

TOWN COUNCIL MEETING

JULY 18, 2000

6:30 P.M.

AGENDA

Blessing

1. Pledge of Allegiance and Roll Call
2. Correspondence
3. Consent Agenda
 - a. Consider and Approve Tax Refunds (#1 – 12) Totaling \$5,489.68 Tax Collector
 - b. Approve and Accept the Minutes of the June 27, 2000 Town Council Meeting
 - c. Note for the Record Financial Reports of the Wallingford Public Library, Visiting Nurse Association and Senior Citizens Center
 - d. Consider and Approve a Transfer of Funds in the Amount of \$6,000 from Health Insurance Acct. #8035-800-8300 to Self-Insurance Deductible Acct. #8030-800-8270 – Personnel
 - e. Consider and Approve a Transfer of Funds in the Amount of \$274 from Transportation Acct. #001-3010-300-3201 to Contribution to State Grant Acct. #001-3010-600-6500 – Health Director
4. Items Removed from the Consent Agenda
5. Executive Session Pursuant to Section 1-200(6)(B) of the CT. General Statutes with Respect to Pending Litigation Involving the Matter of Ronald Gagliardi v. Town of Wallingford – Town Attorney
6. Consider and Approve Settlement of a Workers' Compensation Matter as Discussed in Executive Session – Town Attorney

- 7. PUBLIC QUESTION AND ANSWER PERIOD**
- 8. Consider and Approve Accepting a Donation from Connecticut Light and Power Co. (CL&P) in the Amount of \$100 Towards the Adopt-a-Road Program – Program Planner**
- 9. Consider and Approve a Budget Amendment in the Amount of \$10,900 Increasing Miscellaneous Pumping Expense Acct. #900-626 by \$1,744.00; Electricity, Utilities & Maintenance Acct. #900-643 by \$2,616.00; Maintenance Collection System Acct. #900-673 by \$4,687.00 and Increasing Supplies, Communication & General Expense Acct. #900-921 by \$1,853.00 and Decreasing the Use of Funds Section – Appropriation to Cash Acct. by \$10,900.00 – Sewer Division**
- 10. Consider and Approve Authorizing the Law Department to Prepare Permanent Easement Agreements with SNET for the Placement of Remote Communication Equipment at Various (2) Town-Owned Sites and Authorize The Mayor to Execute Said Easements – Law Department**
- 11. Report Out from the Law Department and Possible Action Regarding the Status Of the Town-Owned American Legion Building as Requested by Councilor Mike Brodinsky**
- 12. Report from the Wallingford Housing Authority Regarding the Status of Plans (if any) for the Conversion of the Former Simpson School Building, Including a Brief Synopsis of Developments Occurring in the Past Twelve (12) Months with Respect to Said Conversion as Requested by Councilors Brodinsky, Vumbaco and Zappala**
- 13. Report Out from the Law Department Regarding the Status of:
 - Cooke Property;
 - State Dept. of Health's ruling on whether Wallingford is a public water company; and
 - Negotiations with the State's Attorney General as Requested by Councilors Brodinsky, Vumbaco & Zappala**
- 14. Executive Session Pursuant to Section 1-200(6)(B) of the CT. General Statutes to Discuss Pending Litigation in the Matter of Principal Mutual Life Insurance Co. v. Town of Wallingford – Town Attorney**

15. Consider and Approve the Settlement of a Tax Appeal Matter as Discussed in Executive Session – Town Attorney
16. Executive Session Pursuant to Section 1-200(6)(D) of the CT. General Statutes For the Purpose of Discussion and Possible Action on the Purchase, Sale and/or Leasing of Property – Mayor
17. Consider and Approve, Pursuant to CT. General Statutes Section 48-6 and 48-12, Authorizing the Comptroller, in the name of the Town of Wallingford, to Proceed with the Condemnation of 222 North Main Street, Wallingford, CT. in Accordance with the Procedures Set Forth in the Applicable State Statutes and Authorize the Town Attorney to Commence the Legal Process Necessary to Complete the Condemnation – Town Attorney

RECEIVED FOR RECORD 7-12-00
AT 4 H 00 M 1 M AND RECORDED BY
Barney Reed TOWN CLERK

TOWN COUNCIL MEETING

July 18, 2000

6:30 P.M.

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Town Council Meeting

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July 18, 2000

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Property - Mayor 20 - 21
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Set Forth in the Applicable State Statutes and Authorize the
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TOWN COUNCIL MEETING

JULY 18, 2000

6:30 P.M.

A regular meeting of the Wallingford Town Council was held on Tuesday, July 18, 2000 in the Robert Earley Auditorium of the Wallingford Town Hall and called to order by Vice-Chairman Raymond Rys at 6:33 P.M. Councilors Brodinsky, Centner, Farrell, Knight, Rys, Vumbaco & Zappala, answered present to the Roll called by Town Clerk Rosemary Rascati. Councilor Papale was absent due to vacation plans and Chairman Parisi arrived at 7:02 P.M. due to a prior meeting commitment. Mayor William W. Dickinson, Jr., Asst. Town Attorney Gerald Farrell, Sr., and Comptroller Thomas A. Myers were also present. Town Attorney Janis Small arrived at 8:03 P.M.

