  - i. Consider and Approve a Request by Boy Scout Troop 5 of the First Congregational Church of Wallingford for Permission to Use the Parade Grounds and Dutton Park on October 27, 2002 from 1:00 p.m. to 3:30 p.m. for the Rededication of the 100<sup>th</sup> Anniversary of the Sailors and Soldiers Monuments and the Dedication of the Civil War Monument Honoring Wallingford Residents Killed in Action – Mayor
4. Items Removed from the Consent Agenda
  5. PUBLIC QUESTION AND ANSWER PERIOD
  6. Report Out from the Community Lake Restoration Committee as Requested by Councilor Robert F. Parisi
  7. Report Out from the Town Attorney on Tax Lien Sales
  8. Consider and Approve the Appointment of a Committee to Market the Town-Owned Former Wooding/Caplan Property
  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

OCTOBER 8, 2002

6:30 P.M.

ADDENDUM TO AGENDA

3. Consent Agenda

- j. SET A PUBLIC HEARING for October 22, 2002 at 8:00 P.M. to Consider and Act Upon an Ordinance Entitled, "An Ordinance Amending an Ordinance Appropriating \$3,770,000 for the Planning, Acquisition and Construction of Town-Wide School System Renovations and Authorizing the Issuance of \$3,770,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose

(The purpose of the amendment is to increase the appropriation and bond authorization therein by \$705,000 from \$3,770,000 to \$4,475,000 and to ratify, confirm and adopt all prior authorizations and ordinances in connection therewith.)

TOWN COUNCIL MEETING

OCTOBER 8, 2002

6:30 P.M.

A regular meeting of the Wallingford Town Council was held on Tuesday, October 8, 2002 in the Robert Earley Auditorium of the Wallingford Town Hall and called to Order by Vice Chairman Stephen W. Knight at 6:35 P.M. Answering present to the Roll called by Town Clerk Rosemary A. Rascati were Councilors Brodinsky, Doherty, Farrell, Knight, Papale, Rys, Toman & Vumbaco. Chairman Parisi arrived at 6:56 P.M. due to a previous engagement. Mayor William W. Dickinson, Jr. arrived at 6:44 P.M. Town Attorney Janis M. Small and Comptroller Thomas A. Myers were also present.

The Pledge of Allegiance was given to the Flag.

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

ITEM #2 No items of correspondence were presented.

ITEM #3 Consent Agenda

ITEM #3a Consider and Approve Tax Refunds (#168-225) Totaling \$12,419.68 – Tax Collector

ITEM #3b Consider and Approve a Transfer of Funds in the Amount of \$1,000 from Contingency General Purpose Acct. #001-7060-800-3190 to Purchased Services Golf Course Study Acct. #001-1110-901-9003 – Chairman Robert F. Parisi

ITEM #3c Approve and Accept the Minutes of the September 10, 2002 Town Council Meeting

ITEM #3d Consider and Approve an Appropriation of Funds in the Amount of \$7,270 to Preventive Health Grant Revenue Acct. #001-1040-050-5506 and to Preventive Health Grant Expenditures Acct. #001-3010-902-9001 – Dept. of Health

ITEM #3e Consider and Approve a Resolution Authorizing the Mayor to Make Application to the State of CT. Department of Health for Federal Grant Funds for the Purpose of Bioterrorism Response Preparedness – Health Dept.

ITEM #3f Consider and Approve a Transfer of Funds in the Amount of \$4,500 from Social Services Contribution Elderly Meals Program Acct. #3070-600-6771 to Counseling Program Acct. #3070-600-6772 – Program Planner

ITEM #3g Consider and Approve an Appropriation of Funds in the Amount of \$5,000 to Grant Revenues and to Program Expenditures in the ACES Grant Budget of the Board of Education

ITEM #3h Consider and Approve an Appropriation of Funds in the Amount of \$1,000 to Grant Revenues and to Program Expenditures in the SERC Grant Budget of the Board of Education

ITEM #3i Consider and Approve a Request by Boy Scout Troop 5 of the First Congregational Church of Wallingford for Permission to Use the Parade Grounds and Dutton Park on October 27, 2002 from 1:00 p.m. to 3:30 p.m. for the Rededication of the 100<sup>th</sup> Anniversary of the Sailors and Soldiers Monuments and the Dedication of the Civil War Monument Honoring Wallingford Residents Killed in Action – Mayor

ADDENDUM ITEM #3j SET A PUBLIC HEARING for October 22, 2002 at 8:00 P.M. to Consider and Act Upon an Ordinance Entitled, “An Ordinance Amending an Ordinance Appropriating \$3,770,000 for the Planning, Acquisition and Construction of Town-Wide School System Renovations and Authorizing the Issuance of \$3,770,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose

(The purpose of the amendment is to increase the appropriation and bond authorization therein by \$705,000 from \$3,770,000 to \$4,475,000 and to ratify, confirm and adopt all prior authorizations and ordinances in connection therewith.)

Motion was made by Mr. Farrell to Approve Consent Agenda Items #3a, #3c-3j, seconded by Ms. Doherty.

VOTE: All ayes; motion duly carried.

ITEM #4 Items removed from the Consent Agenda

ITEM #3b Consider and Approve a Transfer of Funds in the Amount of \$1,000 from Contingency General Purpose Acct. #001-7060-800-3190 to Purchased Services Golf Course Study Acct. #001-1110-901-9003 – Chairman Robert F. Parisi

