

TOWN OF WALLINGFORD, CONNECTICUT
REGULAR TOWN COUNCIL MEETING
Town Council Chambers

September 22, 2009

The following minutes are a record of the Regular Meeting of the Wallingford Town Council held in the Robert Earley Auditorium of the Wallingford Town Hall on Tuesday, September 22, 2009. The Meeting was Called to Order at 6:40 P.M. Responding present to the Roll Call given by Town Council Secretary Sandra Weekes were Councilors Mike Brodinsky, Vincenzo M. DiNatale, Nick Economopoulos, Jerry Farrell, Jr., John LeTourneau, Robert F. Parisi, Rosemary Rascati, Michael Spiteri and Vincent F. Testa, Jr. Mayor William W. Dickinson, Jr., Town Attorney Janis Small and Comptroller James Bowes were also present.

The meeting began with a Moment of Silence, the Pledge of Allegiance and the Roll Call.

2. Chairman's Report

Chairman Brodinsky announced a change in the order of the meeting stating that Items 7 & 8 would be taken up first with Item 6 to follow. He announced a correction to page 2 of the September 8, 2009 Town Council meeting minutes.

3. Consent Agenda

- 3a. Consider and Approve Tax Refunds (#180 - #264) totaling \$25,759.94
Acct. # 001-1000-010-1170 - Tax Collector
- 3b. Consider and Approve an Appropriation in the Amount of \$60 Youth and Social Services Special Fund to Donations Acct # 213-1042-070-7010 and to Expenditures Acct # 213-3070-600-6000 – Youth and Social Services
- 3c. Consider and Approve an Appropriation in the Amount of \$72 Youth and Social Services Special Fund to Donations Acct # 213-1042-070-7010 and to Expenditures Acct # 213-3070-600-6000 – Youth and Social Services
- 3d. Acceptance of Schedule for Regular Town Council Meetings for Calendar Year 2010 – Michael Brodinsky, Council Chairman
- 3e. Approve correction to the August 11, 2009 minutes
- 3f. Approve Minutes of Special Town Council Meeting August 31, 2009
- 3g. Approve Minutes of Regular Town Council Meeting September 8, 2009

Mr. Testa made a motion, seconded by Mr. Parisi, to approve Consent agenda items 3a. to 3g. By voice, all Councilors present (9) voted Aye. The motion carried.

4. Items Removed from the Consent Agenda

None

5. PUBLIC QUESTION & ANSWER

Geno Zandri, 9 Balsam Ridge Circle, reported that another accident occurred at the Toelles Road and South Colony Road intersection on September 15 at 9:00am that involved two patrol cars, fire and ambulance vehicles. Mr. Parisi reported that he informed the proper departments. Mayor Dickinson said that the state has been notified. The crossing is the state's responsibility and that a multi-million dollar project slated for the location is soon to go out to bid. Mr. Zandri added that he thinks it would be helpful to take a pro-active stance and to hold a joint meeting.

Bob Gross, 114 Long Hill Road, asked if the town's managers received a raise this year. Mayor Dickinson said not after June 30, 2009. Mr. Gross made comments regarding unions.

7. Consider and Approve Agreement for the Purchase of 866 North Farms Road, approximately 10.29 acres, in the amount of \$850,000 – Town Attorney

MOTION (1)

Mr. Testa made a motion, seconded by Mr. DiNatale, to approve the Purchase of 866 North Farms Road, approximately 10.29 acres, in the amount of \$850,000 as requested by the Town Attorney.

In Attendance:

Peter Struble, Fire Chief

Richard Heidgerd, Deputy Chief

Mayor Dickinson discussed the property with the aid of a map that was on display. He said this property is located near North Farms Reservoir and Rt. 68. He pointed to North Farms Road and to its corner with Rt. 68. He traced the outline of the property that is approximately 10.83 acres. He said that Caitlin Brook, which flows through the rear portion of the property, is fed by North Farms Reservoir and becomes Wharton Brook as it flows through town. He said that since this is a watercourse that either side of the brook is a protected area. He said that there is additional property owned by the seller and for which the town would receive a right of first refusal if it is sold. He said that the town has searched for four years for a site for the North Farms Fire Department since their current location is inadequate and that response times are of concern. He also said that there is a desire to have a station that will accommodate career as well as volunteers, and most particularly, to have an ambulance in the northeast quadrant of the town to improve medical emergency response. In the search for properties that have been considered, they have investigated multiple sites – on the other side of I-91, including the property currently being used by North Farms Fire Department. He said they looked at various ways of making the current location workable but the it basically you can't have enough of a footprint there to be able to construct a station that will serve the town's needs. He said that this is the only property so far that has reached this point.

Chief Struble reviewed how they got to where they are today. He said in summary that in 2001 they were faced with a decision to renovate or replace of the fire station. He said that architectural estimates in 2001 for renovation were \$400k to \$450k and that a renovation would not have given them additional apparatus bay space. He said that the station now being used sits on point four (.4) acres of land and is surrounded by wetlands. He noted that parking is limited to the street and that the value of any capital improvements in the renovation would be lost if the town stops using the building as a fire station due to deed restrictions. He said that although there is ongoing maintenance, the situation is becoming critical with the septic system failure, apparatus that needs better clearance and no floor drains in the apparatus bays. He said that there have been two goals driving their search for a new location 1) to maintain a vibrant volunteer system. He said that they are critical in providing fire protection in the immediate area and heavy rescue services and fire protection to the entire town. He said that the current fire station does not provide the space needed for the volunteers to work from. He said that they are forced to train in their apparatus bays 2) to enable the department to expand services when needed and to build a station that would serve into the future for 30 years. He said that this area of town is experiencing growth, and there is a need to protect the north end of Route 5. It is protected by a volunteer station with additional career personnel from North Main Street and Masonic Avenue. He said that the volunteer system is effective but they need to plan now to reduce response time for the area's medical emergencies. They determined that the optimal location was between I-91 and the current station. They have look at potential sites since 2005 that have presented challenges, including less than two-acres of land, wetlands, limited utility access, frontage issues or unwilling property owners. He said that the site being considered tonight meets criteria by having enough land available, reasonable access to utilities, accessible to volunteers and is a short distance from the current station, which has known response time. He said that the Fire Department supports this location with the understanding that the land purchase is the first step that they will do everything that they can to make this a positive addition to the area as they progress through the Planning and Zoning process.