A blessing was bestowed upon the Council by Rev. Sydney Parker from Christ United Methodist Church.

The Pledge of Allegiance was given to the Flag.

Mr. Rys mentioned that the Trail is paved and thanked Mr. Centner and all the committee members.

ITEM #2 Correspondence - The Bolio's Sports Senior Baseball Team is going where no other Wlfd Babe Ruth Team has gone before. The team is in the State Tournament playing Greenwich right now. We hope they are winning.

Also a letter from Keith Schaeffer, Community Relations Committee, Chairman of the Wlfd Firefighters Assoc. - it announces on Aug. 20th there will be a slow pitch softball tournament at Westside Field. The purpose for the Tournament is to raise money for the Wlfd Habitat for Humanity. The winner of that part of the tournament will play the Town Council and the Mayor at 7:30 P.M. that same evening.

Another letter from Charles Farley, the Head Track Coach at Sheehan High

School. He wanted to thank the Mayor and the Council for the funding of the Championship jackets for the indoors boys track team.

ITEM #3 Consent Agenda

ITEM #3a Consider and Approve Tax Refunds (#1-12) Totaling \$5,489.68
Tax Collector

ITEM #3b Approve and Accept the Minutes of the June 27, 2000 Town
Council Meeting

ITEM #3c Note for the Record Financial Reports of the Wlfd Public
Library, Visiting Nurse Assoc. and Senior Citizens Center

ITEM #3e Consider and Approve a Transfer of Funds in the Amount of
\$274 from Transportation Acct. #001-3010-300-3201 to Contribution to
State Grant Acct. #001-3010-600-6500 - Health Director

Motion was made by Mr. Knight to Approve the Consent Agenda Items 3a,
b, c, and e, seconded by Mr. Farrell.

VOTE: Parisi and Papale absent; all others aye; motion duly carried.

ITEM #4 3d Removed

Motion made by Mr. Knight to remove item 3d, seconded by Mr. Farrell.

VOTE: Parisi and Papale absent; all others aye; motion duly carried.

ITEM #5 Executive Session Pursuant to Sect. 1-200(6)(B) of the CT General
Statutes with Respect to Pending Litigation Involving the Matter of Ronald
Gagliardi vs. Town of Wlfd - Town Attorney

Motion was made by Mr. Knight to Enter into Executive Session, seconded
by Mr. Farrell.

VOTE: Parisi and Papale absent; all others aye; motion duly carried.

The Council entered into executive session at 6:40 P.M.

Correction to July 18, 2000 Minutes of the

Wallingford Town Council

The Wallingford Town Council, at its meeting of August 15, 2000, voted unanimously to make the following correction to the minutes of the July 18, 2000 Town Council Meeting:

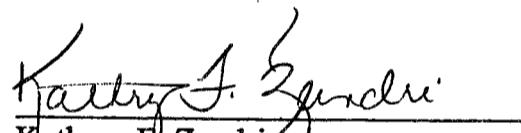
Page 2, Line #16:

ITEM #4 Items Removed from the Consent Agenda

ITEM #3d Consider and Approve a Transfer of Funds in the Amount of \$6,900 From Health Insurance Acct. #8035-800-8300 to Self-Insurance Deductible Acct. #8030-800-8270 – Personnel

Motion was made by Mr. Knight to Approve the Transfer, seconded by Mr. Farrell.

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



Kathryn F. Zandri
Town Council Secretary
August 16, 2000

RECEIVED FOR RECORD 8-16-00
AT 1 H 20 M P.M. AND RECORDED BY
R. Rascati TOWN CLERK

Present in executive session were Mayor Dickinson, Asst. Town Atty. Farrell, Sr., Personnel Director Terry Sullivan, Atty. David Weil, Councilors Papale and Parisi were absent, all other Councilors Present.

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

VOTE: Papale and Parisi absent; all others aye; motion duly carried.

The Council exited Executive Session at 6:58 P.M.

ITEM #6 Consider and Approve Settlement of a Workers' Compensation Matter as discussed in Executive Session - Town Attorney

Motion was made by Mr. Knight and seconded by Mr. Farrell.

VOTE: Papale and Parisi absent; Centner no; all others aye; motion duly carried.

ITEM #7 PUBLIC QUESTION AND ANSWER PERIOD

Geno Zandri, 37 Hallmark Dr. asked if anyone was actively pursuing the development of small parks in the center of Town?

Mayor Dickinson replied, that he was not aware of a program of that kind.

Mr. Zandri replied, that the Amoco station on Colony Street has a For Sale Sign and would like to see if there is State or Federal money that we could use to purchase that sight and develop it into a mini park.