Mr. Brodinsky stated, the request on the consent agenda seemed inconsistent with other information received earlier. I would like to see the big picture; where we are going and how this fits into the whole pattern of things. I have held conversations with Purchasing Agent, Bob Pedersen; Bob Parisi; the National Golf Foundation; a subcontractor in Philadelphia who did some work on the plans to try and get the big picture. In the Market Analysis dated March of 2002, there is reference to there not being enough land that is non-wetlands land to have a golf course on it. The conclusion was that the available acreage is not contiguous due to the sporadic location of the wetlands. Also, a 50’

wetlands buffer must be incorporated into the course design. Numerous routing studies have shown that, regardless of the wetlands buffer even if the low quality wetlands can be utilized, a regulation length, eighteen hole course is not possible on the remaining property and that is consistent with the last that we heard from the Golf Course Committee who not that long ago came before us and pretty much said that they were running out of options. Then this comes up on the consent agenda as if another option had appeared. I finally had a long talk with Tom Zappala who is Chairman of the Golf Course Committee. The item on the consent agenda is to spend another \$1,000 to have the National Golf Foundation resume work on the proposal on the assumption that the low or moderate-grade wetlands are useable for golf course development. A letter from Bob Pedersen (Purchasing Agent) to the National Golf Foundation says, in part, they are asked to assume that the addition of 29 acres to the useable property is going to be useable. "We understand that the Town would like us to resume the study with the understanding that those wetlands determined to be low or moderate grade are useable for golf course development purposes." My question to Mr. Zappala was, is there any reasonable basis to believe that the additional acreage, which is wetlands, would result in a golf course layout that would be approved by our own Inland Wetlands Commission? He stated that he really didn't know but his request that the study resume was based on a conversation with the Mayor. He (Mr. Zappala) said that he was talking with the Mayor and the Mayor suggested to Tom (Mr. Zappala) that the National Golf Foundation assume that the low and moderate grade wetlands be useable so Tom just assumed that the Inland Wetlands Commission would consider it and that is based on a comment by the Mayor that, yeah, the Inland Wetlands would have some discretion and perhaps they might permit a golf course on this sort of wetlands. Tom really didn't have an answer and he relied on what the Mayor said. The second question was, what would happen if the National Golf Foundation came back and said, yes, we can fit a golf course on this property with the addition of the 29 acres. Is the proposal then ready to go to Inland Wetlands as Mr. Zappala thought, or do all kinds of maps and diagrams and plans and things like that have to be prepared? What sort of detail is Inland Wetlands going to require before they rule whether a golf course will be permitted to go on this sort of wetlands property? Tom didn't know the answer to that either but he said that, because it was the Mayor's suggestion he was under the assumption that it could be done, that the Inland Wetlands Commission would entertain an application without a lot of detail, otherwise if that was not the case, a very expensive golf course design would have to be prepared and then submitted for approval. That, apparently, is the big picture. There is one other problem that I picked up. I am not sure this is ready to pass tonight for this reason; I think there is a mathematical error made by the NGF which may be relevant. In their study...it said that the Cooke Property is 185 acres; 71 acres in wetlands areas. The NGF study said, that leaves 104 acres and 110 acres was the minimum required. If you do the subtraction, however, what it really leaves is 114 acres, which is above the 110 acre minimum. Then the NGF study said that even if low quality wetlands are included, there still would not be enough land. The amount of low quality wetlands is 12 acres. When you add that to the 114 acres, that leaves 126 acres which still does not square with some of the math done in the study. What the Town is asking the consultant to do is to redesign or complete the design with the addition of another 29 acres

which brings it up to 155 acres. I am not sure we are all on the same page on this. I am just not sure if the NGF has ironed out the math. I am not sure where the mathematical error is; whether it is a typographical error or makes any difference, whatsoever. I think it needs to be worked out to find out exactly what they are saying. It is very striking that they made an error and assumed that there is only 104 acres left after subtracting the wetlands when, if you do the math, it is 114. We may be spending \$1,000 on a study that isn't terribly pertinent.

Mayor Dickinson stated, I think the basic issue is, the NGF, regardless of what acreage you come up with, they indicated that if you take out all of the wetland area, the remaining area was very difficult to design a championship golf course. At that point I think the Golf Committee started looking at surrounding property. There was some effort to deal with some pieces and it turned out that all of it is in Class I or Class II watershed which puts us into the same situation with the state Health Department which means that none of the surrounding area really is viable at this point. That is without even talking about purchasing more property. Then the issue was, well, if wetlands have been designated, there are three categories of wetlands; high quality; moderate quality; and low quality. I think a lot of the moderate and low quality is because this area has been used for agriculture, it has been planted, it is just not undisturbed wetland soil. I think the committee was of the opinion that, in order to receive a design from the NGF, let us include all of the moderate and low quality wetland in the useable acreage. They provide that to their architect designer, come back and if they tell us even with that, there is no way to have a championship course, fine, we know that. If they do design it using that, then it is a question of receiving the appropriate permits from the Inland Wetlands Commission. I think that was the issue; try to bring to finality a report from NGF, including financial feasibility, including all of the elements that are indicated in their letter and what the NGF wanted was an additional \$1,000 to deal with this inclusion of 29 acres that had been taken out because it was wetlands. It is basically to try and bring to some finality a design and a feasibility and a financial analysis and then the Town could proceed, not proceed, look for permits. If we don't get permits it wouldn't get built anyway. There are a lot of things that still have to occur. The \$1,000 would be to allow a report to come in indicating what the course would look like if there is one and what the ramifications might be.

Mr. Brodinsky asked, do you have any information as to whether or not the Inland Wetlands Commission would require a complete golf course design which would be very expensive before they ruled on this?

Mayor Dickinson answered, I am sure Wetlands would like to see a total design and there would be no way for the Town to believe that we would want a golf course unless we saw a full design, understood the costs, what the greens fee costs might be, otherwise why would we would proceed for permits?

Mr. Brodinsky stated, that was the big picture I was looking for. This is really not just a \$1,000 issue. If they N.G.F. comes back and says that the addition of the twenty-nine

acres of moderate quality wetlands will permit the design of a golf course, then it will take thousands and thousands of dollars to design a golf course to get it in to Inland Wetlands. I think Mr. Zappala was under the impression that maybe it could go to Inland Wetlands without having to go through that expense of a complete golf course design. Is there an estimate on the price of a complete golf course design at this point?