Mayor Dickinson said that the first step is very accurate. There is no site plan; there are no architectural drawings, and they have no idea where on the property the building would be located.

Chairman Brodinsky asked about traffic control and traffic lights, noise with relation to sirens, and about the size of the parcel of ten-acres of land when only two to three are really needed.

Chief Struble said that main traffic light would be North Farms Road and Rt. 68. This light could be isolated for Fire Department control with the State of Connecticut. He said that there is no determination for a traffic light on North Farms Road. With regard to noise, he said that at this time the old siren system is not used and that volunteers are notified via radio pager. The town does not have activation sirens. There will be sirens, however, on the trucks so the response is not silent. He said that the current station responds to about 1200 calls per year, 24/7, most of which are on Rt. 68. He said that if the fire trucks now use North Farms Road, it is to response to a serious call in the center of town. With respect to the property size, they need two acres, and they know the entire property is for sale for a competitive price. He said that they never considered carving out just two acres.

Mr. Economopoulos asked if the station has the equipment to adequately handle the new hotel that will be constructed by I-91 plus the empty office building. Chief Struble said that they do. He referred to that areas tremendous growth and the fact that the new buildings have been

constructed with built-in for protection, fire sprinklers and that the fires that they have had in those buildings in Barnes Industrial Park and in Research Parkway have generally been controlled by the sprinkler systems. He said that the Fire Department supplements the sprinkler system. While doing a great job, it is difficult for volunteers, who come from home to the station to respond.

Mr. DiNatale referred to the long search for a new location and recalled the many times the Town Council has looked at sites during Executive Sessions. He said that it should be known that many sites in the identified radius were examined. He asked about grant money for this site. He also asked with regard to equipment needs, how does the Fire Department determine the size of a new building?

Chief Struble said that the grant is a Small Town Economic Assistance grant. He said that the state has not called back. He said that in 2006 they received a reimbursement-based \$500k grant and that Wallingford was the only town authorized to use the grant money for land. He said that the incorporated into that grant the authorization to use the grant for some architectural services and some construction. He said that the Memorandum of Understanding was established in 2008. He said that now they need to apply for a grant extension, which is, in essence, applying for the grant all over again to identify goals and strategies. With regard to the design and size of the building, Chief Struble said that the goals and needs of a new building must be evaluated with the users of the station needs and the architect, who then would make the design. He said that they have told the Council that they need at least two acres and 11, 000 square feet by using other fire departments, who have similar criteria, as bench marks.

Mr. DiNatale asked about a citizens group serving with the Fire Department and would they use such a group. Mayor Dickinson said that the process involves acceptance of the plans by the Town Council because it has to be funded for construction and Planning and Zoning has to approve the purchase of the land. Mr. DiNatale recalled a group that worked with the police department. Mayor Dickinson said that there are not always building committees and that there is a building committee at the point where there is a structure to be put up, if there is one, since they deal with the construction of a facility that has been approved. He said that the site plan has to be approved by Planning and Zoning with a special permit for municipal use. In order to get the special permit plans are needed. Mr. DiNatale said that we may want to consider this as the process moves along.

Mr. Testa asked if the fire department has an idea where a building could be on the site and what type of station would there be and what type of activity would there be on that site. Chief Struble said at this point he would be guessing regarding location of a structure but that an architect considers the neighborhood, aesthetics, functionality, operational needs and topography, among others criteria. He said because of the size of the parcel, building location on other properties that were considered weren't a concern. He said that he could better discuss it when an architect is involved. He said that the current stations assignments include an engine company, a heavy rescue and a water tanker truck, which would move to the new station where there would be enough bay space to store spare apparatus. He said that with the future in mind that he knows that the population will require a higher level of medical service which would include paramedics and other considerations depending on response time, etc. This is not an option at the current location. Mr. Testa asked about using this site for training. Chief Struble said that training would remain at headquarters, and that they do not have plans for burn tower training at a new North Farms location. He said the desire is to protect with a neighborhood sensitivity. Mr. Testa

understands the difficulty in finding a site and recalled at least six that he remembers reviewing. He talked about the ten-acre size of the parcel and said that he understood that was the parcel being sold and that if the town did not purchase it that it would be sold for development. He said that having ten acres does not mean that the property use will be maximized, especially considering the brook. Mayor Dickinson, pointing to the map, clarifies that the lines were not lots but rather fences that designate livestock areas, etc. Mr. Testa saw quite a buffer for the neighborhood in a possible location for the new building, especially since they will not need land for training structures.

Mayor Dickinson said that approximately \$150,000 of the funds that are being sought, over and above the \$850,000, would be for demolition of existing structures.