Frank Renda, 753 No. Main St. Ext. asked, where are the bonds and cash of the Power Plant going to wind up after the change over?

Mayor Dickinson asked, if he was referring to the Electric Division?

Mr. Renda said, yes.

Mayor Dickinson replied, the Electric Division does not have bonds out with regard to the Power Plant. The Power Plant will be built and constructed by

a private entity - Pennsylvania Power and Light. The cash of the Electric Division remains with the division. The Town of Wlfd will not own the power plant. PP&L is leasing land from the Town of Wlfd to conduct their business.

Jack Agosta, 505 Church St., asked if the cones on Quinnipiac St. are going to be taken care of?

Mayor Dickinson answered, that there was a problem with the mounting construction and new connections had to be approved by our Electric Div. and that is in the process of being done.

Mr. Agosta stated, there is a load of sand on Cherry St. and South Orchard St. It looks like the Town has stopped sweeping the streets. He asked if there was a suggestion made to put hanging plants on the Center Street Cemetery wall?

Mr. Farrell answered, that there was no request made to him as President of the Cemetery. There was a request to put a climbing vine on the wall that was denied due to the possibility of loosening mortar on the wall.

Pasquale Melillo, 15 Haller Pl., asked how do we relate to the possibility of a shortage of transmission lines and electricity supplies?

Mayor Dickinson replied, the new plant will add to the energy supplies to Wallilngford. The plant will be able to give electric energy up to 75% of Wallingford if there should be a blackout everywhere else in Conn.

Bernadette Renda, 753 No. Main St., Ext., suggested that cars should stop back further on the corner of No. Main St. Ext. and Beaumont Rd. because the trucks need to have room to make a right turn. She asked if a No Turn on Red Sign could be put up coming out of the Community Pool onto No. Main St. Ext.?

She also asked if the shrubs could be trimmed back at the corner of Beaumont onto Rt. 5?

Mr. Parisi said, he would pass that along.

Mr. Melillo asked, if the Board of Education was building a new Library?

Mr. Parisi replied, that there was no information available at this point.

Mr. Melillo said, he is concerned that millions of dollars will be spent on a new library that we do not need.

Mr. Parisi said, no plans are complete.

Mr. Melillo said, he thought the money could be used in more practical ways.

He asked about the JFJ's Hatchery?

Mr. Farrell replied, that the walk through took place at the end of May and that we are waiting for proposals to come in. There is some chance a college might be interested in operating a program there. We will put in a cut-off day for proposals.

Mr. Melillo asked, if the legal status of the Garden Road properties is finalized?

Mayor answered, yes.

Wes Lubee asked, if the 222 No. Main Street could be identified?

Mayor replied that, the property was owned by Neil McKenzie and is next to the library.

Frank Wasilewski, 57 No. Orchard St., asked if the Wlfd Cemetery Wall is on the National Registry?

Mr. Farrell answered, yes.

Mr. Wasilewski stated, that the wall has to stay the way it is, otherwise you can not stay on the National Registry. He also asked who owns the property from Garden Rd. to the Quinnipiac River?

Mayor Dickinson replied, he believes it to be Wallace Park.

Mr. Farrell stated, that the property is not owned by Mr. Cooke, it is owned by an out of town company.

Mr. Agosta asked, if there was a surplus or deficit on the Budget?

Mr. Myers stated, that we are still in the process of adjusting the books but we are sure we will have a surplus.

ITEM #8 Consider and Approve Accepting a Donation from Connecticut Light & Power (CL&P) in the Amount of \$100 Towards the Adopt-A-Road Program Planner

Mr. Knight read a letter from Don Roe, Program Planner.

VOTE: Papale absent; all others aye; motion duly carried.

ITEM #9 Consider and Approve a Budget Amendment in the Amount of \$10,900 Increasing Misc. Pumping Expense Acct. #900-626 by \$1,744.00; Electricity, Utilities & Maint.. Acct. #900-643 by \$2,616.00; Maint.. Collection System Acct. #900-673 by \$4,687.00 and Increasing Supplies, Communication & General Expense Acct. #900-921 by \$1,853.00 and Decreasing the Use of Funds Section - Appropriation to Cash Acct. by \$10,900 - Sewer Division

Mr. Centner asked, if these were routine budget items?

Mayor Dickinson stated, that these were inadvertently left out of the materials put in for the accounts and when they reviewed it they found they were short for the safety equipment.

Mr. Knight asked, about the accounting procedure?

Mr. Myers replied, that this is an addition to the budget. These items were omitted from the budget. These accounts were short or didn't contain sufficient funding for necessary operational and maintenance expenses.

Mr. Wasileski, stated he does not understand how this could have happened. When the Commission goes through the budget and an item such as rubber gloves is missing, how could you forget rubber gloves? He asked where all

this money is coming from? Does the money come from their reserve or balance from last year? Are you adding more money to their budget?

Mr. Parisi stated, that he also asked the same question and mistakes happen. It was definitely a mistake.