Mayor Dickinson replied, no, the only money that has been committed is what has been appropriated for the National Golf Foundation. This would allow for the elements that we have not received; financial analysis and a final report. Those things are on hold because we have not provided a sight that the committee we feel would be able to handle a championship course. If there is a site that will handle that then we would receive a complete report from the NGF which is to give us a picture of that, it is the design, the documents would go to Inland Wetlands but it would give us a financial analysis and determine, is there something that is of interest or is there not?

Motion was made by Mr. Farrell to Approve Item #3b as it is worded, seconded by Mr. Toman.

Geno Zandri, 9 Balsam Ridge Circle asked, what NGF was originally hired to do?

Mayor Dickinson answered, to do a site analysis, a wetlands delineation, a market analysis, financial analysis, management operation alternatives analysis and an ancillary use analysis. They were hired to give us a review covering those things regarding the Cooke property now owned by the Town.

Mr. Zandri asked, what has changed to require an additional \$1,000?

Mayor Dickinson answered by reading from correspondence which states, "NGF consulting can complete the remaining phases under the terms of the initial purchase order with one exception; the addition of the 29+- acres to the useable property will necessitate additional work by the golf architectural firm JBA, Inc. This additional work is expected to cost approximately \$1,000."

Mr. Zandri stated, the total acreage was there from the beginning. It is not as though we excluded the 29 acres when we first hired them to do their report. I don't understand why they are asking for additional dollars for something they were asked to do right from the beginning.

Mayor Dickinson answered, I can guess what that is, I haven't dealt directly with NGF and the committee members aren't here. That I don't know. At one point I believe we indicated to them not to include wetlands.



Atty. Small stated, they already issued that part of the report. They have already said, given the wetlands, it doesn't work. Now we are asking that they go back and look at it again and put into their plan the low and moderate wetlands and see if that makes it work. I think you are asking them to re-look at something they have already done. I assume that is what the fee is for.

Mr. Zandri stated, the original contract with them included all the steps; the reports, the analysis; it was in the original cost and I think we got short-changed if we don't get the whole report.

Mayor Dickinson replied, we have a report at this point and the indication was that we could not put a championship golf course on the property with the configuration of the wetlands. I believe the committee would like a further look at it. There wasn't an indication that you couldn't have any golf course, but the committee would like a championship golf course which requires parameters that are broader than what the property would allow at this point given the wetland delineation. I believe, as the Town Attorney stated, it is having to go back and look at this, having already issued a report on it without the 29 acres.

Ted Curran, 116 Knollwood Drive asked, is there an intent on the part of the Mayor and Council to really proceed and get a golf course? I have heard stories about this for a number of years and I guess I am just asking, what is the intent of the Council? The \$1,000 is no big deal. I am asking, is there going to be fulfillment and moving forward to do something instead of talking about it for five years, Mayor? I ask that question respectfully.

Mayor Dickinson answered, often time factors can be frustrating. The voiced opinions generally are that there is interest in a golf course. Interest meaning that there would be an ability to proceed, provided that it will pay for itself. That is not paying for itself, the land would basically be the contribution. The operation, the debt for construction, etc., we are trying to reach a point where we have a piece that would allow the kind of golf course that the committee would like to see and the difficulty has been getting that piece, surviving the analysis and inquiry that goes into it by the experts, in this case the NGF in determining whether it is sufficient area to allow a championship course design. I haven't heard anyone say that they don't want the golf course even if it is possible there. We don't know if it is possible at this point, that is why the \$1,000 to try and work through this.

Mr. Curran answered, has anyone thought of just starting it off as a nine-hole course and developing it?

Mayor Dickinson answered, from what I understand of the study, if the goal would ultimately be a championship course, starting with nine holes there would never get you to a championship course. Then you would have to have a feasibility study done on whether or not a nine hole course would pay for itself. At this point the committee directed all of

the inquiry toward a championship course and it being able to sustain itself. Certainly the committee could develop a new mission and look for a new nine hole course or an executive course.

Mr. Curran stated, a lot of towns around us have executive par three courses.

Mayor Dickinson added, there are other options of that type. A study done several years ago said, a market analysis indicated that this area could support a high quality golf course. it didn't say it could support a run of the mill course, but a high quality golf course and I think that is where the committee has oriented itself to more of a unique course, a championship course.

Mr. Curran asked, where do we go from here, if we are going to go?

Mayor Dickinson answered, if the council approves the \$1,000 then the committee would proceed with receiving the additional information from the golf foundation, take that information and if that appears to be in order and would indicate that it would support itself and proceed further with regard to designs and ultimately look for permits.

Mr. Curran asked, has any thought been given to just dropping the thing?

Chairman Parisi replied, no, the committee has not thought of that.

Pasquale Melillo, 15 Haller Place, Yalesville stated that the vast majority of the people he encountered while petitioning for political office stated that they were opposed to a golf course because they felt that they would be subsidizing the golfers at their expense. The Town has lost a lot of money in the stock market and may have to put a lot more money into the pension fund and should not be spending money on a golf course.

Walter Krol, 129 Parker Farms Road stated that a considerable amount of money and time has been invested into the golf course and an additional \$1,000 is not a lot of money. We have two high schools with varsity golf teams who play at other courses. The \$1,000 would be well-spent. It is feasible.

Jack Agosta, 505 Church Street, Yalesville stated that the Mayor has taken the position that the course must pay for itself. If the operation does not then we can just close it up and let the grass grow. It is not going to cost a lot of money.

Mr. Vumbaco stated, Mayor, you said that this is going to get us to the point for the committee and the Town to make a decision whether it is feasible to build the course. The next phase would be if, in fact, it is feasible and they decide to go forward, would be to develop plans, etc., to go to the Inland Wetlands Commission, that would be an additional cost, correct?

Mayor Dickinson answered, that is my understanding.

Mr. Brodinsky asked, when we go back to the NGF, would you, Mayor, ask them to clear up the math because the errors there are striking.'

Mayor Dickinson replied, I think the committee is....I am happy to help but the committee....

