

TOWN COUNCIL MEETING

NOVEMBER 27, 2001

6:30 P.M.

AGENDA

Blessing – Pastor Bish, Heritage Baptist Church, Wlfd.

1. Pledge of Allegiance and Roll Call
2. Correspondence
3. Consent Agenda
 - a. Consider and Approve Tax Refunds (#542-582) Totaling \$6,347.96 - Tax Collector
 - b. Consider and Approve Adoption of the Town Council Meeting Schedule for Calendar Year 2002
4. Items Removed from the Consent Agenda
5. PUBLIC QUESTION AND ANSWER PERIOD
6. Report Out on Progress Made to Date on the Revaluation Project – Comptroller
7. PUBLIC HEARING to Consider and Act Upon an Ordinance Appropriating \$1,285,000 for the Acquisition of Approximately 93.72 Acres of Real Property Known as 991 East Center Street and Authorizing the Issue of \$1,285,000 Bonds Of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose – 7:45 P.M.
8. Report Out from the Fire Marshal on the Status of the Department's Inspection Program as Requested by Councilor Jim Vumbaco
9. Report Out from Thomas Zappala, Chairman of the Golf Course Study Committee on the National Golf Foundation's "Market Analysis for a Proposed Golf Facility in Wallingford" dated October 19, 2001

10. Executive Session Pursuant to Section 1-200(6)(D) of the CT. General Statutes to Discuss the Purchase, Sale and/or Leasing of Property – Mayor
11. Executive Session Pursuant to Section 1-200(6)(B) of the CT. General Statutes Regarding Strategy and Negotiations with Respect to Pending Workers' Compensation Claim of Janice Sparico, Dependent Surviving Spouse of Louis M. Sparico – Town Attorney
12. Consider and Approve the Settlement of a Pending Workers' Compensation Claim as Discussed in Executive Session – Town Attorney

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SUMMARY

<u>Agenda Item</u>	<u>Page No.</u>
3. Consent Agenda – Items #3a-b	1
4. Withdrawn	
5. Public Question and Answer Period – Scheduling of School Building Renovation Committee Mtgs.; Request for update on search for Little League Fields; American Flags and Wreaths on Town Lampposts; Wooding/Caplan; Quinnipiac River pollution; PP&L Wallingford Power Plant; Simpson School	1-4
6. Report Out on Progress Made to Date on the Revaluation Project	4-7
7. PUBLIC HEARING on and Adoption of an Ordinance Appropriating \$1,285,000 for the Acquisition of Approximately 93.72 Acres of Real Property Known as 991 East Center Street and Authorizing the Issuance of \$1,285,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose	13-25
8. Report Out from the Fire Marshal on the Status of the Department's Inspection Program as Requested by Councilor Jim Vumbaco	8-13
9. Report Out by Thomas Zappala, Chairman of the Golf Course Study Committee On the National Golf Foundation's "Market Analysis for a Proposed Golf Facility in Wallingford" dated October 19, 2001	25-33
0. Withdrawn	
11. Exececutive Session – 1-200(6)(B) – Workers' Compensation Claims of Janice Sparico, Dependent Surviving Spouse of Louis M. Sparico – Town Atty.	33-34
12. Settle a Pending Worker's Comp. Claim as Discussed in Executive Session	34

TOWN COUNCIL MEETING

NOVEMBER 27, 2001

6:30 P.M.

A regular meeting of the Wallingford Town Council was held on Tuesday, November 27, 2001 in the Robert Earley Auditorium of the Wallingford Town Hall and called to Order by Chairman Robert F. Parisi at 6:37 P.M. Answering present to the Roll called by Town Clerk Rosemary A. Rascati were Councilors Brodinsky, Farrell, Knight, Papale, Parisi, Rys, Vumbaco & Zappala. Councilor Centner was unable to attend due to a business commitment. Mayor William W. Dickinson, Jr. arrived at 6:38 P.M.; Assistant Town Attorney Gerald E. Farrell, Sr. arrived at 6:42 P.M.; Attorney Janis M. Small arrived at 7:40 P.M. Comptroller Thomas A. Myers was also present.

A blessing was bestowed upon the Council by Pastor Bish of the Heritage Baptist Church in Wallingford.

The Pledge of Allegiance was given to the Flag.

ITEM #2 Correspondence

No items of correspondence were presented.

ITEM #3 Consent Agenda

ITEM #3a Consider and Approve Tax Refunds (#542-582) Totaling \$6,347.96 – Tax Collector

ITEM #3b Consider and Approve the Adoption of the Town Council Meeting Schedule for Calendar Year 2002

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

VOTE: Centner was absent; all others, aye; motion duly carried.

ITEM #4 Withdrawn

PUBLIC QUESTION AND ANSWER PERIOD

Pasquale Melillo, 15 Haller Place, Yalesville stated his dissatisfaction with the practice of the School Renovation Building Committee holding their meeting simultaneously with the Town Council's meeting.

Chairman Parisi stated that the School Renovation Committee schedules their own meetings.

Mr. Melillo pointed out that the item was on the agenda and the committee could have postponed their meeting, especially since this is a \$60+ million project.

On a separate matter, Mr. Melillo stated that, in his opinion, the Quinnipiac River is still very heavily polluted with waste and petroleum products. He asked, what is the Town doing about it?

Chairman Parisi answered, that is not a Town Council issue, it is a state river. The river is a lot cleaner now than it was ten years ago.

Robert Sheehan, 11 Cooper Avenue asked, how is the hunt going for new fields for the Little League?

Chairman Parisi replied, the little I know about it, it is actively being pursued on several fronts. The league has had several private meetings and the Town is reviewing several areas.

Mr. Sheehan asked, on property the Town already owns?

Chairman Parisi replied, as I understand it, it is property we already own.

John Sullivan, 62 Dutton Street, Wallingford offered a reply to Mr. Sheehan's question, as Publicity Director of the Wallingford Little League. There is a meeting tonight at 7:00 P.M. and there is also a team of individuals who will be meeting with Cytec tomorrow. Negotiations are ongoing with Cytec. There is nothing to report out on at this time.

Jack Agosta, 505 Church Street, Yalesville stated that he was glad to see the American flags remained up on the lampposts along with the holiday wreaths. Caryl Ryan, Director of Wallingford Center, Inc. does a great job.

Philip Wright, Sr., 160 Cedar Street asked, what is happening with the Wooding/Caplan property?

Chairman Parisi replied, I don't have an update as to where it is today.

Mr. Wright asked if the public can have an update at the next meeting?

Chairman Parisi agreed to place an item on the next agenda addressing the Wooding/Caplan property.

Mr. Melillo asked, who owns the Quinnipiac River that runs through the town?

Chairman Parisi was not sure if the Town owned it but the State regulates it. He asked the Town Council secretary to contact the Quinnipiac River Watershed Association for a report on the condition of the river.

Mr. Melillo asked, how do are we faring with the PP&L project?

Chairman Parisi replied, very well. They have not had any problems. They have fired up the generators; there is a little bit of tweaking that is going on but, from what I have been told everything is going along fairly well.

Mr. Melillo asked, is it true that they are seeking a change in the contract that they have with us?

Chairman Parisi replied, not that I am aware of. That hasn't come to us.

Mr. Melillo asked, what are we doing about our long range plans relative to our utility needs?