Mr. LeTourneau said that he wants people to know that in the two years that he has been on the Council everything that they have done has been in Executive Session since it is a purchase of property. He said that they have looked at every single piece of property up and down Route 68 and all of the side roads. He said that they were either too much money, too small or in the wrong location. He said that every single piece of property has been looked at in great detail. He said they have spent a lot of time on this and that they were at a point where they didn't know what to do, when this piece of property came up. He acknowledged that it is a large piece of property but that it is a good piece of property for this. He strongly suggests that while sitting with the architect that the Chief should hold some public meetings at North Farms, right at the fire house with all of the neighbors to let them be part of the design process. He said numerous meetings to bring forth what they want and what they don't want. He said that the architect could work with that. He said that he lives in the vicinity of East Wallingford Fire Station and that they are good neighbors, particularly when considering quick medical response.

Mr. Economopoulos said that when he was a teacher he remembers the same discussions surrounding the Kondracki Lane station. He asked if there has been any negative fallout about that station being built in a neighborhood. Chief Struble said that problems have been solved by the station chief

Members of the public who commented on this issue.

Bud Sielaff, 9 Saddlebrook Drive, commented on the probable \$2,000,000 cost to move the fire house ¼ mile for small gains and parking for an ambulance. He challenged the town to look for other land and commented that an architect will use all land available. He expressed his dissatisfaction with the timing of the notification to the residents of the area, stating that they found out on Thursday and that on Tuesday, the Council is ready to vote. He feels that a vote on land needs more time and discussion.

Kathy Pavlik, 6 Saddlebrook Drive, like the farm in her backyard and would not feel the same about having a fire station in her backyard. She is appalled at the reckless disregard to build a fire station when neighboring towns are talking about closing one and feels that the money would be better spent for wage increases for cafeteria workers. Spoke about the North Farms residential neighborhood on a narrow, busy one-lane road that is becoming busier with the increase of new homes. She said that there is non-residential land along the safer, two-lane road of Rt. 68. She also included land in Research Parkway that she sees as more desirable because it is non-residential on a two-lane road with no nighttime activity. She recalled this controversy to the one regarding building a mosque in a Wallingford residential area and said, "Let's keep residential areas for residences." With Durham as an example, she said that no one wants to live next to the

noise pollution of a fire station. She asked for the percentage of calls at night and that of the daytime.

Chief Struble responded saying that the town-wide, busiest time is from 7:00 A. M to 7:00 P.M. and the slowest is from midnight to 7:00 A.M. He said that Monday to Friday are peak times. He said that the paramedic units are busiest from midnight to 6:00 A.M., and they are the busiest units with an average of one call. He also said the sirens on the trucks are used when the truck is requesting right-of-way, which can be as soon as they leave the station, depending on traffic.

Ms. Pavlik wanted to know if the town has looked at property since more has become available during the current economic situation.

Chairman Brodinsky said that potential parcels have been many over the past couple of years but that the Council and the Administration, as an estimate, have discussed maybe eight parcels. He said that property needs to be for sale and within a small target area. He said that there are price, technical and location constraints.

Chief Struble said that they are called to I-91 approximately three or four times per week.

Debbie Cantino, 10 Saddlebrook Drive, discussed the special needs of her daughter, who she said would be at risk for seizures, if a fire station were located so close to her home, which was especially designed around her daughter's needs. She said that she has a petition and felt that it was appalling that she did not find out about this until one and one-half weeks ago. She discussed her residential area, the safety and traffic problems, sirens and the problems going from North Farms Road onto Rt. 68. She said that she does not know how this can be a 'done deal' without speaking to the people who live in that neighborhood. She asked if the land has already been purchased.

Mayor Dickinson said that in general, property purchases are extremely difficult and he ranks them as the most difficult undertaking and process in his time in office for a multitude of reasons. He said that the public response is part of the issue. He said that the process that is followed it is sensitive for a number of reasons -1) from a standpoint of price, if it becomes known that the town is interested in buying a property, it puts information into the hands of either the seller or other purchasers and that information could effect the price that the public ultimately pays for a piece of property, so, he said, it is permitted by law for the Administration and the Town Council to conduct Executive Sessions, which do not allow any publicity as to what is being undertaken in the way of purchasing a property. This is to protect the public interest, which is to pay a reasonable price for property. During that process of discussion, if there is a willing seller, and following an appraisal, they have determined that the price is reasonable, a contract for purchase is entered into and that is what is being approved tonight. This contract is subject to some additional requirements, one of which is an environmental review of the property, and is prior to closing on the property. He said that funding will also be approved tonight to allow for the fact that, if the closing is allowed to occur, the town is authorized to spend the money for the property. He summarized that at this meeting the contract is being approved and the money to close on the property is being approved. The closing date has not been determined. He said that once the closing occurs, the town owns the property, and it is ours. He said that the next aspects include demolition of buildings, hiring of an architect, development of plans, going to Planning and Zoning, having site plan approval, construction of the facility that is needed and then dedication and use of the facility.

Attorney Small said the answer to the question of whether the town has already purchased the property that the answer is no. She said that is what the decision will be tonight or if the Council defers, another night. She said it is on the agenda tonight for the Council to have a public discussion and make its decision.

Ms. Cantino, with respect to the cost, asked why we didn't ask to just purchase the land that is needed. She expressed some fear that the ten acres might at some point include the Police Station too.

Elizabeth Benham, 861 North Farms Road, has lived there for 22 years which is directly across from this farm. She said that this is residential and knew that in that area house would be built. She mentioned Kondracki Lane and East Wallingford Fire Stations. She said that she would have liked the feelings of the residents to have been considered. She asked about other uses on the property.