Mr. Brodinsky asked, the committee is not here and you had that conversation with Tom and maybe they (NGF) should just revise those pages that have the math errors because it certainly threw me off when I first read it; 104 acres wasn't enough. When you do the math, 114 acres is enough and they didn't even take into account the low grade wetlands that adds another 126 so I am not sure where they are and if they know where they are going with it. My confidence level has gone down and I need to bring that back up. Also, as I understand it, additional financial analysis is going to cost us more money. The financial analysis is not going to be included for the \$1,000., is that right?

Mayor Dickinson replied, I believe the financial analysis is already funded.

Mr. Brodinsky stated, it is not spent, but it is funded, so we haven't spent the money?

Chairman Parisi answered, that's right. It is allocated. Just for everyone's edification, Walter and Ted Krol (present in the audience) are members of the Golf Course Committee and have served for quite a while on the committee.

Mr. Melillo asked why Mr. Zappala was not present at the meeting for this item?

Chairman Parisi answered, Mr. Zappala had a conversation over the telephone with Mr. Brodinsky and it was determined that it wasn't necessary for Mr. Zappala to be here this evening. I, too, talked to Mr. Zappala and we all had a conversation.

Mr. Brodinsky stated, I pulled it off the consent agenda and asked Tom the questions that I had and he said that he relied completely on the Mayor's advice. The Mayor is here and answered all the questions. Tom could not have added anything that I didn't already say. The two questions I had were, was there any reasonable belief that we could get approval from the Inland Wetlands Commission for 29 acres of moderate grade wetlands?; and Mr. Zappala said, "I don't know but the Mayor seemed to think there was a chance." That ended that and Tom didn't have any other detail. My other concern was, how much additional cost?; and Tom said, "well, the Mayor seemed to think that it could be done." So Tom didn't have anything new other than that and I said, "Tom, as far as I am concerned, you don't have to be here. Blame me, don't blame Tom.

Mayor Dickinson stated, I want to correct something. Mr. Brodinsky had mentioned that Tom had mentioned that I had said that there was a chance or whatever of Inland Wetlands

approving; I have never offered any opinions regarding what would happen at Inland Wetlands. I said if anything, that is their function; to either issue permits or not. That is the process. But I have not offered any opinion as to whether I think this is approvable or not.

Mr. Brodinsky stated, memories differ on that.

VOTE: All ayes; motion duly carried.

At this time Chairman Parisi apologized for arriving late stating that he was attending a function out of town which delayed his arrival. He noted that an honor was bestowed upon the Town of Wallingford when Karen Hlavac was nominated to the State Council on Mental Retardation. It is an honor for Wallingford and Karen is wished well in her new endeavor; she is a hard worker and will represent Wallingford well.

#### PUBLIC QUESTION AND ANSWER PERIOD

Edwin Curran, 112 Knollwood Drive asked for a status report on the development of playing fields for the Little League.

Mayor Dickinson stated, the Little League is still looking at alternative sites. The Town has proposed two sites; one at Community Lake and the other at Garden Road site. The Little League was not supportive of those. We have a plan that we submitted and the State Health Department disapproved it. We are involved in a legal challenge to their opinion. We had a direction to go, either Community Lake or Garden Road and the Little League is not supportive of that so, at this point, there are a number of possibilities but none is on the track to becoming reality right now.

Mr. Curran stated, when we played out at Vietnam Veterans Field, inaccessibility in getting in and out of there, I understand that that, also, was turned down by the State of CT. as far as building additional fields there.

Mayor Dickinson replied, yes, and we are challenging their opinion on that. The plan was for much better access, additional parking, making it much more of a pleasant experience for people to play there but that is undergoing....

Mr. Curran replied, at this point, we don't have any way that we are moving and maybe that is part of the problem with the people representing the Little League, they are not coming up with something that the Town would find acceptable. Wasn't there someplace that had 48 acres where we were going to take trees down and build four baseball fields at one point? I remember watching that on channel 20.

Mayor Dickinson replied, Marcus Cooke Park has been mentioned which I think would create significant issues regarding removal of all of the central area of trees in the park.

Mr. Curran asked, so at this time nothing is really moving?

Mayor Dickinson replied, no, nothing is moving right now.

Jack Agosta, 505 Church Street, Yalesville asked if any progress has been made with regards to the traffic problems on Rte 68 Mr. Brodinsky raised a while back?

Mayor Dickinson replied, the State is looking at plans to eliminate the stop sign where Durham Road intersects and put in a traffic signal there, as far as I know. They are in the process of designing that as far as I understand.

Mr. Agosta stated, I am referring to Rte 68 from Main Street heading west towards Cheshire.

Mayor Dickinson stated, I don't believe the state, at this point, is doing anything regarding the overpass for the Merit Parkway, Route 15 and Route 68. That creates the hourglass effect near North Plains Industrial Highway and traffic does back up at rush hour at the intersection of Route 68 and 150. We have requested a study in the last two years in our legislative, but I don't believe the state is proceeding with any study with regard to that.

Mr. Agosta next brought up the issue of the Beaumont Road intersection problem with tractor-trailer traffic.

Mayor Dickinson stated, I think there is an issue of making Beaumont Road one way that I don't think has been resolved yet, at this point. It becomes an issue for the Police Department to determine whether or not that should be one way and you have businesses on that road who are not anxious to have it be a one way road. There are varying view points.

Chairman Parisi agreed, it is a bad situation, there is no question about it.

Philip Wright, Sr., 160 Cedar Street stated that he was at the Town Hall today and noticed a few things that need mentioning: the plantings on the south side of the building need some attention; the bricks on the carriage house still have not been pointed up since the electrical service has been removed; and on the north side of the Town Hall building, the trees between the Town Hall and American Legion Building are very tall and have dead limbs and are in danger of causing damage to the American Legion Building.

Mr. Curran stated that he worked for Price-Waterhouse for ten years in New York City and recently read the articles on placing out to bid the auditing services for the town.

Comptroller Thomas Myers stated, the Town has used the same independent auditor since 1983.

Mr. Curran stated, I think it is bad practice, that is why I am raising the issue.

Mr. Myers replied, the auditor is the appointment of the Town Council, it is not my appointment.