Chairman Parisi stated, we are not here to philosophize; we are here for a question. That question should be addressed to the Public Utilities Commission at one of their meetings.

Wes Lube, 15 Montowese Trail asked if the video screen in the Town Council is now permanent Town visual aids?

Chairman Parisi answered, yes.

Mr. Lube answered, terrific! Who is in charge; who is responsible for it? If someone from the Electric Utility wanted to make a presentation, who do they see to set this up?

Chairman Parisi answered, I would guess that they would see Scott Hanley, Government Television.

Mr. Melillo stated that he was concerned about the future power supply sources available to the community for he is of the opinion that the state will be running short of transmission lines.

On a separate matter, Mr. Melillo is concerned that, with the State running a deficit budget, the Housing Authority will not be able to get the funds requested to make use of Simpson School.

Chairman Parisi felt certain that the Town's delegates to Hartford were working closely together, assisting the Wallingford Housing Authority with their request.

Mr. Melillo asked, why aren't the windows at Simpson School boarded up from the outside and not the inside? That would eliminate the eyesore of looking at broken windows.

Chairman Parisi replied, it was probably easier to install the plywood from the interior of the building.

Mr. Agosta asked if there were any extra copies of the School Building Committee's recent proposal to the Town Council regarding changes to the scope of the project? Are there going to be any copies available to the public?

Chairman Parisi suggested that Mr. Agosta contact Dr. Cirusuolo's office for a copy.

Mr. Agosta continued to ask for a copy of any back up information the Council received on the topic.

Town Council Secretary, Kathryn Zandri offered to make Mr. Agosta a copy of the information that was distributed at the November 13th meeting.

Public Question and Answer Period was closed at this time.

ITEM #6 Report Out on Progress Made to Date on the Revaluation Project – Comptroller

Comptroller Thomas Myers and Assessor Shelby Jackson were present to update the Council and public on progress made to date on the revaluation of property within the boundaries of the Town of Wallingford.

Mr. Myers stated, all real property; all land and buildings; commercial, industrial and residential, including farmlands are being assigned a new market value. That value will be as of October 1, 2001 and it is market value that we will concentrate on tonight. With me here, tonight, is Shelby Jackson, Assessor. Shelby has been with us for three years now and is a certified Assessor under CT. State Law. He is also a licensed appraiser. To his left is Mr. Gary Fields who is an employee of Vision Technologies, the company working with the Assessor's Office to assign all the new market values. Vision is licensed to perform this type of work by the State of CT. Mr. Fields is a Senior Appraiser with Vision and is also a licensed general appraiser.

At this time the Council moved to the first row of the audience to view a 5-7 minute presentation displayed on the overhead video screen, narrated by Shelby Jackson.

Mr. Jackson stated, the purpose of a revaluation project is to establish a new market value or residential, commercial and industrial properties, real estate that is, as of October 1, 2001. What is market value? Essentially, market value is what a property would sell for in the open market. The assessment is simply 70% of the market value. It is simply a mathematical calculation. Vision Appraisal has been assisting our office in conducting the project and we are now ready to send all residential property owners a notice indicating what their new market value is. Over the next several days, results of the revaluation will be sent to all residential property owners through what we call a "Notice of Assessment Change".

For illustration purposes, the next few slides were displayed to show exactly what the notices will look like.

Mr. Jackson continued, Notices will be mailed within the next 2-3 days so within the next week very residential property owner should have received their notification of assessment change. The change is for the 2001 revaluation. The notice begins by thanking the residents for their cooperation because their cooperation has certainly contributed to the success overall. Around the middle of the page the results of the revaluation is reported. The form will instruct every property owner to go directly to the market value figure, the amount we want the Wallingford residents to focus on. The assessment is simply a mathematical calculation; 70% of the market value. Everything comes down to market value. When you examine the notice, we want property owners to ask themselves this question; "Is the October 1, 2001 market value amount that is indicated the price I would accept for my property if it was offered for sale in the open market?" That is the question we want every Wallingford property owner to ask themselves. There are a few important notes we need to take into consideration as we review the market value figure. First of all, any Wallingford resident who is currently receiving an exemption; blind, veteran or disability exemption; these exemption amounts are not reflected in your revaluation notice, however, they will be added automatically at a later date when we generate the tax bills. Those property owners who have property that is classified either as farmland or forestland, those values are reflected in the assessment amount. For anyone who has classified forestland, they will see the actual market value of their property but, under the assessment heading, the assessment will reflect farm values; these farm values are the recommended farm values published by the State of CT. Dept. of Agriculture. As Wallingford residents review the notice, please remember, do not apply the current mill rate to your new assessment. A new mill rate will be set in May of 2002. Starting on December 3rd revaluation information for all residential properties will be available for public inspection. Anyone who wants to review assessments of their property or any property for that matter, may do so. Simply come down to the Town Hall. That information will be available in Room #109. If you have questions regarding your revaluation, an informal hearing should be scheduled. To schedule a hearing, you need to call, Monday through Friday, between the hours of 9:00 a.m. and 4:00 p.m.. If you want a hearing, you must call by December 12, 2001. To schedule a hearing, simply call the 800 number which is boldly marked on the notification. Instructions are clear for anyone who is concerned or may have a question or may disagree with the market value figure. Call the 800

number and schedule a hearing. All hearings will be conducted in Town Hall and results from any hearings that are conducted will be mailed to those property owners during the month of January, 2002. For those property owners who do attend a hearing and are still not satisfied with the results, they are still entitled to an appeal before the Wallingford Board of Assessment Appeals. Appeals to the Board of Assessment Appeals must be filed in writing no later than February 20, 2002. If there are any further questions regarding the appeal process or if anyone needs an appeal form, contact the Assessor's Office. If you still have any questions regarding the process to this point, we would refer you to the Assessment and Revaluation booklet that was mailed out in September. This booklet, for anyone who did not receive one or misplaced theirs are available in the Assessor's Office, the Town Clerk's Office and also at the Wallingford Public Library. Questions may also be directed to Vision Appraisal at their local phone number or, of course, at the Assessor's Office.

This concluded the presentation at this time.

Chairman Parisi commented that the presentation was very well done.

Mr. Knight asked, how much of the appeal process that you just outlined for us will be on the notification?

Mr. Jackson answered, there are two points made on the notification; a property owner can schedule an informal hearing with Vision Appraisal if they disagree with the report and the 800 number is listed. A second note informs the reader that, if they are still dissatisfied with the results of the informal hearing, their next step is a written application for an appeal to the Wallingford Board of Assessment Appeals which must be filed no later than February 20, 2002.

Mr. Knight was pleased with the manner in which the information has been provided to the public. He asked, does the property owner have to bring any evidence, or are you mainly, in this process, going to explain to them how you came up with this valuation? How should they approach this?

Mr. Jackson stated, my advice to any Wallingford resident is, any evidence you present is certainly going to be helpful. Look at other similar properties in your area that may have recently sold; that is one form of evidence; an appraisal is another. Residents do not have to bring in evidence as far as we are concerned, they can just come in and a representative of Vision Appraisal will go through the process and explain the methodology. There may be something on the property record card that the property owner doesn't quite understand. They do not have to bring evidence but I recommend that they bring what ever they can to state their claim.