Mr. Melillo he stated that with no one from the Sewer Div. here to answer any questions this should be tabled.

Mr. Vumbaco stated, that the statement is correct to say that we are increasing the budget because if you look at the information provided by the Sewer Div. the Mayor approved \$18,447 in this account that is being reduced by \$10,900. There must be some form of contingency funding that was placed in their budget. It is difficult to understand how they could forget safety items. He asked if the Mayor knew what the \$18,447 was for on page 1 of 3.

Mayor Dickinson stated, that the use of funds is not really a part of their budget. The \$18,477 relates to what money ends up in retained earnings.

Mr. Myers explained, that sources of funds and use of funds are presented on the enterprise funds to enhance the budget presentation and show money raised through user rates. It shows how it's used for 2 purposes, capital additions and to pay down principal payments on outstanding bonds. In Wallingford we prepare a little more detail. Principal payments on bonds is not an operating expense in commercial accounting where net profit is an objective. The appropriation to cash showing \$18,477 is increased to retain earnings. The \$18,477 of cash raised by the division was not earmarked for use.

VOTE: Papale absent; all others aye; motion duly carried.

ITEM #10 Removed

ITEM #11 Report Out from the Law Dept. and Possible Action Regarding the Status of the Town-Owned American Legion Building as Requested by Councilor Mike Brodinsky

Mr. Brodinsky stated, he wanted to bring up the developments or lack thereof on the American Legion issue. The building was bought in 1994 for about \$190,000 and it has been vacant for a while. The property was marketed last year to find an occupant and was advertised in the Historic Trust Foundation Newsletter. On Feb 22, this year at a Council Meeting the Council instructed the Administration to prepare a Lease for the American Legion Building for 10 years. The tenant was to make repairs valued at \$158,000. At that time I wanted to keep our options opened and I made comments that the property should be appraised and put on the market. That effort of mine did not succeed and was told only one person ever expressed interest in the property despite the market effort in the Historic Trust Newsletter. We only had one choice, to rent it to Mr. Pizzo. I expected that we would be able to put this matter together in about 6 weeks. I thought that if this deal was not going to come together in 5 or 6 weeks there would be a report back to the Council to indicate that things were delayed. The point is what is going to be happening to the American Legion Building and is it smart for the Town to tolerate another few months without taking further action in developing a plan B. Plan A is leasing the property for 10 years for \$1.00 a year to Mr. Pizzo and it has been 5 months now and we do not have a lease signed. It is time to go onto a plan B. It seems to me that the Town's best interest are served if we move tonight to have the property appraised and put it on the market. If by Aug. 1 we do not have a lease signed then automatically the property becomes appraised and goes out on the market and the details of that can be discussed at a later meeting in whatever appropriate forum.

Mr. Parisi stated, he spoke with Mr. Pizzo's office today and he is on vacation and is due back next week. The lease is complete and has been sent. This will be resolved when he comes back. He asked for an extension for personal reasons and was granted.

Mr. Brodinsky asked, if when he comes back and if he is not willing right then and there to sign the lease that we go to a plan B?

Mr. Parisi stated, that deal will have ended and if there is no deal, it is over.

Mr. Knight stated, that he does not remember agreeing that if Mr. Pizzo does not sign the lease that was prepared that our plan B is to sell the property. This was purchased with the long term possibilities that we would want to

add to Town Hall eventually. Owning the property and controlling the property next to this building was in the long term best interest of the community.

Mr. Brodinsky stated, that it seems that a sale makes more sense because the reasons for the purchase no longer apply and we are willing to give the property away or lease it for a \$1.00 for 10 years. We would be better off with money in the bank and having it sold. A favorable lease at market rates is something I would be interested in. I would like to make that decision tonight.

Mr. Zappala stated, that we should decide what to do with the property. I personally was against a lease and letting anyone use it for \$1.00 a year. The original intent was for future expansion of the Town Hall. Can we knock the house down?

Mayor Dickinson answered, the first step would be to have the Law Dept. look into that question and respond to it. When we first purchased the property that was the view that the building should be torn down. It is essential to the community that we retain ownership of the property. It does not mean the house but the land. We purchased that property along with the Lacy property in order to provide adequate area for the future needs of the community and Town Hall Governmental purposes. The building never was the focus or the need, it was always the real estate in order to provide parking and future expansions. Whether or not the building is there is not the most significant question. If it is going to be there we rather not see it deteriorate but there is a legitimate question whether the other option of demolishing it is realistic.

Mr. Farrell stated, the Town Attorney put a lot of time into it. There were many facets in that lease that were gone over between the Town and Mr. Pizzo. We are talking about a building that needs a lot of work on the inside. There were a variety of issues involved in what the Town would require out of Mr. Pizzo in terms of what he would do and when. It is not a simply process to find another person to invest around \$100,000 into a building they are not going to own and are under a complexity of circumstances.

Mr. Rys stated, if this lease does not go through I would suggest that we keep the property and take down the building.