Mayor Dickinson said that he is not aware of anything at this point and that the sole purpose if for the fire house. He said that he cannot speak for what someone might say in ten years but for now he can truthfully say that administratively the sole goal is and continues to be to find a place for a fire department facility in order to deal with the public safety needs of the community. He said at this point the whole direction is for the Police Station to stay in the vicinity of where it is now and the he hasn't departed from that nor is he aware of any determination that something else should go on the property in question. He does not know what the newspaper reference was.

Ms. Benham next asked about the possibility of using the new site for training. Chief Struble said that the Fire Department's training facilities are at the Fire Department's Headquarters. He said that Wallingford is one of the few communities that actually has a burn and ladder facility, and that all of the hard, fixed, training facilities are at Central Headquarters on Masonic Avenue and that it is adequate.

Ms. Benham asked what other sites were considered. Mayor Dickinson said that they considered the property at the intersection of North Farms and Rt. 68, which was too small; property opposite the workstage on the northerly side of Rt. 68 and not able to get a response from them and it was too small; a property off of Northrup Road but the never received a response from the property's owner even though offering a swap of property; property on the other side of I-91 that had the Blakeslee House but after evaluation it was determined that it would not work out well for a volunteer station with concerns about reaching the property given traffic concerns on I-91. He said there are others, and it has been a dogged search, fronted mainly by the Fire Department in order to locate a facility recognizing what they see as a major need for the community in dealing with safety issues. He said that they looked at the existing site and how the footprint could be re-configured hopefully adding property from the State of Connecticut and dealing with that and not have to purchase additional property in the way we now are and found that it was not at all feasible, given the size of the facility that is now needed. He said that it has been a significant effort and that he recognizes that the details are not known because they are executive material, but he said, we have reached this point. He said that if a smaller piece was available, and this piece was only part of it being sold they would have looked at it but it was the whole piece that is being sold and that is what the owners wanted to sell.

John Benham, 861 North Farms Road, asked if the North Farms is the most active in terms of calls.

Chief Struble said for volunteer stations, it is pretty equal with Kondracki Lane station. He said that it is the only heavy rescue in town and responds with the aerial truck from Masonic Avenue for technical rescues, like vehicle entrapment, and for a working structure fire.

Mr. Benham asked about eleven, residential acres being taken from the tax roles and wanted to know why not commercial land. He wanted to know the benefit of having the Fire Chief searching for land rather than a group. Chairman Brodinsky said that taxes are really not the point but that it is represented that we need more space, a new parcel and a new station, and there has been a struggle to find an appropriate location. Tax consequences haven't entered into the equation. He said it could be argued that commercial property yields a higher tax because of the value of the commercial property which includes the real estate and the machinery and fixtures which are also taxed separately.

Christine Bee, 8 Saddlebrook Drive, made comments with regard to the traffic light and the serious safety issues at North Farms Road and Rt. 68. She said that the Fire Department may be able to control the traffic light but won't be able to control the driver. From her prepared statement, she expressed that originally she thought that the fire station would occupy about two acres of the ten-acre parcel, which would leave an eight acre buffer zone. She said that then it grew from a Fire Station, and then an ambulance as reported in the newspaper, and then other municipal buildings and then the need for land for future expansion. She takes offense with the lack of explanation for this from the Administration or from the Town Council, and no one can determine what this expansion is going to be. She thinks that current plans and into the future are vague and sees that the expectations of the resident neighbors are reasonable to know what the expansion of future space and its use will be. She asked a series of questions. She said that she opposes having a fire station and ambulance in her backyard and that of her neighbors and disagrees with Mr. Farrell's statement in the newspaper in which he states that this seems to be the best we can do. She asked, "Did you do your best? Please do your best with us and with the Fire Department to find a more suitable non-residential neighborhood." She said that she had a 'reasonable expectation' when she moved into her home in this area that it was zoned residential and that building there would be residential and not municipal buildings or a future town campus.

John Bee, 8 Saddlebrook Drive, asked if Planning and Zoning has to sign off on this purchase. Chief Struble said that it has to go before Planning and Zoning for a Special Permit. The project will have to be approved by Planning and Zoning before it can be built. Mayor Dickinson said that there is also under 824, Planning and Zoning makes a recommendation with regard to a purchase and this would go to Planning and Zoning for their advice if there is action taken tonight. The advice is whether this is something that the town should do. If the property is purchased, then at a subsequent time have to give approval for a Special Permit for what actually would be constructed, the use of the property. Mr. Bee asked if this property is in foreclosure. Attorney Small said that it is and that the property has been valued and is for sale. Attorney Small responded to Mr. Bee that the property was appraised at \$825,000. Mr. Bee said that we are paying \$850,000 and are going to put another \$150,000 into it. He wanted to know why we are paying \$1 million for a piece of foreclosed land. Mayor Dickinson asked him to keep in mind that in foreclosure of property that you foreclose on what you are owed. He gave the example of \$15,000 in taxes. If that is not paid, if no one went to the sale of the property and it would probably be foreclosure by sale, it goes to an auction, which would mean that anyone can bid on

it. The ultimate price of the property is what would be the value may be and in our case the tax lien would be paid to us but the owners would receive whatever the rest of that value might be. It would not be a case where the town can seize property for a failure to pay taxes and end up with a \$850,000 piece of property, when only \$15,000 was owed on it. That we cannot do. Mr. Bee asked if, as taxpayers, we are paying the lien on this property. Attorney Small said that the town is paying fair market value for the property and the property owner will be paying the taxes at the closing. She said that there is also other interest in this property by a developer and that generally in almost all of our tax foreclosures, the property owner brings the taxes current before it gets to the point where the property is sold. Mr. Bee said he was confused since the appraisal is \$825,000. Attorney Small said that an appraisal is based on its highest and best use, and the highest and best use is residential development. She said that is how an appraiser establishes fair market value.