Gary Fields, Project Supervisor, Vision Appraisal Services added, it is a good idea if there has been a recent appraisal that that is certainly something that they should bring in if the appraisal

indicates value less than the value that we have suggested their property is worth. If there is anything detrimental as far as cracked foundations or something that negatively affects the property that they feel should be brought to our attention, they should bring in some documents or photographs. A lot of taxpayers come in because they simply want to review their information to be sure that it is accurate. We welcome everyone to come in and review their information if need be. Recent appraisals and any documentation one can think of to support their position; certainly sales of properties that are similar...those are the types of things that people should bring in.

Mr. Knight asked, these appeals will go on as long as they need to? Are you going to hold some of these sessions in the evenings? There are a lot of people nowadays that have a pretty tough time coming down to Town Hall during the day.

Mr. Fields replied, yes. We have scheduled Tuesday and Thursday evenings to have late hours; we will be going to 7:30 P.M. We will also be setting up Saturday appointments; a week from this Saturday and the Saturday after will be scheduled appointments. There is an opportunity to come in at various times.

Mr. Jackson added, Vision Appraisal is making available for all property owners books which will show all the sales activity that has occurred in the last couple of years. A person does not have to go and hire a professional, they can simply come down to room 109 and look through the sales books that we have which may enlighten them a bit. We are also planning to put up picture boards, showing a photograph of properties that have sold in Wallingford, giving a representation of each style of home. If they don't have the evidence at home, come down to room #109 and they may find what they are looking for there.

Mr. Parisi asked, what are the hours during the week?

Mr. Fields answered, Monday, Wednesday and Fridays the hearings will go from 9:00 a.m. to 5:00 p.m. Tuesday and Thursdays, will be from 9:00 a.m. to 7:30 p.m.

Mayor Dickinson stated, a lot of the comments were directed to residential; business property is the same process?

Mr. Jackson answered, yes, Mayor. Our presentation this evening is directed just to the residential property owner. We are sending notifications out this week just for the residential property owners. Commercial/Industrial properties, our staff is still reviewing the final valuations on those. We anticipate that those notices will go out within a couple of weeks. The process will be identical, they will receive the same notice that residential property owners will receive and the appeals process will also be the same.

No action taken.

Motion was made by Mr. Farrell to Move Agenda Item #8 Up to the Next Order of Business, seconded by Mr. Knight.

VOTE: Centner & Rys were absent; all others, aye; motion duly carried.

ITEM #8 Report Out from the Fire Marshal on the Status of the Department's Inspection Program as Requested by Councilor Jim Vumbaco

Mr. Vumbaco stated, the reason I asked for this report is because the last time we had a report out it was approximately one year ago on the same subject; the one I have in front of me is dated December 19, 2000. At that time I was somewhat concerned with the process and maybe how we are going about doing our inspection process according to state statute and state regulations. I am more concerned now because we are one staff member short in the department and it has been that way for some months now and this is going to give us a little light on where you stand with your department. Maybe as you go through your report as briefly as you can, at the end maybe you can give us an update on where we stand as far as the hiring process with regards to that position.

Joseph P. Micalizzi, Fire Marshal stated, I did not prepare a written statement for the Council this evening for I did not know exactly where the questioning was going to go. I do, however, have a comparison of inspections, a one-page sheet, that compares the year 2000 to the year 2001. It is not noted on the sheet but those are exact comparisons for the same time period; January 1st through November 25th of each year. As you can see from the year 2000 we have dropped our inspections; our total numbers for 2000 was 914 during this time period and we are down to 805 this year. Just a note; that is a 12% decrease for the same time period from the year before. Obviously, with loss of manpower, it is going to be reflected in the total inspections. For the year 2000 we did a total of 974 inspections which I don't believe the information is included on your sheet. Right now we are at 914; at the same time period last year we had 60 more inspections to do. We are about 174 inspections off the mark from last year. The other figure I would like to point out to the Council is the general category of "Inspections, Building", for 2000 there were 632 and this year there are 418. That category would more closely reflect the target hazard inspection program because most of the buildings that are targeted do fall under that category of inspection. That is a 34% decrease from last year. The buildings we are inspecting now are getting a little more difficult, they are a little more involved; they are mixed use; primarily mercantile with residential or business with residential so the process is a little more slow going. Other than that I will be open to any questions. With regards to the Fire Inspector, the last conversation I had with the Personnel Director, he is on target right now for a re-testing for the Fire Inspector position. I believe it is scheduled for December 6th or 8th; I am not sure of the date. Once that test is given, I should have a certified list to go by within a day or two and I can start the interview process. Unfortunately, the certification class does not start until February, 2002. To get that individual

fully certified once he is chosen, will take until February, 2002. The last module of that inspection course, of the pre-certification training is the fire code module. The new hire will be trained during the course of the year, take different modules for fire investigation, hazardous materials, plan review and the last course ending November 6, 2002. That is when the individual will be fully-certified and available to do the full responsibilities of the job.

Mr. Vumbaco asked, is your goal right now to do the testing, the interviewing and the hiring and have that completed by and the person a member of the department by the first certification date in February?

Mr. Micalizzi answered, yes. We need to submit a name to the state no later than January 11, 2002. I have spoken to the Personnel Director about it and he seems to think we will be well within that deadline. The individual would have to be hired by the Fire Prevention Bureau by February 20, 2002 which is when the course would begin. The new hire would go to classes three days out of the week and be trained by us for two days.

Mr. Vumbaco asked, how many applicants took the test this time?

Mr. Micalizzi was not sure this time. There were eight applicants for the last testing. He stated, I have no reason to believe it was any less than that. They did have to re-apply and that notice was posted throughout the Town by the Personnel Director and it clearly stated that previous applicants had to re-apply for the second test. I don't know how many people they got.

Mr. Vumbaco asked, the first test produced only one person who qualified?

Mr. Micalizzi answered, not for a Fire Inspector position. There are two people who passed the test.

Mr. Vumbaco asked, with regards to the "1999 Annual Report of the Wallingford Fire Protection Bureau" and there is a statement in it that I want to verify that at least we are making progress on. On page 4, under "Target Hazard Inspection Program" it says, "Most targeted properties have not been inspected since prior to 1995." I take it that those are the ones that you have been working on, getting cleaned up as you go forward?

Mr. Micalizzi answered, I don't have the benefit of having that but I believe the Target Hazard Inspection Program as I have set it up and is pretty much that we are going to look at the most serious fire hazards in the Town through national and state statistics which have been identified residential properties; out of all the fires in the country throughout the year, 70% of all fires involving fatalities and injuries, occur in residential properties. Because of that fact, and that is a figure that has not changed in 20 years; it has always been up around the same percentage rate. All our fatal fires and all our fire injuries occur at residential properties so the first phase

of the target hazard inspection program is to identify all of our residential properties, get them inspected and bring them up to code to try and bring down that hazard.

Mr. Vumbaco stated, obviously, then you have a list of what you are working towards?

Mr. Micalizzi answered, yes. We have recently completed just about all of the residential properties that we have, three families or more. The only thing I have to do and I have not been able to do that this week because of a computer glitch, is to re-examine the Assessor's records to see if there are any other categories of buildings that may fall under residential properties that we may have skipped. I believe one is condos that we haven't hit, although I believe they have been cross-covered in other categories but we have to re-check that and get it ordered.

Mr. Vumbaco stated, back in December there was a little discussion on public fire education because we know that your department handles other things and not just inspection. Is that suffering at all because of the lack of personnel?