Mr. Vumbaco asked, has there ever been a formal plan for the future expansion of this Town Hall that would indicate that we might need this in 3, 5, 10, 20 years? I think that is important to the decision that is to be made with the property whether we sell it, keep it, tear it down, or lease it for 10 years.

Mayor Dickinson answered, that the property became available and it would be the location for the Town Hall for the foreseeable future. We do not envision any other building in the community for our lifetimes and well beyond that as the sight for the Town Hall and the principal governmental offices that are located here now. It was felt that expanding the property owned by the local government for the governmental purposes was an important step to take. The building itself was never part of a plan. The real estate and the Lacy property were definitely identified as a very worthwhile and necessary purchase to provide for the future. This will be in our view forever the location for Town Hall and offices that provide service for the public.

Mr. Vumbaco stated, he understood that, but is there a plan? Because how can we decide if we are going to lease in it 10 years if we might need it in 5 years? Are we going to need it in 10 years?

Mayor Dickinson answered, that the Town would not need it for 10 years. It takes us about 10 years to get any major project into construction so chances are 10 years is safe. But the plan is that this is the sight for any ones guess or estimate forever the Town Hall. We have acquired the real estate and we are dealing with the structure that is on the property and what to do with it in the short term.

Mr. Vumbaco stated, that it makes good business sense to start re-market this property now.

Mr. Centner stated, that we acquired the asset for the parcel and the building is not essential at all. If the building is not a hazard while we are looking for a tenant that will keep the building in somewhat serviceable condition I do

not object to having the building there until we need it. I would expect the lease would have a termination clause if we do need it in less than 10 years. In my opinion if we can't get someone in there to make it habitable and properly meet code we should raze it and leave the land sit ital. The idea was for the land for expansion.

Mr. Brodinsky asked, when was the final draft delivered to Mr. Pizzo?

Asst. Town Atty. Farrell answered, April 8th.

Mr. Brodinsky stated, that if we want to hold onto this even though there may be no foreseeable use in the future forever then we should get that on the table. If our plan is not to do anything with this property and let it sit than that is the plan. If it needs to be vacant or if it is going to deteriorate than that is the plan. I am not in favor of that. But we should make some decision.

Motion made by Mr. Brodinsky if Mr. Pizzo does not sign the Lease by August 1, 2000 the property should be appraised for Rental or Sale purposes for the Sept. 12, 2000 Council Meeting, seconded by Vumbaco.

Mr. Brodinsky stated, that what if a appraisal on the rental value came back substantially more than what we negotiated with Mr. Pizzo wouldn't that make a difference? We are getting information and would like this Council prepared to figure out what plan B is, either sell it, rent it, or knock it down in the foreseeable future.

Mr. Parisi stated, that we are using the parking lot already. It has been paved and people are parking in it.

Mayor Dickinson stated, that one complication of the sale of a building that at this point has no parking, would possibly involve the sale of some other land we own. It may create a difficulty in appraising it without knowing the size of the lot.

Mr. Brodinsky asked, how do we solve that?

Mayor Dickinson replied, it is a legal question along with the ability to appraise.

Mr. Parisi stated, that these things take time. This was not an easy situation. We worked hard at it.

Mr. Zappala stated, he does not want to sell the property or even lease it. He does not believe this would be in the best interest of the town. But some decision has to be made.

Mr. Vumbaco stated, that he feels why tear the building down if we can remarket this and get \$50.00 dollars, it is more than we are getting now. We should investigate the potential for some lease on this property then just go forward and spend money to tear it down for the sake of having empty property next to the Town Hall. If we can get any kind of dollar back that starts paying down a little bit as a pay back for what we paid out in 1994.

Mr. Knight stated, that we have done something in the long term interest of the community and the taxpayer understands that, I will not vote to sell the property under any conditions.

Mr. Brodinsky stated, that there may be some confusion about the motion. He stated that he moved to have it appraised for real estate value and rental value. Then based on the information I may make up my mind what is the best interest for the Town with respect to selling it, rent it or do nothing.

Mr. Parisi stated, that if the lease does not come to be then I will consider other things. This is a piece of property that could be very valuable to the town.

Robert Sheehan, 11 Cooper Ave., stated that it is a nice piece of property to have to extend the parking lot for this building. He stated that it is not a historic building and a lot of people are saying to knock it down. He stated that the way it is going now the building will fall over. Someone has to make a decision of whether we are going to rent that building or we are going to get rid of it. But to let it sit there is the wrong decision.

Geno Zandri stated he thinks the motion is a simply one. If the lease does not go through by Aug. 1st, the wheels will be put in motion to get the Council additional information so in September you could move forward with this building.

Mr. Lubee asked, when was a request for an extension made?

Mr. Parisi answered, it was discussed at the last meeting, around June 27th.

Mr. Lubee asked, that is does not look as though we have a very enthusiastic potential tenant.