Mr. Curran continued, having worked for Price Waterhouse for ten years, I have found out with the permanent files, the audit files and everything, that sometimes it is good to change an auditor to get a different perspective of what goes on.

Mr. Myers replied, I can't disagree with that but I have to follow the direction of the Town Council because it is a Town Council appointment, not mine.

Mr. Curran asked the Council to think about the possibility for a new view in looking at the Town of Wallingford and looking at the auditor you appoint to get a fresh view of what our financial position is. I am not saying the present auditors are not doing a good job, but there are internal controls; look at the Enron situation as an example. I think it would be good for the town that someone else should be appointed as an auditor in Wallingford. I would say that for any town. Having worked for Price Waterhouse, I know what it is all about.

Chairman Parisi stated, let me tell you that we have appointed a committee and that committee will eventually meet with Mr. Myers to establish an R.F.P. for a new auditor.

Mr. Curran stated, I am getting a little bit deeper than just the purchase order. I am getting into the quality of the firm, internal control questions, permanent files, audit files, the whole thing, and a new perspective in looking at the Town of Wallingford.

Chairman Parisi replied, that is what we are going to try and accomplish.

Mr. Curran answered, I worked for Price Waterhouse for ten years and know what public accounting is all about.

Mr. Melillo asked if there were any new developments on the American Legion property and the Simpson Property?

Chairman Parisi replied that there is ongoing litigation on the American Legion Property and the Housing Authority is in the process of securing funding for the Simpson Property.

Mr. Wright stated, I have been to numerous meetings here when the subject of auditor was discussed at some length and it is my understanding from those sessions that the Council pretty much followed and, indeed, went right down the line with the recommendation by Mr. Myers. I think it is a little disingenuous, Tom, for you to say it is a Council decision. Thank you.

Mr. Myers replied, I didn't say it was a Council decision. I said the appointment of the auditor, under the Wallingford Charter, is done by the Town Council. I follow the direction of the Council. Certainly they ask me questions pertinent to the audit process and the quality of work, that is the way my comments were directed but it should be clearly understood that I do not appoint the auditor.

Public Question and Answer Period was closed at this time.

ITEM #6 Report Out by the Community Lake Restoration Committee as Requested by Chairman Robert F. Parisi

Salvatore Rascati, Chairman of the committee introduced members Charles Uznanski and Philip Wright, Sr. stating, the last time the committee appeared before the Council it was September 21, 2000. Since that time a contract was awarded to Milone and McBroom Corporation on December 17, 2001 for the statement of work generated by the Department of Environmental Protection to look into the feasibility of restoring the dam. The contractor was given three options to study. The first option was to create a 50-acre lake with no dam; the second option was to create a 50-acre lake with about a 6' dam and the third option is to consider something higher than 6' and to also create a 50-acre lake. They were given the contract on December 17, 2001. They started working on the project in February and they issued monthly progress reports which have been reviewed by the committee. The reports were kind of terse because they did not get into a lot of detail but they generally told us what they were doing. I was promised by Ed Hemstreet, the project engineer for D.E.P. that we would get an opportunity to meet with the D.E.P. and Milone and McBroom before the study was complete. The contractor is obligated to finish the report by December of this year. Up to about three days ago I kept calling and was finally able to contact Milone and McBroom and they generated an interim report which I just got yesterday, of what work has been done up until now. The report is kind of lengthy and I will not go into it now because I would first like to review it with our committee. We will be holding a meeting on Thursday to do this. I briefly talked to Ed Hemstreet this morning about the report and he had some reservations about some of the things in the report and he also wanted to get together with the contractor sometime next week and he specifically asked the committee to be represented at the meeting. That is where it stands right now.

A few of the preliminary recommendations they made in the report are as follows:

1. No Dam

This would require a tremendous amount of material to be dredged; approximately 750,000 cubic yards. If the soil is contaminated, which they believe it to be in some areas, the cost to remove the contaminated soil is approximately \$10-15 million. (correction: \$50 million)

## 2. Six Foot (6') Dam

This would create a 50-acre lake and would require less fill to be removed; approximately 185,000 cubic yards. If it is contaminated, it will cost roughly \$12 million to remove it.

Mr. Rascati continued, the contaminated soil is a major issue. There are a lot of questions I have surrounding the matter. I have not seen any data, yet they are claiming that approximately 50% of the soil is contaminated. I think the problem is over-stated. I don't think there is that much contamination. There may be some in the area where the former Yankee Gas Plant was located but Yankee Gas did remove a great deal of what was identified as possible contamination. There remains a lot of work to be done and a great deal of detail to be gathered before the study is complete. Hopefully, the committee will be able to give their input when they meet with everyone next week.

Chairman Parisi asked if anyone from either the D.E.P. or Milone and McBroom attends the Community Lake Restoration Committee meetings?

Mr. Rascati answered, no. They have in the past when I have asked them to, yes.

Ms. Doherty asked Mr. Rascati to clarify the costs associated with each option once again since option #2 costs more than option #3 with less fill being removed.

Mr. Rascati corrected his statement; the first option would cost approximately \$50 million.

Geno Zandri, 9 Balsam Ridge Circle asked what the approximate cost was for the third option?

Mr. Rascati detailed the third option as follows:

## 3. Construct a Dam Approximately Nine Feet (9') or Thereabouts

This would create a lake of approximately 88 acres in size and would call for the removal of approximately 246,000 cubic yards of fill. If the soil was contaminated, it will cost approximately \$17 million.

Mr. Zandri asked why there would be so much soil removal with the dam being so high?



Mr. Rascati replied, the D.E.P. insisted that there be a minimum depth of nine feet with a 6 to 1 slope around the edges. If you construct a 9' dam which will give you an elevation of approximately 39' you are going to need to take about that much fill out. In this case, an 88 acre lake means that you will have areas that would be less than 9'. In some areas you may only have 2-3' and the D.E.P. won't go along with that.

Mr. Farrell stated, I understand when you talk about the sludge from the old gas company and how that may have crept into the lake but, what other contaminants are we talking about?