Mr. Micalizzi answered, yes and no. We only have one person besides myself that can do it however in the last 1 ½ - 2 years we have partnered with the Fire Department a little more closely...we are using the Fire Department in many instances to reach out, go to the schools and civic groups. We are providing the Fire Department with Fire Prevention materials and films and the likes to get the message across. Inspector Foreman is still doing fire extinguisher training and presentations during the day of perhaps a more specialized groups such as seniors and businesses. We are doing it in partnership with the Fire Department and I believe we are reaching out more than ever.

Mr. Vumbaco asked, during the December 1999/2000 discussion, you stated that the next challenge your office would be facing is the updating of its inspection software package? Where do you stand on that right now?

Mr. Micalizzi answered, we completed that software package. We have gone on to another software package since then. That was the Fire House 3.5 software that I was referring to in that report. The Fire Department on their servers have recently upgraded to Fire House 5.0. We are now going through another little transition period, catching up with the big differences between the programs. Most of these forms are generated through that program; there are report sections and it takes a little getting used to. It is working out very well. Also, along with that the abatement process has been changed. As of July 1st, we have received a new directive 3 from the Office of the State Fire Marshal. Prior to this, all these years the way we have done business, we have used a pre-notification system for the abatement process. We are now down to a one notification system; a thirty day notice. If there is no progress made or compliance achieved within thirty days we go directly to the prosecutor's office.

Mr. Vumbaco asked, your working on this upgrade, is that taking you away from your inspections in the field or your staff?

Mr. Micalizzi answered, obviously, anything else you interject into the workday is going to take something away from anything but we are holding our own; doing all of our annual inspections; our healthcare; our schools; places of assembly such as auditoriums, restaurants, bars, fuel trucks, gasoline stations, etc. We are doing those annually and still trying to keep up with the targeted hazards.

Mr. Vumbaco stated, I appreciate your coming to the meeting this evening. You are a very busy person and coming before the Council to update us; you guy are doing a great job. I know what it is like to work under stress and with a shortage of staff. I encourage you to keep up the pressure on Mr. Sullivan and the process so that you will hopefully get someone on board as soon as you can. Thanks for coming.

Mr. Parisi asked, did you have a problem with the testing procedure?

Mr. Micalizzi answered, yes, the first test that was given for the position of Fire Inspector was questioned very highly by union members and because it was an older test, the Personnel Department decided to get a new test. We have gone to the Commission on Fire Prevention and Control, gotten a brand new set of test questions... that are completely certifiable and verifiable to be up to date and referenced. I believe a list has gone out with the notice and I think this test will be on a lot firmer ground.

Mr. Knight stated, with regard to these inspections and the fact that we are behind on some of them, are there any private sources that could be brought in to assist in bringing us up to the compliance level that you are looking for in the interim? As you say, it is going to be over a year before we can fully utilize the person that we bring on board in February.

Mr. Micalizzi answered, I have not explored the possibilities but I know other towns use other means; perhaps go out and hire part-time inspectors or on a per-inspection basis. There are other ways to supplement it but it would be a process where you would have to hire outside help to do it.

Mr. Knight stated, I was thinking in terms of much smaller communities that don't have the available resources. Surely, they must go out and there are firms providing services similar, certified people that can provide inspection services if it gets too critical.

Mr. Micalizzi answered, not that I know of, sir, no. Once you leave the employ of a municipality you are no longer certified. You have to be appointed by the particular municipality to be certified.

Mr. Knight asked, it's not a state certification that anyone can get?

Mr. Micalizzi answered, no. It is a lot harder to get than that. For example, when someone has chosen to fill the Inspector's position, a letter has to be certified by the appointing authority that that person, upon completion, will be appointed to the job for the municipality or they are not even allowed to take the pre-certification course. They have to be in the job. There are some other people that work part-time for municipalities, under the employment of the municipality, that may be available to do it but we would have to appoint them as a Fire Inspector for the Town on a part-time basis and pay them a per diem or what ever is agreed upon. In that way you can do that. There is nothing that prohibits a person from being an Inspector for more than one town. If they have maintained their certification or have lapsed their certification only within the past three years, then they can be re-appointed. But there is not a very big pool (of candidates) out there and you would have to find someone who would have the time to do it on a Saturday or from their other duties.

Mr. Knight answered, I don't quite care how we accomplish it, I just wondered if somewhere there were sources, a former Fire Inspector...

Mr. Micalizzi answered, it could be done and I am sure that there is a workforce available. There is a pool out there. If you advertise for it, you will find people that want to do it and are still certifiable or can be certified that would want to do it.

Mr. Knight stated, so there are other avenues we could approach if it became critical?

Mr. Micalizzi answered, yes.

Chairman Parisi stated, I thought at one time we were discussing hiring part time inspectors. What happened to that?

Mr. Micalizzi answered, it never went anywhere. I remember mentioning it to you and perhaps to Mr. Sullivan but we never went anywhere with it. I am not at the point now where it is critical, where we are not getting the work done. It is just that we have to prioritize our work and do it on a first-come, first-serve basis.

Chairman Parisi stated, I think you have done very well from the figures that I have.

Pasquale Melillo, 15 Haller Place, Yalesville asked if Mr. Micalizzi's department works in conjunction with the school system in conducting fire drills?

Mr. Micalizzi answered, yes we do. The schools are mandated under the CT. State Fire Safety Code to conduct a minimum of ten fire drills per school year. In the beginning of the school

year, my office personally conducts at least one fire drill in every school so the children are well-taught and well-versed and used to evacuating during the event of an emergency.

Bill Albe, 127 East Main Street asked, are you going by NFPA standards for residential and commercial?

Mr. Micalizzi answered, we enforce the CT. State Fire Safety Code which does adopt some NFPA standards.

Mr. Albe asked, with regards to residential, is that a yearly inspection or every three years, inspection-wise?

Mr. Micalizzi answered, the residential inspections haven't been done for many years and what we are trying to do is catch up on them. I cannot, at this point, even guess when they will be done again.

Mr. Albe stated, I am pretty sure it is every three years on the three family or more residential. I don't understand the amount of time that you are saying; I understand that it hasn't been done in a while but, what was the figure that you gave last year for completed residential inspections?

Mr. Micalizzi answered, I didn't give a figure for only residential; commercial was included in that figure.

Mr. Albe asked, for commercial, is that three years too?

Mr. Micalizzi answered, state statute requires that every building within the Fire Marshal's jurisdiction to be inspected annually; all buildings, it does not distinguish between commercial or residential. It is a known fact that the manpower available to municipalities do not allow for every building to be inspected every year. We have to do the best we can and it is a continuous cycle of inspecting the buildings.

Mr. Albe asked, for residential; is the same residence getting inspected every year from what you have there?

Mr. Micalizzi answered, no, they won't be inspected every year.

No action taken.

ITEM #7 PUBLIC HEARING to Consider and Act Upon an Ordinance Appropriating \$1,285,000 for the Acquisition of Approximately 93.72 Acres of Real Property Known as 991 East Center Street and Authorizing the Issue of \$1,285,000 Bonds of the Town to Meet Said

Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose – 7:45 P.M.