Mr. Brodinsky stated, that his information comes from the R-J that the building was advertised in a Conn Historic Trust Foundation Newsletter. He also heard this from the Council.

Mayor Dickinson stated, that he believes it was also publicized in the normal manner through Purchasing. It was suggested that the magazine also be used as part of the publication.

Mr. Lubee asked the Mayor if he knew for certain the method used to advertise?

Mayor Dickinson stated the normal method for advertising from Purchasing is to send a list of vendors, if one exists, also newspaper publications that would cover a large area of the state.

Mr. Lubee stated, that he thinks someone should try to find out what actually was done. He also stated that he thinks the property was not exposed to the entire market.

Mayor Dickinson stated, that he is not surprised that there has not been great interest because the building needs a lot of money put into it to make it useable. The building would be leased for a specified number of years and they/it would have to leave the property in which they/it had improved.

Mr. Lubee asked, if a final draft was given to Mr. Pizzo on April 8th and if he signs this does he thinks it is a done deal.

Mr. Parisi answered, the deal would have to be approved.

Mr. Lubee asked, if anyone on the Council has seen the final draft?

Mr. Parisi stated, that he has seen it and also Councilor Farrell. It will be reviewed by the Council before it is approved. If anyone on the Council wants a copy Atty. Farrell could forward it to them.

Mr. Lubee asked, if it is available to the public?

Asst. Town Atty. Farrell said, it is not a public document.

Mr. Lubee asked, how would the tax payers interest be protected?

Mayor Dickinson replied, that it would have to be approved by the Council vote and at that time the document and discussion will appear at a public meeting.

Mr. Lubee asked, if it was an omission to buy property for land value and allow it sit there for 6 years? Has the building been painted in the last six years?

Mayor Dickinson replied, there is no purpose at this time for the Town to maintain that structure.

Mr. Parisi stated, that Mr. Pizzo is an architect and he thought the building is basically in good shape.

Mr. Agosta stated, that we shouldn't give the building away and we should sell this building and get money for it.

Pat Melillo stated, that we should put it on the real estate leasing market and get the best possible bid for it. We should sell the building.

Mr. Centner stated, that he does not wish to ever sell the building.

Ken McFarlane, Prince St., stated that he feels the building should go to Mr. Pizzo if the Town is not going to maintain it. Let him put in \$75,000 into and have it for 10 years.

VOTE: Papale absent; Brodinsky and Vumbaco aye; all others no; motion failed.

Motion was made by Mr. Brodinsky that the Town advertise in commercially reasonable ways the American Legion Property for Rental, to include advertisements in the New Haven Register, Record-Journal, and the Hartford Courant, for a time to be discussed during a later motion, seconded by Mr. Vumbaco.

Mr. Knight stated, that there is very little to be gained until we know which way Mr. Pizzo is going to go.

Amendment to the Motion was made by Mr. Brodinsky that if Mr. Pizzo does not sign the Lease by August 1st., then the property be advertised as indicated above, seconded by Mr. Vumbaco.

Zappala asked, if that would be for the same deal \$1.00 a year or just what you could get?

Mr. Brodinsky stated, the terms would be discussed in executive session but to get it on the market and get it advertised.

Mr. Parisi stated, he would not vote to support the motion or the amendment because he wants this to be concluded first and would like to remain flexible.

VOTE ON AMENDMENT: Papale absent; Brodinsky, Vumbaco and Zappala aye; all others no; motion failed.

VOTE: Papale absent; Brodinsky, Vumbaco and Zappala aye; all others no; motion failed.

Motion made by Mr. Brodinsky if Mr. Pizzo does not sign the Lease by August 1, 2000 to place the property with a Realtor for Rental with the terms to be discussed in executive session and the fee of the Realtor to be discussed in an appropriate forum, seconded by Mr. Vumbaco.

Mr. Centner stated, that in order to rent the property it would have to meet code and other building requirements. This is why we are having it leased to have an architect and engineer to rehabilitate the building to somewhat code level.

Mr. Vumbaco stated, that putting it with a Realtor does not preclude the fact that you can strike a similar deal as what we are trying to strike with Mr. Pizzo.

VOTE: Papale absent; Brodinsky, Vumbaco and Zappala aye; all others no; motion failed.

ITEM #12 Report from the Wld Housing Authority Regarding the Status of Plans (if any) for the Conversion of the Former Simpson School Building, Including a Brief Synopsis of Developments Occurring in the Past Twelve (12) Months with Respect to Said Conversion as Requested by Councilors Brodinsky, Vumbaco and Zappala

Mr. Brodinsky asked, if any one from the Housing Authority is here?

Mr. Parisi replied, no.

Mr. Brodinsky asked the Mayor, if he had any new developments with respect to a funding source for the conversion of the Simpson School into senior citizen housing?

Mayor Dickinson replied, that last week money through the Dept. of Social Services has become available. The Housing Authority has sent an inquiry regarding that source of funds and their interest in it.

Mr. Brodinsky asked, what would be the use for that money?