In answer to Mr. Bee's next question, Mayor Dickinson said as an estimate it looks as though 25% would fall within the watercourse inland wetland protection area. Mr. Bee said he hopes that no one thinks that they are "knocking the fire department."

Mary O'Neil, 855 North Farms Road, asked if there was a search committee for the property that the Fire Department is looking for. Mayor Dickinson has a very accurate and working knowledge of exactly what they need with regard to location in particular and that his search has not been "willy-nilly." The Fire Department with the assistance of other offices undertook the primary effort with this. He said that this is not an arbitrary search, and they needed a site within a geographical area in order to supply the public safety response that is currently received from the North Farms station. He said that the Fire Department is the appropriate entity to determine a good site and has been very active and diligent in that effort over the past four or more years. Ms. O'Neil asked why a feasibility study hasn't been conducted as with the Police Station. Mayor Dickinson said the first step is to locate property, which has had a significant time period devoted to finding a site, and then to purchase the property, the second step. He said that with regard to the Police Station, it came about in a different way where the town had a piece of property and asked if a new police facility be located on it and how would that work for the police department. Ms. O'Neil said she thinks that a bi-partisan team of people did not perform the search for this piece of property with a lot of land. She thinks that there is more to the story. Mayor Dickinson said that absolutely that there is no hidden directive from his standpoint, and that he cannot speak for anyone else. There is no hidden agenda to move other facilities to this property. He said that right now we are anticipating that police department would be on the Wooding Caplan property. We are looking for a location for a station for the North Farms volunteer fire station with some career station capabilities looking toward a 20 to 30-year future for fire department needs. He said that there is not another purpose to this. Following her presentation of several rhetorical questions about the all scopes of the project, Ms. O'Neil said that she thinks that things are being done backwards. Mayor Dickinson said that he understood how things and their order could seem like it could be different. He said that for the town to spend a significant amount of money, when we don't have a site, that we would be open to criticism, like how could you have a design when you don't even have land to put it on. Why do these studies, why hire an architect when there is no land. He said that the town is trying to make sure that we have a site and then spend the money that would be devoted to analyzing that site. Ms. O'Neil said that she is not sure that the people who looked at the site have the qualifications to say this is the piece of land that will meet our needs. She spoke again regarding the diversity of expertise of a search committee. She made comments regarding the police station and the Wooding Caplan property. She asked if the agreement to purchase has been signed before this

meeting tonight. Mayor Dickinson said that tonight's vote would authorize the signing of the offer to purchase by the town, and we don't have a signature from the seller.

Terry Pierce, 871 North Farms Road, said that she has lived there for 23 years and is for a new fire department. She spoke about sirens at night even with no traffic, and when the light on Rt. 68 is red, cars will back up and where will these cars go? She talked about selling her house for retirement and fears a drop in value. She suggests continuing the search.

Bob Hogan, Grieb Road, said that he doesn't think it is worth an effort to come up to speak because he cannot believe what he has heard that this is a done deal. He read a prepared statement. He expressed his opinion regarding the selected ten-acre site for the fire station and suggested other sites including the area where the Parks and Recreation Department is located, the available land on the industrial park road along on Barnes Road. He said that there are two warehouses that could be converted. Another idea would be to put municipal buildings into a town business center like Madison. He offered information 52,000 square feet of warehouse on the corner of Rt. 68 and Fairfield Blvd. land. (860-525-9171 CBRE). He said to lease a building there is a 28,175 square foot warehouse (860-525-9171) also on Fairfield Blvd. He queried why couldn't the Fairfield Blvd property be used in conjunction with the present property that are within 100 feet of one another. He said that site on the corner could be used for the aerial truck ladder as well as ambulances, etc. He said that there is no reason why you couldn't have two existing facilities. We'd save ourselves \$1 million

Giovanni Landino, 869 North Farms Road, asked why not consider the Mortgage Lenders building and consider what is owed to the town. It could save money to be used in the Fire Department. Mayor Dickinson said that anything is possible. He said that they have made repeated efforts to speak with WorkStage about purchasing and have never has any success. He said that a bank is now involved and there has not been an opportunity to proceed anything beyond where they were. He said that if we delay on this property, it will disappear as an option and we will end up with nothing. He said, yes, there could be something else out there but compared to the amount of time that this search has taken that it has ended in a dead end street, and now we have something that can be completed. He repeated that WorkStage has indicated that they are walking away from it, and there is a bank that will become involved and that taxes are owed. He said that every step has complications and could effect Planning and Zoning approval regarding loss of property. Mr. Landino asked that the Town Council consider carefully.

Ken Daly, 594 North Elm Street, suggested committing the remaining land to open space, since the public is concerned about this remaining property and what might go there under their feet.

Tony Grasso, 4 Saddlebrook Drive, said that a committee should have been formed to look at other possible properties. He said that it is very hard to believe that we can't find two acres for a firehouse for less than one million dollars in Wallingford somewhere. He asked about the Wooding Caplan property and asked if that had been addresses. Chairman Brodinsky said that perhaps he wasn't here when the constraints were discussed – has to be in certain geographical area near Rt. 68 and west of I-91 for quick response time. It can't be moved farther away because of that criteria. He said that the other option that have been discussed need to be looked at before this approval. He said he is not satisfied regarding the use of the remaining eight acres and that he would rather look at the dilapidated barn that is there now than whatever might eventually go there.