Motion was made by Mr. Rys to Read the Title and Section I of the Following Proposed Ordinance In Their Entirety Into the Record and Waive the Reading of the Remainder of the Ordinance, Incorporating its full text into the Minutes of this Meeting, seconded by Mr. Knight.

VOTE: Centner was absent; all others, aye; motion duly carried.

Mr. Rys Read the Title and Section I into the record at this time.

AN ORDINANCE APPROPRIATING \$1,285,000 FOR THE ACQUISITION OF APPROXIMATELY 93.72 ACRES OF REAL PROPERTY KNOWN AS 991 EAST CENTER STREET AND AUTHORIZING THE ISSUE OF \$1,285,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Section 1. The sum of \$1,285,000 is appropriated for the acquisition of approximately 93.72 acres of land consisting of a portion of land commonly known as 991 East Center Street, substantially as shown on a map entitled "The property subdivision Williams Property East Center Street and Tamarac Swap Road, Wallingford CT.", dated January 29, 2001. The purchase shall be for open space purposes, and the appropriation shall include engineering and consulting fees, appraisal, testing, commissions, environmental remediation, surveying, title insurance and such other expenses necessary or appropriate for such acquisition, and including administrative, advertising, printing, legal and financing costs related thereto. The Mayor is authorized to negotiate the terms and purchase price for the purchase of the parcel and to sign purchase contracts and documents necessary to transfer title to the Town of Wallingford.

Section 2. To meet said appropriation \$1,285,000 bonds of the Town or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the twentieth year after their date. The total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, or, be combined with other bonds of the Town and such combined issue shall be in the denomination per aggregate maturity of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the Town by the manual or facsimile signatures of the Mayor, the Comptroller, and the Town Treasurer, or any two of them, bear the Town seal or a facsimile thereof, be certified by a bank or trust company designated by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, and be approved as to

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

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

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

Section 5. Resolution of Official Intent to Reimburse Expenditures with Borrowings. The Town (the "Issuer") hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and after the date of passage of this ordinance in the maximum amount and for the capital project defined in Section 1 with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the Issuer. The Bonds shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the

substantial completion of the project, or such later date the Regulations may authorize. The Issuer hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Comptroller or his designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration.

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

Wes Lube, 15 Montowese Trail stated, it is a foregone conclusion that you are going to go through with this although some of you may dispute that assumption. I would like to try and clarify some points that were made at the last Council meeting in regards to the appraisal. I understand that you have received copies of the appraisals for tonight's meeting. It is unfortunate that you did not have the chance to review the appraisals before you voted to approve the purchase. Nevertheless, you now have them and I know that someone raised the question at the last meeting, "how many of these acres are wetlands?" and the two appraisers; one said 48 acres and the other one, Nitz, said 46 acres. Approximately half of the land is wetland. I think that there probably was some doubt as to whether or not, as to how many of these lots would have passed percolation tests which are required in the spring months, the wettest time of the year. There is such a large portion designated as wetlands so it would have to be a very dry spring to enable them to get all of the desired lots. Mayor Dickinson referred to the Nitz appraisal at the last meeting, pointing out, in response to my question, that there were five comparables. Then some of his consultants pointed out to him elsewhere and he eluded to thirteen comparables. If you look at page 44 and 45 of the Nitz Appraisal, you find that there are only two comps. The thirteen they were referring to was a subdivision analysis that Mr. Nitz was attempting to do and he had used thirteen lot sales as a means of trying to determine what the subdivision potential was. One of those two, interestingly enough, is for 1364 Scard Road and 40 Washington Trail. Mr. Nitz tactfully did not use the transaction between the developer and the Town as a comparable but rather between the Mrs. Neil and the developer as a comp. Nevertheless, there was so much distasteful background relative to those two transactions whereby the developer closed on one in the morning and re-sold it to the Town in

the afternoon, that I am sorry that that had to be one of the only two comps that he could resort to to try and ascertain value. There is no question about what the Town, through your auspices is going to end up paying a couple hundred thousand dollars more than what the average of the two appraisals might be and I am sorry for that. I am also sorry that the people who are in charge of spending sometimes several millions of dollars for land, do not have a better idea of what a comp is. Thank you.

Robert Sheehan, 11 Cooper Avenue asked, are we buying the residence and any property west of the railroad track?

Mayor Dickinson replied, all of the property we are purchasing is to the east of Tamarac Swamp Road.

Mr. Sheehan stated, my concern is the way you are going about financing this with the state and your past comments about getting money from the state with all of the strings attached to it. As this property sits, roughly half of it is considered wetlands and I believe there are transmission lines that traverse this property. Out of the 93 acres, how much of it actually; how much of it could actually be developed or don't we know that information?

Mayor Dickinson stated, I believe the appraisal indicated as much as fourteen lots were possible. I believe the appraisal was based on thirteen.

Mr. Sheehan asked, is that based on two-acre zoning? That is twenty-six to twenty-eight acres?

Mayor Dickinson answered, I believe it is three-acre zoning.

Mr. Sheehan asked, the thirty-nine acres of land does not require a right-of-way for the utility for their transmission lines on there? I assume the railroad has a right-of-way on either side of the track...it would go the length of the property. You also have high tension wires and they require a right-of-way for they cannot encroach, I think it is twenty-five feet within their boundary or right-of-way.

Mayor Dickinson answered, that was taken into consideration by both appraisers. They also had the benefit of a subdivision plan drawn up for the owner and were able to look at that plan and verify the number of lots that were potentially saleable.

Mr. Sheehan asked, was the plan ever submitted to Planning & Zoning?

Mayor Dickinson answered, no, it was not officially submitted to Planning & Zoning.

Mr. Sheehan asked, I assume the appraisals took into account any right-of-ways, easements, etc., that exist on that property in which we will have to abide by when we purchase?

Mayor Dickinson answered that is correct. The appraiser looks at the land records to determine what encumbrances are on the property.

Mr. Sheehan asked, and they came up with thirteen or fourteen buildable lots?

Mayor Dickinson answered, the engineer for the owner came up with a number of lots and the appraiser actually reduced slightly the number that were believed to be actually saleable.

Mr. Sheehan asked, it was reduced by one or was there more than that?

Mayor Dickinson answered, the whole piece involved sixteen or seventeen lots. Our portion of it involved a potential fourteen and the appraiser thought that we would actually have thirteen lots out of fourteen.

Jeff Borne, 20 Sylvan Avenue, Chairman of the Conservation Commission stated, I would like to say that this is a wonderful opportunity that the Town has; to acquire 90+ acres of land out in the Tyler Mill, conservation and recreation area. I looked at our little guidance we have prepared to assist the Town with open space acquisitions and one thing the Conservation Commission did was identified the array of constraints that were encountered and continues to encounter whenever we make an attempt to acquire open space. Some of these constraints include, the availability of desirable properties, in other words, having a willing seller. The market value issue of the land, the availability of funding, and the difficulty of conducting transaction terms and conditions is just never easy. The idea of having favorable community support and finally, the ability to react when properties become available. This property is kind of a classic case that every one of these constraints came into play. Very early on, in the Conservation Commission's open space efforts, this property was identified as being a very important addition to the open space out in the Tyler Mill conservation and recreation area. Obviously, it expands the open space that is there, it links open space, it abuts both the Tyler Mill area as well as the Veterans Memorial Field; in terms of the resource there, the old pastures, the fence rows, the wet areas that do occupy the property and do flow directly into the Muddy River via small tributaries, make it a valuable property for natural resource values. It is all those reasons that we are just delighted, as well as a willing seller. I know the negotiations haven't been really easy but nothing good ever is. I just want to state words of support in terms of coming up with the funding for this property. The Conservation Commission is on record, we sent a letter in support of obtaining state funds for this property. I encourage you all to vote for coming up with the dollars necessary to secure this. Wallingford will never be sorry.