Mr. Rascati replied, the only contaminants that I know of that were found by the previous contractor were hydrocarbons which is from the residue left over from the coal. When the gas plant made gas from coal. There may be other contaminants but not to the extent of the hydrocarbons. I think that is the most.

Mr. Farrell stated, I would probably guess that there are some trace contaminants from the silver industry that has come down the Quinnipiac River but is that something that is necessarily hazardous?

Mr. Rascati stated, I am not sure but I will ask that same question at the upcoming meeting. I am interested to know what, if any, testing Milone and McBroom has done. Have they tested the quality of the water in the three ponds? That would be a good indicator as to whether or not the contaminants exist and what kind of contaminants. To my knowledge, they have not done that.

Mr. Farrell asked, what is the rationale behind the nine feet?

Mr. Rascati replied, to reduce the growth and weeds.

Mr. Farrell stated, if you go back and look at the photographs just before the lake was created in the 1870s they basically dammed a river running through a field. There was no uniformity to it.

Mr. Rascati stated, we want to ask whether something less than the nine foot depth can be tolerate. I think there are trade-offs that can be made.

Mr. Farrell stated, I appreciate everything that this study committee has done. We talked about the Golf Study Committee but this committee has been as long-suffering and as long-serving almost as they have been. My hat goes off to you in continuing this endeavor.

Mayor Dickinson stated, my understanding regarding the depth is, as you mentioned, the modeling shows that there be an algae bloom generally in August of every year due to lack of oxygen in the water. The lack of oxygen is caused by the amount of treatment, the

number of treatment plants and the amount of effluent that is coming down the river. The initial designs would indicate that you need a mechanical aerator in order to avoid algae blooms and the state does not like to approve mechanical aerators. That is some of the backdrop on what the dilemma is.

Pasquale Melillo, 15 Haller Place, Yalesville asked why the lake can't be left the way it is?

Mr. Rascati replied, when the Town acquired the property from International Silver, there were three stipulations in the deed: one; the Town maintain the existing dam at the time; two, the lake be maintained as a recreation site for the Town; and three, the Town maintain the rowing channel for the Choate Rowing crew. I guess the Town is not fulfilling the stipulations that are listed in the original deed.

Lynn Hoffman, 40 Lake Street suggested to Mr. Rascati that the committee contact Wallingford's State Representatives and ask that they intercede on the committee's behalf. She stated that the committee (Quinnipiac River Linear Trail Advisory Committee) she is involved with has had wonderful results and it may be an avenue the Community Lake Committee would want to use. She stated, they were really, really helpful in getting our process and working with D.E.P. and D.O.T. They are of access to your committee, too. They are a great way to go; they did help where we were stalemated.

Jack Agosta, 505 Church Street, Yalesville asked if the state will pay for the work that is to be done?

Mr. Rascati replied, no. Originally, going back about 7 or 8 years ago, Tom Morrissey from the D.E.P., when he originally asked us to look into replacing the dam again because the state was interested in restoring about 50 acres of wetlands in the northern part of the old lake for the reason of helping to purify the water as it travels down into Long Island Sound, at that time he said the D.E.P. may have had some monies to do that. Whether that still exists, I don't know. The last meeting we had with the D.E.P. which was approximately 18 months ago, the people in Hartford told us that the Town should be prepared to do some of the funding when and if a dam could be built. When the report comes out at the end of December and the D.E.P. were to go along with a 6' dam and a 50 acre lake, for example, then it would probably be a three-way financial plan where the town, state and federal government will share the cost.

Mr. Agosta was of the opinion that with the economy in the state that it presently is, the chances are slim that we will be getting any assistance from the state and/or federal government with the project.

ITEM #7 Report Out from the Town Attorney on Tax Lien Sales

Town Attorney Janis Small explained, tax liens can be sold, as approved, by the Town Council pursuant to state statute. You can either negotiate directly with a potential

purchaser, you can put it out to bid and, if you so choose, you can sell it for less than its value. I have provided a few examples of what East Hartford has done in your agenda packet. Generally, East Hartford's position is to tie the sale of tax liens to the actual renovation of properties. They have had some success and a few failures with that strategy but, overall, it has been a successful program. One of the examples provided was condominium property that was unsold but on which taxes were accruing. The owner of the property had abandoned it and did try to make a few challenges to the foreclosure action and the sale of the liens but was unsuccessful and that went through quite well. A tax lien sale is motivation for getting things going. I spoke with the gentleman from Remediation Services who was here at the council meeting the last time this subject was discussed. At that time he was not interested in Goldfeder's property but has since changed his mind and is now both interested in Goldfeder's and the silver property. He has today faxed to me a proposal and I brought extra copies for you. After I copied them I thought...I don't know if it puts the gentleman in a bad position to have a public conversation about his proposal if the council were to decide to go out to bid, I am not sure that is to his advantage or not. He has done and is doing other projects in which he buys tax liens, develops properties, tries to develop properties that generate an income almost immediately so that he can use that money to do the renovation or remediation work. There is also a state program through the CT. Brownfields Redevelopment Authority (CBRA) which, if you have a piece of property that has some potential for development, you try to get the proposal to the point where you can estimate what types of tax dollars the project will generate once it is built. The Town then makes a decision what percentage of that tax revenue you are willing to give to CBRA and that can be for up to fifteen years. It does not have to be 100%, it can be whatever percent of the taxes you so choose. Whatever that number ends of being, say it is \$100,000 over ten years, CBRA will then provide an upfront grant in that amount for the purposes of remediating and, if there is any left over, developing the property, and they give that to the developer as a grant. Then the developer, after the project has been developed, those tax dollars would go to the authority as the Town's commitment for those tax dollars. The developer would use the grant money to clean up the site and develop the property. It is primarily for clean up but if there is money left over they indicated that it can be used for the development of the site, also. If it looks like the project is feasible, they will actually consider providing upfront, site assessment costs, Phase I and Phase II at not cost to the Town. If they actually think the project is viable, they are willing to take some risks in that circumstances. The two sites that we have been talking about (in Wallingford) is somewhat small for their program but it is still worth looking at, particularly the property that is on Route 5. I also indicated in my memo that I have spoken to representatives from the City of Danbury (CT) and they were the ones who told me about the CBRA and, coincidentally, the CBRA had already set up an appointment to see the Mayor and Don Roe so I invited myself to the meeting. Danbury, unknowingly, acquired title to one of their hat factories that turned out to be contaminated. They did not know it when they foreclosed on it. They did put the property out to bid and the bid proposal included the possibility of using that grant program. They received one bid from the Habitat for Humanity and...that bid has been rejected, they don't view it to be economically feasible and will go out to bid again. You have two