David Valasko, 891 North Farms Road, loves the agrarian nature of the property, the horses and said that is why he moved there. He said that this is his first Town Council meeting that he has attended. He said it looks like it's going to be put in and then asked for tax breaks for the immediate neighbors since he said that he heard that property values were going to decrease. Chairman Brodinsky said that there is not a formal tax break but that there is revaluation. There is no building there now so property is devalued because of what is going on and that eventually is caught up by the appraiser with a reduced assessment.

Ben Martin, Ward Street, asked about the property on which the current station sits. Chief Struble said that the deed on the property goes back to the 1940s and the Wilkinson family was very involved with the fire department, and they donated .48 acres of property for the fire station with a lifetime use and that once it is not a fire station it is no longer the town's. Mr. Martin wanted to know how moving the station ¼ mile improve the response time. Chief Struble said that there are several factors and that response time improvement is not the volunteer piece. He said that in the future medical responses in this area will be an issue and are now so the station would be built with the ability to expand services as necessary in the future. Mr. Martin asked in expansion of the fire station would improve the response time. Mr. Struble said allowing for room to expand for the future to meet the needs of the area as they present themselves in this geographic area. Mr. Martin said that as he has suggested in the past when there is a demolition to look for a company that would recycle some of the material from the buildings being demolished.

Robert Gross, 114 Long Hill Road, asked if the land that Mr. Hogan suggested been seen. Mayor Dickinson said that he is not familiar with what was identified. He said that they have been moving on the current property for the past several months and that they are not looking for and other sites in that area right now.

Wes Lube, Montowese Trail, wanted to know who came to whom on this property. Mayor Dickinson said that they became aware that the property could be for sale and made contact with the owners. Attorney Small said that she does not believe that there is a mortgage on the property. Chief Struble, in answer to Mr. Lube, said that at the present location trucks that are garaged are a pumper engine truck, a rescue truck and a water tanker truck. Chief Struble said that they will layout the needs to the architect to see the recommendation but that the initial thought would be at least bays to cover the trucks that they now have in the current station, and that it would be a smart plan to make the bays two deep so that you can drive through or park another truck. Mr. Lube said that it would then be three double bays. Chief Struble stressed that this is only an initial concept and that they have to look at needs and goals but he thinks that it would be at least that. Mr. Lube asked if two bays would be needed for an aerial truck. Chief Struble confirmed that statement. In response to Mr. Lube, Chief Struble said that there is no plan at this time to change the response zones for this station. They talked about hypothetical response times and assistance along South Elm and who would respond. Mr. Lube spoke about spending about \$2 million for the land and building in order to accommodate an ambulance and a need to reduce the ambulance response time. He thinks that evidence of the medical calls needs to be provided to the decision makers on the \$2 to \$3 million dollars because he thinks that it is the subject of this particular location. He asked about acreage for a police station of 2-3 areas and 10 acres for the firehouse. He asked about the contract and if the Council has one. Chairman Brodinsky said that they do have the contract for review. Mr. Lube asked if information has been withheld from the residents. Chairman Brodinsky said that these kinds of transactions, and

this is for everything, not just this property, is discussed in Executive Session as the Mayor stated that to protect the price that the discussion of that is best had privately, so that the price is not driven up. Mr. Lube asked again if the abutting property owners kept in the dark due to the fact that a contract had not been signed. Chairman Brodinsky said that he thinks that the transaction was made public and put on the agenda at the earliest possible time following resolution in Executive Session. He said prior to it being put on the agenda it was a matter of Executive Session only. Mr. Lube next talked about the current property.

Jason Zandri, 35 Lincoln Drive, made comments to the discussion and gave his opinion on the location. He asked if the residents had any recourse like a referendum.

Attorney Small said that the residents so have an alternate course.

Jim Carroll, Volunteer Fireman, 31 Orlando Road, North Farms Fire Station volunteer, defined "volunteer" and said that this department at this station is made up on neighbors who have come together as volunteer firemen to protect their neighborhood. Volunteers are a phenomenal benefit and is very cost effective. He said the use of sirens will not change. He added that the current station is a real problem because of building issues like the septic system.

Chief Tim Wall, North Farms Volunteer Fire Department, likened the station to a community center with many purposes and benefits to the neighborhood. He said that they intend on being a good neighbor and urged support to fund the purchase of the land.

Bob Hogan, Grieb Road, wanted the item tabled in order to investigate other properties mentioned in the discussion and to consider the satellite idea.

Christine Bee, 8 Saddlebrook Drive, commented that realtors who called said that her residence would be 20% less with the new fire station.

There were no further comments from the public.

Mr. Economopoulos stated that he wants to buy the property but would like to postpone Items 8 and 9 to the next meeting. He asked if Mr. Landino could act as agent to investigate some of the ideas presented in the discussion.

Chairman Brodinsky said that he isn't sure if the Council or the administration are well-advised by appointing a volunteer agent. He said that we have agents of the town who have participated in the search including the Chief and other members of the Fire Department and the Mayor and that is the system that is set up. Regarding the motion to table, that can be entertained providing there is a motion and a second and what the votes are.

MOTION

Chairman Brodinsky made a motion for a recess at 9:26 P.M. Mr. Parisi seconded. All Councilors present (8) by voice voted Aye. Ms. Rascati was absent. The motion passed. At 9:46 P.M. that Chairman reconvened the meeting.