Pasquale Melillo, 15 Haller Place, Yalesville stated that he was in favor of purchasing the property but felt the Town as paying too much money for it. He stated, we left off with the pursuit of funds from the state relative to this acquisition as long as we keep the land in the state of passive recreation, right? That means there won't be any building, right?

No response was given on the record.

Philip Wright, Sr., 160 Cedar Street stated, this land has been; I think we bought a piece of this property some number of years ago, correct? At the time that Tom Solinsky was running for mayor, we got things stirred up and that was one of the first pieces of property that we bought?

Mayor Dickinson answered, there were discussions with the owner at that time. I don't think we bought anything from this owner. There was another piece that we bought in that area.

Mr. Wright asked, wasn't that part of the total Williams' farm?

Mayor Dickinson answered, originally it was but when we purchased it it was from another owner.

Mr. Wright asked, what effort have we really made in all of these months, years since that time to buy this land before we got a developer and engineer in there and all the rest of that malarkey? Did we really go out there and try to buy that piece of property from Mr. Williams?

Mayor Dickinson answered, yes, there were multiple discussions over the years. A developer was not involved. The owner, in an effort to indicate that the property was worth a given value, hired an engineer to draw up a subdivision plan but there never was a developer involved in between the Town and owner that we know of. There were multiple discussions over a period of time and it comes down to many of the factors that Mr. Borne mentioned. You have a person who is willing to sell; you have to come to terms that the Town will agree with and sometimes that takes time.

Mr. Wright stated, obviously, he was willing to sell.

Mayor Dickinson answered, not on the terms that we were willing to accept. At previous times there was some interest in discussion but I think at times he arrived at the conclusion that he wasn't exactly ready to sell at that point. There is a variety of things that happened over the course of five or six years.

Mr. Wright asked, who did the actual negotiating? You, Bill?

Mayor Dickinson answered, on this one I think I was certainly involved; Janis (Atty. Small) was involved as well. He was represented by an attorney but I had contact with the owner when we got into areas of some dispute.

Mr. Wright asked, what strings are attached to the purchase? Is he going to maintain the use of the land for some time?

Mayor Dickinson answered, he will have a lease for five years.

Mr. Wright asked, at the time we purchase it, we will take title to it and knock down the barn and all the rest of that stuff?

Mayor Dickinson answered, we are not purchasing the barn. An area equivalent to three lots is being retained by the owner; it includes the barn, the house, some other structures.

Mr. Wright asked, is the state going to contribute some money to this purchase?

Mayor Dickinson replied, we have applied to the State and we are certainly hoping that they will provide something.

Mr. Wright asked, what is your best guess as to how much they will contribute?

Mayor Dickinson answered, I believe they should provide the maximum of 65% but thus far they have only provided some 40% on any other purchases. Under their rules they could provide 65% because this is Class I or Class II watershed property.

Mr. Wright asked, the total purchase is \$1.2?

Mayor Dickinson answered, \$1.2 million.

Mr. Wright stated, so \$100,000 is what we are going to get from the state?

Mayor Dickinson answered, I would hope for more like \$700,000. Under their rules we are entitled to up to 65%.

Mr. Wright asked, so since we will be getting between \$500,000 and \$700,000 we are now restricting the use of that property?

Mayor Dickinson answered, those are the rules that the State of CT. requires in order to use these funds, correct. We could purchase it without applying for funds but I really can't recommend that. Given our other demands for funding, we need to access what ever funds are available from the state and the amount available from the open space is the largest amount that I am aware of and we should apply for it.

Mr. Wright asked, that is your opinion?

Mayor Dickinson answered, I suppose it is my opinion.

Mr. Wright asked, have all the Councilors had their shot at making that decision also? Are they all in favor of accepting that money and then having our hands tied so that we can't put ball fields or anything out there? Was there a vote taken by the Council?

Mayor Dickinson stated, the Council was made aware of this at the last meeting when we voted to purchase the property and everyone voted in favor of purchasing it.

Mr. Wright asked, I would assume then that you have everyone up there saying that they would rather have their hands tied for half a million dollars or so instead of having the property so we can use it for athletic purposes? Is that a fair assumption?

Mayor Dickinson answered, I don't think you can assume that everyone would rather that happen. I think people would rather we be able to do what ever we want with the property but, given financial constraints, we really need to access what ever funds may be available in order to offset the costs. We have some large projects other than this one so, in order to access those funds, we have to accept the restrictions but that doesn't mean that we prefer that but it is a reasonable decision based upon the total needs of the community. In addition, we are aware that there is property across the street from Tamarac Swamp Road that the Town owns should we need additional area for ball fields, fields could be located there and that property is not subject to the kind of restrictions that would apply to the property at issue. However, all of these properties would have to be approved for new use by the Health Department, according to the State Health Department's perceived jurisdiction.

Mr. Wright stated, here we are going to spend \$1.2 million and get \$700,000 from the state and we have the Little League here being dispersed over a couple of fields here and there; all over the place. I don't think that is a good way to be treating youngsters in this town. Were I sitting there (as Mayor) I would be fighting like the tiger to spend all of the money so we could get that whole piece of property out there to use as we choose. I think we are shortchanging the youth in this town. I can only say that I hope that Tom Zappala and all the rest of them have very carefully considered their votes when they agreed to do what they agreed to do a week ago.

Pasquale Melillo, 15 Haller Place, Yalesville asked if the electric transmission lines that averse the property been inspected for possible safety issues?

Mayor Dickinson answered, that is not the responsibility of the Town of Wallingford. We don't own those lines, I believe they are owned by CL&P.

Mr. Melillo asked, if someone were injured or killed due to the electrical wires, the Town would not be held liable in any way?

Mayor Dickinson answered, to my knowledge we would not be liable.

Mr. Melillo asked, what if the state does not come up with any money at all? Does that mean that we would still have to buy the property but would have to foot the bill ourselves entirely?

Mayor Dickinson answered, that is correct, we are committed to buying the property so if the state grant doesn't come through we will still be purchasing the property.

Jack Agosta, 505 Church Street, Yalesville asked, if the state comes up with a small amount of money, will you consider purchasing the property entirely with town funds?

Mayor Dickinson replied, I would have to evaluate it at the time. I am not sure how I would characterize a small amount of money. If it is \$50,000., I suppose that would be the case but if it is in the hundreds of thousands of dollars, I would review it with Mr. Myers and make a determination what the best course is. We have a lot of expenses ahead of us and I don't think we can afford to leave money behind as we make improvements in the community.

Mr. Agosta asked, would you come back to the Council and to get approval from them?

Mayor Dickinson answered, if it was a substantial reduction, certainly I would let the Council know.

Chairman Parisi called the Public Hearing closed at this time.

Mr. Rys made a motion to Approve an Ordinance Appropriating \$1,285,000 for the Acquisition of Approximately 93.72 Acres of Real Property Known as 991 East Center Street and Authorizing the Issuance of \$1,285,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose be Adopted, seconded by Mr. Farrell.