particular properties; neither one is very large but one property, being on Route 5, there is some interest. In talking to the people from CBRA, we did talk about the Goldfeder property which is residentially-zoned. It is small. Perhaps five houses can be built in the location. The question is, does it generate enough tax dollars to make the grant program work? That is questionable. The other question is, do you really want five houses with at least two children per house...do you end up gaining something when you look at the tax revenue you generate compared to the outlay that you pay for educating all of the children that will live there? I did receive a phone call from a local businessperson who also has some interest in the Route 5 property. I mentioned that it would be discussed this evening and there was a possibility that the property would be put out to bid. That is an overview.

Chairman Parisi asked what the downside may be to the program?

Atty. Small answered, the Route 5 property is worth looking at. In terms with out discussions with CBRA, the Goldfeder property; being residential and small in size; you have to be able to generate enough tax dollars to make the program work. The amount of tax dollars that you generate, and it could be up to 15 years, is going to be the basis upon which they issue the grant and it may not be enough money to see that the job gets done. Then you have to decide what development you want there? It is residentially-zoned. Although the Route 5 piece is also small, it is clearly the better of the two properties in terms of what possible development could build there.

Mr. Knight stated, there seems to be an assumption that all of the remediation costs were known in the examples given. My concern is that someone makes an assessment and the costs are far more when they get into the remediation than anticipated. Is there anything that you know of in this program that accounts for that possible overrun?

Atty. Small answered, the grant is not issued until they have done a whole lot of work to determine what they think has to be done and that the end project is viable. Is there always the possibility that they would get halfway through it and they find something that they didn't know about? I suppose that is always a possibility, but they are not looking to give this grant money out to just anyone or any project. They want to have some faith and certainty that they think the project is, in fact, going to work. That is why I think, in part, they are willing to front the site assessment costs if they think the project is viable before they even make a determination of whether the ultimate grant is going to be granted. They do want to know that the project and the end development is something that is going to be quite viable for tax revenues. If there is some uncertainty, there probably is, but it is probably not different than developing any other project where you have done all the preliminary work. And they are going to require that all that be done and need to be satisfied that it is all going to work and that is why we talk about the Goldfeder piece and there being maybe five houses on there. Can it work? You don't really know. It is a small piece of property and there are a lot of questions about it. What would they do if they got mid-way through a project and found that, in fact, there was more money needed?

I am not sure how it would be dealt with. I am not certain as to whether or not the grant could step in at that point.

Mr. Knight stated, I grant you the state is taking the risk putting the money up front but if it is going to work, eventually it is the town that is looking for some benefit. It sounded too easy.

Atty. Small replied that it was not too easy at all. They don't want to be doing this and then have the project fold. If they put the money up front, if the project never gets to the point where it is never going to generate tax dollars, the town is not on the hook for the money, they are and I think they get their money through bonding and what not. They want to be satisfied that the project is going to work.

Mr. Brodinsky stated, with respect to the Goldfeder property, I had a conversation with Mr. Shol and we were talking in terms of whether or not he could help the town by remediating the property, turning it into a park and then turning it back to the town and he said that was plausible; it may not be worth it for either side but it is a possibility. He was not terribly interested, I believe, in developing the Goldfeder property, it would be a sort of accommodation but he does have some skills he could offer the town if the town is interested and the details worked to make the property better than it is for that neighborhood. That is all there is to that.

Ms. Doherty asked, does the site assessment costs include the soil contamination cost?

Atty. Small stated, the CBRA makes a decision as to how successful they think the project could be and, as part of their grant program, would consider putting up those monies up front. The CBRA, themselves, would be doing the assessment. They will hire out to do that.

Ms. Doherty asked, didn't we do testing on the Goldfeder property?

Atty. Small answered, I think the state did some testing and some work but I don't believe we ever received a final report on it. I don't know what the end result was.

Ms. Doherty asked, how do we get that?

Atty. Small answered, I think the Mayor has asked for that, I don't know.

Mayor Dickinson answered, I don't really think it exists. I think someone would have to go in. One report indicates that there is lead in the rafters and beams in the building. They did some testing of the soils inside and asbestos testing was done but I don't think there has been any complete testing outside. There would have to be a complete assessment.

Mr. Toman asked, does the state also have approval authority on the developer since they are going to be holding the bag with the developer?

Atty. Small answered, approval in the sense that they have to be satisfied that the project is going to happen and that it is economically viable. As they are making that determination, the particular who is doing it; they would have to be satisfied with.

Mr. Toman stated, I hope that we are going to approve the developer.

Atty. Small replied, if we are going to agree to participate in the program; we can't be forced into the grant program. In that sense you would be accepting a proposal from a developer. This is a fairly new program.

Mr. Toman asked, I am curious, I am interested to know if we have a list, a clearinghouse or something for entrepreneurs who have some experience with doing this. It would raise the level of confidence that they have the experience, at least a little background that would give one more confidence in knowing that what they were doing was done before with some success.

Atty. Small replied, the representative from CBRA did not say anything about that and because you are talking about different types of projects for different purposes, different types of industry, there probably isn't such a thing. Mr. Shol does this type of work. These properties are pretty small in scale. In looking at the projects that the CBRA may get involved with, I think they would tend to be significantly larger than this.

Geno Zandri, 9 Balsam Ridge Circle asked, who owns the two properties that are being discussed?