Mayor Dickinson believes, it would be for renovation for housing and does not have details.

Mr. Brodinsky stated, he had a conversation and received a letter from Mr. Nere dated June 30th. He asked Mr. Nere to copy for him any writings from Jan. 1 1998 that would pertain to the conversion of the Simpson School to senior citizen housing and sources of funds. He received a few documents. He was told that there was no identifiable sources of funds to convert the school and were not waiting for anyone to give them an answer. He asked if there was a funding source? He would like that made known to the Council so we do not waste a lot of time. He stated that they've heard comments at Council meetings that "we are looking into funding sources", "we are

waiting to hear from the State" and the funds never appear. Did the last occupant of the Simpson School moved out in 1994 or 1995?

Mayor Dickinson replied, no, the Visiting Nurses Assoc. was in there and they have been out maybe 2 years.

Mr. Brodinsky stated, the building is in pretty bad shape. He was in there with Mr. McCully. It would take a major renovation effort to convert that building. He stated in his layman's opinion the only alternative would be for someone to take that building down, either the Town or someone who rents/buys the property. He stated he would like to develop a plan for this structure. He stated that last fall Mr. Parisi suggested that the property might be used as a park. If the building was razed and seeded, with some benches, it could be used as a park pending further decisions on what would happen with that property. The Wlfd Housing Authority is not here today to give us any hope. He stated that he would like this matter to appear on the September agenda and try to have a specific plan. He stated the property should be razed and made into a park and at the same time the property be put on the market. If it turns out that it is extremely valuable we can use that information to make up our minds.

Mr. Parisi stated, that Mr. Rys and himself mentioned about the parks. He asked the Mayor if there was a potential for funding?

Mayor Dickinson stated, he attended a meeting with Dept. of Social Services. They have stated there is now funding available. He spoke with the Housing Authority and they are definitely interested in the property. He stated that tearing the building down could seriously impact what it could be used for. Once the building comes down the Planning and Zoning rules kick in and doubts we could have the coverage on that piece of property that now exists. It does not mean it couldn't be turned into a park but if we take the building down and try to sell it the value would drop.

Mr. Parisi asked, if he could immediately find out what they are doing and how quickly they plan to do it, and get a report out to the Council and not waiting for the next meeting?

Mayor Dickinson answered, he will try, but he thought Mr. Nere was on vacation.

Mr. Parisi asked, if he can't do it then ask Mr. Prentice to do it. He stated that if there is a potential for funding and they are interested or not we should know.

Mayor Dickinson replied, they could put it in writing, they indicated to him orally that they are definitely interested in the property.

Mr. Farrell stated, that it is an intensively used parcel by the buildings that are there, the building themselves have no particular merit. He stated that there is no such thing as a temporary park. Once you give someone a park they are going to keep it. He would not move to knock the buildings down and tell people it is going to be a park for a while and then build on it later.

Mr. Centner stated if we did find a use for that building it should be a match for that neighborhood. He stated he was appreciative of the Housing Authority's investigation towards use of the building. It is a low impact kind of use for that building. If we couldn't find a suitable use for a low impact kind of a setting then I would support razing the building and putting in a park. He stated that he agreed with Mr. Farrell once a park goes in, it stays in.

Mr. Knight stated, that originally the idea was to sell the property once all the buildings were vacated. He stated that it was Ray Rys and Bob Parisi that had come up with the notion that as hard as we work to purchasing open space, it seems counter productive to be giving away open space despite the fact that it has a large building on it. The building may eventually be used for senior citizen housing which is a high use for the property. He stated that is doesn't make much sense to consider selling the building even if funding sources were not immediately available. Most of us have publicly sworn to pursue the purchase of open space and this would make the perfect property for that should the housing alternative not come about.

Mr. Brodinsky stated, that the real issue is whether or not it is money that will become available for this site and what are the steps necessary to take advantage of that. I think we need a report out on that with detail so that we can track and calendar to make sure this issue does not slip. He stated that at a regular council meeting in Sept. we get this information and a report out with all the relevant parties and documents here.

Mr. Vumbaco stated, it may be good if the Mayor can ask the Town Planner to provide us with a breakdown of what can and can not be used on that property. There are a lot of options that are potentially available through the zoning regulations.

Mr. Zappala stated, that we should do something because it is disgraceful the way it looks. There are contractors who have showed interest in purchasing the building regardless of how much it cost to alter. There is always someone willing to take a chance and reconstruct. It is a good building on the outside. We should do something.

Wes Lubee, asked the square footage of the building?

Mayor Dickinson answered, approximately 30,500 sq. feet.

Mr. Lubee stated, that if we divided it into 400 sq. ft. apartments for the agent it would be a pretty heavily trafficked building and street.

Pat Melillo stated, the most important thing is to be sure that the building is in safe condition. He asked if our State Legislators have been contacted to see if they can raise any funds?