Mr. Rys asked, if the state comes up with funding for this property and we purchase it, are we committed for infinity on this or is there any rules or regulations? I can remember something with the reservoir property that if you pay back, the use of the land can be different. Are there any type of stipulation or agreements?

Mayor Dickinson answered, as a general rule that course of action is available. If there is a reimbursement to the state there is an ability to move in another direction for the use of the property. I don't know specifically if that is available with these grants but ten years, twenty years, fifty years from now, it is simple as proposing legislation to allow that to happen. Nothing is written in stone forever because laws can change and usually do. I wouldn't see it as something that could never be reversed, that is the Town reimbursing the state and being able to use it for other purposes.

Mr. Rys stated, the funding that took place back years ago when they bought that reservoir property that we re-sold to Durham, was that state money then?

Mayor Dickinson answered, that was state money but it was a different grant program. This is a far more restrictive program. In the past you were not prevented from making improvements on the property. The current program does not allow that.

Mr. Rys stated, this is how we can get a possible reimbursement up to 65%, correct?

Mayor Dickinson stated, correct.

Mr. Rys stated, I can remember years ago talking about the Williams Property and talking about it quite a bit and now we have the opportunity so I would really like to thank the Williams for finally coming forward and negotiating with us and bringing this nice piece of property along with our reservoir property. I can also remember sitting up here and having the public criticize for us for not going after state funding for property. You're right if you do it and wrong if you don't. I think this is a golden opportunity and I know I am going to support this and I certainly hope my fellow councilors support this also.

Mr. Vumbaco stated, there is no doubt the Council supports it and I do support it as well. I do feel for all the reasons that Jeff (Borne) and others talked about, this is a good piece. However, I just feel that I have to make a statement; I am not totally pleased with the process that this community goes forward with when purchasing open space. I felt that during our discussion, as Council members, when we were talking about purchasing this piece of property, and I still feel today, even though Phil has stolen my thunder a little bit, that this would have been a perfect piece of property to build a Little League complex on. I know some councilors thought it was difficult to carve the property up but a developer was going to be able to put fourteen three-acre lots on it. I think that would have been adequate space to put in a four field complex for our Little League. I also have a feeling that no matter what decision was made or thought process was used in going about purchasing this property, certain Councilors would have supported it no matter what. To answer Phil's question asked earlier; I am still very puzzled as to why we didn't apply for state funding that would have allowed us to build a ball field as well as support the purchase price. I know the \$500,000 grant money that was applied for; the special money that was available that (Rep.) Mary Fritz and her group made available for the Town is potentially going to go towards building new ball parks but, again, they are going to be spread out in different areas and that \$500,000 is not guaranteed either. What bothers me more than anything is the fact that the Mayor and our Program Planner didn't even know about the other pools of money that are available to purchase open space in this community. We can turn around and say that there is a lot of attachments and issues but the bottom line is, we have been notified by our Representatives and State Senator that there are various pools of money. We could have had the best of both worlds; we could have applied to a pool that would have provided us state funding to purchase this property but it would not have the very severe

restrictions on the property. We could have used it to build ball parks. Anyone could stand up here and say that is not the case, I ask them to read the information that was provided to them by our Representatives, exactly what those programs are, because I did. I thought that is what we were doing when we purchased and were going for this (land) but, obviously, the Mayor chose a different way which does not make me happy. But I think in order to buy this piece of property, we are kind of stuck betwixt and between because the Williams' want to sell and the Town wants to buy and there is not enough time to go forward and re-apply for the other pools of money. In the future, I am going to at least be a little more diligent in the discussions and actually pin down what pools of money we are going to try and go after; try to get the appraisals in advance in our hands before we even discuss this issue and then maybe we can make a little more sense about how we go about buying property.

Mayor Dickinson answered, there is misinformation that goes around and perhaps I can help clear some of it up. Two other pools of money have been identified; Grants in Aid and Urban Act. The Urban Act Fund represents \$500,000 we have applied for for the ball fields. That has already been applied for. The Grants in Aid; we can find absolutely no identification of what that means other than it is Pequot funds or some of the other grants in aid that the Town already applies for and is part of our operating budget. Don Roe is in touch with D.E.P. (Dept. of Environmental Protection). There just is no knowledge of other open space funds available from the state other than this open space program. Can you use other funds? Yes you can. But if we use the Urban Act Funds, then we would have left on the table all the open space funds that we would not be using at all. We would be out \$500,000; \$600,000; \$700,000 having not the money to build the fields. This way we are buying the property with the grant for the property plus we have \$500,000 hopefully we will be able to put toward building fields. No matter how you look at it, it is the best course of action and I know there is a lot of talk about other funds available. We have not, with actual contact to state officials, not uncovered any other pools of money that are available. If someone can clearly point them out, I would love to hear it. Urban Act funds, as identified, is the money that we are spending on the ball field; \$500,000. Grants in Aid; that must cover Pequot funds and the variety of funds that come to the Town that are already budgeted. I am not aware of where we are failing to apply for funds.

Mr. Vumbaco still disagreed with the Mayor. He stated, I suggest maybe you should sit down with (Rep.) Mary Mushinsky who is a big activist in providing these funds and maybe she could give you the information that you need because I sat down with her and there are other open space land purchase dollars available, Mayor. I will ask her to contact your office because she did provide us the information in mailings which also have gone to your office.

Mayor Dickinson stated, I need to know what department supervised these because we haven't gotten the information from O.P.M. (Office of Policy and Management) or D.E.P.

Chairman Parisi stated, perhaps we can invite Rep. Mushinsky to come to a meeting. Maybe that will finally resolve this.

Mr. Zappala stated, I was involved with Wallingford Little League, serving as its President many years ago. I know how important the Little League need for fields is. Within one area they can have a clubhouse and snack bar which can generate a lot of revenue. The Town of Wallingford owns hundreds and hundreds of acres of land all over town for which I know that, with the right coordination, this administration will look for a proper location for the League; I hope they will. Regarding this particular purchase, I feel I have to support it because if the state is willing to pay 65% of the purchase, we can certainly use the money for the purchase. I will support it.

Mr. Knight stated, I am delighted to support this proposal; I think it is an important acquisition for the Town. We have spent years discussing it and I look at this ability to apply to the State of Connecticut for between 40-65% which is \$480,000 to up possibly \$780,000 of the purchase price for this property which might be coming from the State. There seems to be an attempt to say that we are denying children ball fields if we take this state money. I look at it just the opposite way; if we are able to secure \$480,000 to \$780,000 from the State of Connecticut, that gives us that much more of an opportunity to provide ball fields for the children of the Town of Wallingford. It is money we don't have now and money we otherwise would have to spend to acquire this property which all of use agree should be done. I disagree. I think it is a terrific opportunity for the community to get another governmental body to assist us in acquiring some property which will give us another opportunity to spend money in other directions.

VOTE: Centner was absent; all others, aye; motion duly carried.

The ordinance was declared adopted by Chairman Parisi.