Mr. Spiteri acknowledged the heartfelt discussion and said that he has lived here for 50 years and that many of the things and places he remembers are now gone, such as a dairy farm, a wooded mountain and a skating pond. He said it's is all gone. It's called progress. He said that he has

heard not my neighborhood, noise pollution, my view being ruined. He said that he was a youth when it was decided to build central fire headquarters. He said that none of the neighbors sold their homes and property values are fine. He tried to reassure the residents. He said that the fire department is a good neighbor. They are good to the children in a well-cared for building and property

MOTION (2)

Mr. LeTourneau made a motion, seconded by Mr. Parisi, that this property, if purchased, be used only for fire purposes/services.

Chairman Brodinsky said procedurally that they are going to overlook the fact that a motion is already on the floor and to entertain this motion. He called for the debate on this new motion.

Mr. LeTourneau explained that, in deference to the residents and their comments, that his motion is that this site not be used for a police station. He said that he does not want to see the Police Station at that piece of property. He wants it only for fire services. He said that the size of the property itself could be very advantageous to really making the fire station disappear. He does not think that it is overkill to have ten acres.

Mr. Parisi added that a fire house becomes a neighborhood center, and the motion demonstrates and expresses the sentiments of the residents who spoke.

Mr. Economopoulos said that he is not against the motion. He feels that we should purchase the property tonight. He wants to table the commitment of making it into a fire station tonight as there are other properties should be explored. We just may find another location for the fire station, and this piece of property, if not used for a fire station, is a great piece of property for Wallingford's future, perhaps a school.

Chairman Brodinsky said that all we are doing tonight is to purchase land and that we are not committing to any construction plan. Before any construction, another piece of land could be discovered and then considered.

Mayor Dickinson said that our intention is as has been stated; however, as we move forward we would come back for approval of money to hire an architect.

Mr. DiNatale said essentially we are buying property and before anything happens on that property, there is a window to look at other properties if there are other opportunities. He is confused as to how the motion would play out if we were putting in a deed restriction. He said that we have a motion to purchase and then a motion for one purpose only. He asked if we can put a deed restriction on that property. Can we close the door on all of this or are we misleading people here and giving them false comfort that there won't be anything there except a fire house. We have discussed whether the police station should be in-town or out-of-town.

Attorney small said that simply voting that tonight does not bind any future Council to decide otherwise. She said if you are talking about creating some deed restriction like an open space type of restriction that she would have to take a look at it and that it might be possible to word it such a way that it then becomes enforceable by the public. She said your vote would be an expression of your intent but the vote alone would not be legally sufficient to bind the future.

Mr. DiNatale said that we would be sending a false message out when we may not be able to enforce it, which is not something that he wants to do.

Mr. Testa that he thinks the motion is fine and it sends a message that we are going to buy this land and that we will talk about it later what we are going to do with it. He said that we want to maintain as much of this property as possible in its natural state based on placement of the building, for instance placing it where the barn is. He said that five years from now in the face of this Council's intentions, another Council may vote to change that. He asked that people not take the motion as a guarantee. He said that the town has had similar cost for just three acres. He said that he is concerned that we will buy it, and then not use it for a fire station. He said he will not approve this kind of money for an open space purchase right now. He said buy it for this reason; otherwise, don't buy it. He said that he will go along with the motion since it goes with the spirit of what he wants to do. He said he supports a binding, legal deed restriction on future Councils if one can be found. He said that we can do whatever is necessary to shield it from the neighborhood and that he has no question that the fire department is going to do all they can to be the best neighbors that they can be.

Mayor Dickinson said that the administrative proposal is to use this land for a fire purpose. That is it, and it is not to be confused with finding another location. Secondly, it's ten acres with 2 to 3 acres unusuable because of the stream in the back, then that leaves you with about 8 acres, and if 3 to 4 is fire department, then that leaves about 4 acres, which is not a huge amount of area. He said that if we are committed to including a buffer around the edges of the property in working with the neighborhood, then there isn't a lot of area left over that could be used for anything else.

Attorney Small added that because this has to go to Planning and Zoning that the size of the buffer could be a condition of the Special Permit. She said that would be one legal way to address creating such a thing that would not be disturbed.

Mr. DiNatale asked if this motion is binding. Attorney Small said that it was not that it only expressed the Council's intent. Mr. DiNatale said he thinks that motion should be clarified and that he has a lot of discomfort giving a false sense of security to this group saying that there is no Police Station. He said that it is misleading. He asked that the motion be withdrawn and not voted upon.

Chairman Brodinsky said that he supports the motion. He said that we can't vote tonight that it will be binding and that it will work but at the very least it establishes the intent of this Council and that there is no other agenda of this Council. Unless the Town Attorney can find a way to make this motion binding, then another Council can undo it.

Mr. Parisi asked for a point of information to Attorney Small saying if the Council expressed a strong opinion that they did not want the land used for the police station, would that send a signal to Planning and Zoning so that wish could be carried through. Attorney Small said that they don't have the power to restrict what use for the property. She said that certainly you could create in the Special Permit process buffer areas, open space areas that are a condition of that permit; however, someone in years hence could go for a modification. She said again that she will look for a way to bind. They can't restrict use of the property forever.

Mr. LeTourneau said he made the motion for a layer of protection. He said that we cannot help what future Councils may do.

Ken Daly said that it is totally within the Council's power to identify an entity, who can enforce your intentions. He suggested the Wallingford Land Trust. He said that in the purchase they can dedicate a portion to the Land Trust.

Geno Zandri, 9 Balsam Ridge Circle, said that if you have a deed restriction how can it be overturned. Attorney Small said because you are restricting yourself.

Elizabeth Benham said that she doesn't mind the fire station; it's the future she is afraid of. She said that she likes the Land Trust idea.

Mr. DiNatale asked for the motion to be re-read, which is was.