Atty. Small answered, they are still owned by the private property owners. We are talking about the tax liens. With regards to the property on Route 5 there is a foreclosure action. No one bid at the sale so it is basically sitting there. The other property did not go into foreclosure. That is something that is someone were to buy the tax liens they could proceed to do; it would be a foreclosure action. I have done that, where someone has bought the tax liens and in one case we had a foreclosure pending in East Hartford and they basically just took our place in the action and bought it to a conclusion and ended up owning the property.

Mr. Zandri asked, have we looked at that option instead of getting involved with this cumbersome program?

Atty. Small answered, yes. This is just one of the things that is available. If the council is interested in either negotiating with a particular person or putting it out to bid, certainly with respect to that property, we would say that they would take our place in a foreclosure action or they have that option to do so.

Mr. Zandri stated, that seems the simpler and less complicated route to go first. Then, if that doesn't work then the next step to go would be the more cumbersome option.

Atty. Small explained, Danbury already owned the property in foreclosure but they put in their R.F.P. to sell the property that the grant program was a possible option for whoever was going to bid on the property. If the bidder was willing to explore that, the town was willing to participate.

Pasquale Melillo, 15 Haller Place, Yalesville stated that we are currently in a recession and things are bound to get worse therefore we should hold back on entertaining any thoughts on selling tax liens.

Robert Sheehan, 11 Cooper Avenue asked if we have sold tax liens at all before?

Atty. Small replied, no.

Mr. Sheehan stated, we should try to make the process as easy for us as possible. If we want to help them later on, that's fine, but if we advertise and get a developer we can make them aware of the same grants.

Atty. Small stated, it is not as simple as that given that these are not pristine pieces of property. If the Town has a desire to see some money; money is not the primary motivation, but to see the properties cleaned up and properly developed, then it is not as simple as just saying, here's the tax liens, does anybody want them? It is a bit more involved than that. It is a bit more complicated than that.

Mr. Sheehan asked, has anyone ever studied the property on Route 5, the former Yalesville Silversmith to see if there is contamination on the site?

Atty. Small answered, we don't have a report on it. It is speculation.

Mr. Sheehan asked, do we pay for testing the soil as a part of the sale?

Atty. Small answered, not necessarily, no.

**ITEM #8** Consider and Approve the Appointment of a Committee to Market the Town-Owned Former Wooding/Caplan Property

Motion was made by Ms. Doherty to Appoint the Following Members to the Caplan/Wooding Committee:

John Bradley	Jay Fishbein
John LeTourneau	Loren Lettick
Charlotte Murphy	Caryl Ryan
David Smith	Lucille Trczynski
Robin Wilson	Rosemary Rascati
Jonathan Gilchrist	

Ms. Doherty stated, also included in this motion is the charge which would be to develop a strategy for marketing the Caplan/Wooding property for private development and report a recommendation to the Town Council and Mayor since in order to market the property it is necessary to know what general use of the property is acceptable to the town, the committee shall make recommendations regarding use, seconded by Mr. Farrell.

A question was raised as to whether or not Rule V of Town Council meeting procedures needed to be waived.

Mayor Dickinson was of the opinion that it did not need to be.

Jack Agosta, 505 Church Street, Yalesville asked, how was the committee appointed?

Chairman Parisi explained, each councilor submitted a name and the Mayor had two appointees.

Phil Wright, Sr., 160 Cedar Street, asked, is there a time limit on when the committee should get back to the council? I, personally would feel better if there were a three month or six month time limit.

Chairman Parisi stated, I think this is going to be a very complicated issue and I, for one, would be inclined to agree to what you are saying but I wouldn't want to put them under any timeline or pressure. It would behoove us and myself, as chairman, to be aware of the time element and to have the committee report periodically to know what their progress is and hopefully they are to understand that they are to come to us if there are any problems. I think this is a very fine committee. I think these people will want to get the job done and I don't feel we will have to ride herd on them, so to speak.

Mr. Brodinsky stated, the issue of time line is a valid one. No time line was in the motion. In the absence of a specific time line I think it is inferred that they report back within a reasonable amount of time. That is my view of it, it may not be the view of others. If it begins to drag on and the time becomes unreasonable then we can address it at that point. At least that is my take on it.



Chairman Parisi stated, my take on it is that we will keep an eye on it. I am sure all of us will. As I said, we will ask for periodic report outs and they certainly will be encouraged to come to us if there is any problem at all. I think this has the makings of a very fine committee. They are all "doers" if you will and I don't think they'll be dragging their feet.

VOTE: All ayes; motion duly carried.

ITEM #9 Withdrawn

Atty. Small asked for direction regarding tax liens at this time.

Chairman Parisi stated that if someone has strong feelings about the issue, he suggests they put the item on the agenda for further discussion and possible action.

At this time Chairman Parisi announced the RFP Committee for Recommending an Auditor will have on its membership Mike Brodinsky, Jim Vumbaco, Steve Knight, Robert Parisi and Hank Toman with Mr. Toman serving as Chairman.

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

VOTE: All ayes; motion duly carried.

There being no further business, the meeting adjourned at 8:20 P.M.

Meeting recorded and transcribed by:

RECEIVED FOR RECORD 10-30-02  
AT 2 H 35 M P M AND RECORDED BY  
Dominy A. Bassetti TOWN CLERK

Kathryn F. Zandri  
Kathryn F. Zandri  
Town Council Secretary

Approved by:

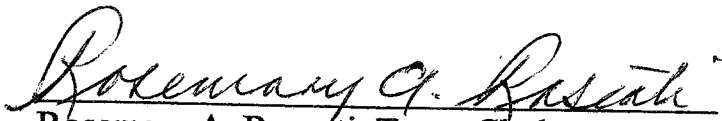
Robert F. Parisi (by RR)  
Robert F. Parisi, Chairman

11-12-02  
Date

Town Council Meeting

23

October 8, 2002

  
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Rosemary A. Rascati, Town Clerk

11-12-02  
Date