Mayor Dickinson answered, that the Legislator is not in session and there would be no ability to raise funds at this point. The departments in question would have grant programs that have already been funded. Those grant programs would potentially be available and looked into.

ITEM #13 Report out from the Law Dept. Regarding the Status of:

- Cooke Property;
 - State Dept. of Health's ruling on whether Wallingford is a public water co; and
 - Negotiations with the State's Attorney General
- as Requested by Councilors Brodinsky, Vumbaco and Zappala

Mr. Brodinsky asked, if there was a hearing tomorrow and if Atty. Small could bring us up to date as to what is happening?

Atty. Small answered, that the hearing is tomorrow and a decision is supposed to be reached by the end of August, whether or not that changes tomorrow we will find out when we get there.

Mr. Brodinsky asked, what is the issue at the hearing tomorrow?

Atty. Small answered, the issue is whether or not we have to apply for a permit with the State Dept. of Health in order to change the use of the Cooke Property.

Mr. Brodinsky asked, if a decision is due by the end of August?

Atty. Small replied, that is what she was told .

Mr. Brodinsky asked, what would be the next step in resolving the question?

Atty. Small answered, that if the decision is against the Town then we would take an appeal to the Court.

ITEM #14 Executive Session Pursuant to Sec. 1-200(6)(B) of the CT.
General Statutes to Discuss Pending Litigation in the Matter of Principal Mutual Life Insurance Co. vs. Town Of Wlfd - Town Atty.

ITEM #16 Executive Session Pursuant to Sec. 1-200(6)(D) of the CT.
General Statutes For the Purpose of Discussion and Possible Action on the Purchase, Sale and/or Leasing of Property - Mayor

Motion was made by Mr. Rys to Enter into Executive Session Listed above, seconded by Mr. Farrell.

VOTE: Papale absent; all others aye; motion duly carried.

The Council entered into Executive Session at 9:21 P.M.

Present in Executive Session were Mayor Dickinson, Town Atty. Small, Atty. Donald Lunt, Karen Rossler and Virginia Towle of the Wlfd Library.

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

VOTE: Papale absent; all others aye; motion duly carried.

ITEM #15 Consider and Approve the Settlement of a Tax Appeal as Discussed in Executive Session - Town Attorney

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

VOTE: Papale absent; all others aye; motion duly carried.

ITEM #17 Consider and Approve, Pursuant to CT. General Statutes Section 48-6 and 48-12, Authorizing the Comptroller, in the name of the Town of Wallingford, to Proceed with the Condemnation of 222 North Main Street, Wallingford, CT in Accordance with the Procedures Set Forth in the Applicable State Statutes and Authorize the Town Attorney to Commence the Legal Process Necessary to Complete the Condemnation - Town Attorney

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

Mr. Beringer, Co-Executor of the Estate, Neil McKenzie, the owner of the property of 222 North Main Street, stated he was surprised that we are here tonight. I thought we were still in the negotiation process. I have been in negotiations with both Attorney Don Lunt who is representing the Library and another local Attorney representing another interested party. When I received the last offer from Mr. Lunt on behalf of the Library he gave me a number and told me that that was the best he could do for now. What they really wanted to know is what my bottom line is. I gave him what are bottom line was and told him that we received an offer higher than what their most recent offer was. I am aghast that the Library is using you as a strong arm. They are trying to force us to sell a piece of property at a price that we don't want to sell it at. I have a piece of property to sell and I am trying to get the most I can out of that property. I have been identifying purchases and receiving offers from them. They will tell you that there are appraisals at lower amounts than what we are talking about in these offers. Appraisals are simply someone's best guess of what a piece of property is worth. The way you find out what a piece of property is worth is by obtaining an appraisal and then put it on the market. I have received to 2 bona fide offers, one from the Library in the amount of \$350,000 and one from the other interested party for a higher amount. I have given the Library

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every opportunity to respond to that. I think you need to consider what you are being asked to do here. I don't know because I haven't heard the number at what is being proposed as the number being used for the condemnation proceeding. But I guess it is lower than what they already offered. I will go to court, I will appeal that. You will then be in front of the court arguing, "we have been negotiating in good faith but some else beat our bid so we decided to condemn it." You may also have to argue that, "we want to condemn it for this dollar amount even though we have already offered \$350,000." I don't think a court is going to look kindly on that. I encourage you to think carefully what is being proposed here and make me an offer.

VOTE: Papale absent; all others aye; motion duly carried.

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

VOTE: Papale absent; all others aye; motion duly carried.

There being no further business the meeting adjourned at 10:00 P.M.

Meeting Recorded and Transcribed by:

Patricia A. Sgambati, Asst.
Asst. Town Clerk

Approved:

Robert F. Parisi (ee)
Robert F. Parisi, Chairman

Date

Rosemary A. Rascati
Rosemary A. Rascati, Town Clerk

Date

RECEIVED FOR RECORD 7-26-00
AT H M M AND RECORDED BY
Rosemary A. Rascati TOWN CLERK