Mr. LeTourneau's motion

ROLL CALL VOTE:

Brodinsky - Yes; Dinatale - No; Economopoulos - No; Farrell - Yes; LeTourneau - Yes;
Parisi - Yes; Rascati - Absent; Spiteri - No; Testa - Yes
5 -Aye; 3 -No; 1 -Absent

The motion carries.

ORIGINAL MOTION VOTE:

ROLL CALL VOTE:

Brodinsky - Yes; Dinatale - Yes; Economopoulos - Yes; Farrell - No; LeTourneau - Yes;
Parisi - Yes; Rascati - Absent; Spiteri - Yes; Testa - Yes
7 -Aye; 1 -No; 1 -Absent

The motion passed.

8. Consider and Approve an Appropriation to the CRRA Distribution fund in the Amount of \$1,004,000 to CRRA Distributed Funds (Revenue) Acct. # 200-1050-050-5000-00 and to Transfer to North Farms Fire Station Acct # 200-2800-284-0000-00 - Mayor

Mr. Testa made a motion to Approve an Appropriation to the CRRA Distribution fund in the Amount of \$1,004,000 to CRRA Distributed Funds (Revenue) Acct. # 200-1050-050-5000-00 and to Transfer to North Farms Fire Station Acct # 200-2800-284-0000-00 as requested by the Mayor. Mr. Parisi seconded.

Mr. Bowes referred to his memo for information. Mayor Dickinson said that we are using money from CRRA into a special revenue fund to be used to purchase the propert. He said that this approves the expenditure of \$1,004,000 of that CRRA fund for this purpose.

There was discussion as to what these funds may be used for.

ROLL CALL VOTE:

Brodinsky - Yes; Dinatale - Yes; Economopoulos - Yes; Farrell - Absent; LeTourneau - Yes;
Parisi - Yes; Rascati - Absent; Spiteri - Yes; Testa - Yes
7 -Aye; 0 -No; 2 -Absent

The motion passed.

9. Consider and Approve Establishment of a new bookkeeping fund “North Farms Fire Station” and Appropriation in the Amount of \$1,004,000 to Property Purchase and Related Costs Acct. # 306-1403-818-7010-00 and to Transfer from CRRA Distribution Fund Acct #306-1090-391-9020-00- Mayor

Mr. Testa made a motion to Approve Establishment of a new bookkeeping fund “North Farms Fire Station” and Appropriation in the Amount of \$1,004,000 to Property Purchase and Related Costs Acct. # 306-1403-818-7010-00 and to Transfer from CRRA Distribution Fund Acct #306-1090-391-9020-00 as requested by the Mayor.

By voice all Councilors present (7) voted Aye. Mr. Farrell and Ms. Rascati were absent. The motion passed.

6. Consider and Approve a Transfer in the Amount of \$112,700 to Uncollectible Accounts Expense Acct # 904 and from Customer Records and Collection Acct # 903- Electric Division

In attendance:

Thomas Sullivan, Business manager, Electric Division

Mr. Testa made a motion to Approve a Transfer in the Amount of \$112,700 to Uncollectible Accounts Expense Acct # 904 and from Customer Records and Collection Acct # 903 as requested by the Electric Division. Mr. DiNatale seconded.

Mr. Sullivan explained that this allows for accounting entries.

By voice all Councilors present (7) voted Aye. Mr. Farrell and Ms. Rascati were absent. The motion passed.

10. Discussion and Possible Action on revised Purchasing Ordinance
– Chairman Mike Brodinsky

This item will be reserved for another meeting.

11. Executive Session pursuant to §1-200 (6)(D) of the Connecticut General Statutes with respect to the purchase, sale and/or leasing of property – Mayor
12. Executive Session pursuant to §1-200 (6)(B) of the Connecticut General Statutes regarding strategy and negotiations with respect to the pending matters of *James McManus v. Town of Wallingford* and Dibble Edge Partners, LLC v. Town of Wallingford – Town Attorney

Mr. Testa made a motion to go into Executive Session pursuant to:

Executive Session pursuant to §1-200 (6)(D) of the Connecticut General Statutes with respect to the purchase, sale and/or leasing of property as requested by the Mayor.

And

Executive Session pursuant to §1-200 (6)(B) of the Connecticut General Statutes regarding strategy and negotiations with respect to the pending matters of ~~James McManus v. Town of Wallingford~~ and Dibble Edge Partners, LLC v. Town of Wallingford as requested by the Town Attorney.

Mr. Parisi seconded. By voice all Councilors present (7) voted Aye. Mr. Farrell and Ms. Rascati were absent. The motion passed. The Council entered Executive Session at 11:00 P.M. Mr. Testa made a motion to come out of Executive Session. Mr. Parisi seconded. By voice all Councilors present (7) voted Aye. Mr. Farrell and Ms. Rascati were absent. The motion passed. The Council exited Executive Session at 11:09 P.M.

Executive Session attendance;

Seven councilors. Mr. Farrell and Ms. Rascati were absent, Mayor Dickinson and Attorney Small

13. *Motion to consider and approve settlement of James McManus v Town of Wallingford tax appeal matter as discussed in Executive Session*
- Town Attorney

WITHDRAWN

Mr. Brodinsky made a motion to adjourn, seconded by Mr. Parisi. By voice all Councilors present (7) voted Aye. Mr. Farrell and Ms. Rascati were absent. The motion passed. The meeting was adjourned 11:10 P.M.

The meeting adjourned at 9:25 P.M.

Respectfully submitted,

Sandra R. Weekes
Town Council Secretary

Meeting recorded by Sandra Weekes

Chairman, Mike Brodinsky

Date

Town Clerk, Barbara Kapi

Date