ITEM #9 Report Out by Thomas Zappala, Chairman of the Golf Course Study Committee on the National Golf Foundation's "Market Analysis for a Proposed Golf Facility in Wallingford" dated October 19, 2001

Mr. Zappala stated the National Golf Foundation has released a draft of the Phase I Report for which it gives progress coordination. The Golf Course Study Committee met a couple of weeks ago and accepted the report because it looks very favorable. In order for us to proceed with the next phase, with the Council's approval of course, I want you to know that before we go to the next phase which is the second and third phase of the study, we have to have the land flagged for wetlands. We have to hire a soil scientist to determine how much wetlands the property has. Only when that is done will we be able to determine if a golf course can be put on the property. We are confident that there is enough land but this next step has to be done in order for us to proceed with the next study. Only with the Council's approval, of course, to give us permission to go to the next study will we be able to proceed. With the help of the Town Engineer and Purchasing Department we will be able to do the study very quickly. In fact, by the end of the week we should be able to have a cost analysis on what this study will cost. That was a choice

that the Mayor made as far as going out to bid and I think it was a good choice. I know it will delay the process a little bit longer but we have been waiting twenty-five years; a couple of more months will not hurt us. I know the number is going to come out and when it does you are going to be faced with added expenses which is very necessary to have in order to determine the lands ability. I suggest that we accept the draft and if you have any questions, I will try to answer them.

Chairman Parisi asked, the next phase will be the financial overview?

Mr. Zappala answered, Phase II & III will be an analysis of the site, itself. We already have some reports from them that we really didn't have to get in the first phase which highlights what we expect to get in the future but that is not a full report. It is not a complete report. It was originally divided into four different phases. The company stretched it out a little bit longer which I think is to our advantage. In order to proceed to the next phase, we have to make sure that the land is capable of holding a golf course.

Mr. Vumbaco asked, Didn't George (Cooke) have this property up for a subdivision at one time? At that point in time when we purchased the property there were wetlands already noted on the maps so I am not sure why that can't be used to see if they can be fit in rather than going through this process.

Mayor Dickinson answered, I believe the maps that indicated wetlands were based upon the regional aerial mapping. It was not flagged on the ground. What you really need is a soil scientist to indicate the liability of the wetland, the worth of it. Much of the area has been used for agricultural purposes. If it has been plowed up and used for planting and agricultural it really isn't a viable wetland anymore. We need someone to tell us how much is important wetland and how much really has been lost because of agricultural use. The only way you can do that is to have someone on the ground looking at it.

Mr. Vumbaco stated, the information we had at time of purchase was...

Mayor Dickinson answered, general information, as far as I know.

Ms. Papale thanked Mr. Zappala for all the hard work he has done on this committee. She asked, I think more of a report out of what exactly came through on that report; we, on the Council, got that report and it was easy to read and understand but I don't really think the public, the people home watching this on TV. are aware exactly of what the report was. Was it ever announced?

Mr. Zappala answered, it has been publicized, Iris.

Ms. Papale stated, I don't expect you to go page by page but if I understand, if I read it correctly, the Town is ready for a golf course.

Mr. Zappala stated, we did not get to that specifically. As I said before it is going to be divided up into six different phases. We didn't get to that as of yet. It looks good; it looks very promising. I was even surprised at the numbers that we could be charging for a round of golf. They have a process that they have to go through. This is only the first phase which is an important one. The next one is more important than the first one.

Ms. Papale stated, I was not exactly sure what we were doing here, I guess.

Wes Lube, 15 Montowese Trail stated, I obtained a copy of the report yesterday and I have only had one night to read it. It did ferry some questions. I don't know who to ask. I understand that Tom, you are resigning your position, your involvement...

Chairman Parisi interrupted to say, don't make any assumptions, just ask the questions.

Mr. Lube stated, if you will, someone turn to page 5...

Chairman Parisi interrupted again to say, the point in Mr. Zappala has agreed to stay on as Chairman of the Golf Committee.

Mr. Lube asked, oh, he has?

Chairman Parisi added, we were going to announce it later but we will tell you know now so the public won't think we are being rude to you.

Mr. Lube answered, thank you, Tom. He continued, on page 5, at the bottom of the page, they say that, utilizing golf demand estimation models; whose models?

Chairman Parisi answered, the National Golf Foundation's.

Mr. Zappala stated, there were three people who came from Florida to the area, they are the ones who did the study. I think it is their analysis you are reading on the bottom.

Mr. Lube stated, in the next line they are referring to 68,000 golfers living within a 15 mile radius; how do you interpret 68,000 golfers? What does that mean to you?

Mr. Zappala answered, I think it means the amount of playing that exists within a 15 mile radius of Wallingford, in the surrounding golf courses.

Mr. Lubee asked, junior golfers; avid golfers; occasional golfers? The whole spectrum of golfers?

Mr. Zappala replied, exactly. That is how they came up with that number.

Mr. Lubee stated, I agree with you. They say that they expect that number to grow from 68,000 to 75,000 in four years even though we have had no growth for the last ten years in population or labor force. I don't know how they arrived at that project and they don't explain how they arrive at it.

Mr. Zappala answered, golf is no longer a rich man's sport; it is no longer an individual sport. I think it is becoming more of a family sport. Husband and wives now golf and the children are beginning to pick it up. If you go to Meriden, they do have a special on golf for the youth. They have a deadline and it is very difficult to get into because they fill up so quickly. That shows the amount of interest that is created by the youth today as far as golf. I assume that is how they came to their conclusions.

Mr. Lubee asked, but the 68,000 figure, you interpret that to mean that this is the need to satisfy these golfers?

Mr. Zappala answered, yes, of course, that is the reason. That is how they came to the amount.

Mr. Lubee asked, does that include private courses; municipal and public?

Mr. Zappala answered, yes, of course.

Mr. Lubee stated, strangely enough, nowhere in this study do they give any benefit to the private club courses. What portion of that 68,000 golfers are satisfied by private clubs? If you turn to page 44 of your study; it is not numbered but it is between 43 and 45; they list nine competitive courses. Strangely enough, within the fifteen mile radius, there are twenty-seven towns. If you take any map of the State of CT. and draw your circle for a fifteen mile radius, you can count twenty-seven towns. In that twenty-seven towns, there are twenty-one public courses, not eight or nine. I have a list of them....do you know why they limited the number to nine out of twenty-one?

Mr. Zappala answered, I don't know. They list that number because they are the ones with which we may be competing if we were to put a golf course in that is equal to their standard. They are not using nine hole golf courses like Sleeping Giant or places that only offer nine holes of golf. They didn't use the one in Hamden even though it is an eighteen hole golf course.....it is not one with which we would be competing.

Mr. Lube stated, twice in their study they said that they would review the impact of the nine hole courses and the so-called executive-type courses later on in the study. They said this twice but never get to it.

Mr. Vumbaco stated, if you go to page 40 where it says, "Significant findings of the study" it talks about...the second bullet point, "most of the market area, public golf courses are concentrated north of Wallingford and the only eighteen hole public facilities are east and southeast of the town....the market also has significant number of nine hole public golf courses, several of which are par 3 executive length. These types of facilities are not considered directly competitive to the potential new Wallingford Municipal Golf Course." I think they kind of went and did a survey...by reading some of these conclusions, I think they actually looked at all the different golf courses and tried to say, if Wallingford builds the type of course that they are thinking about building, these eight courses would be the typical type of courses that would be in direct competition. If you read the charts and all the information that is provided in the charts, I think that is purely calculating statistical information that they use throughout their report when they talked about the residents and number of rounds, etc. I think they are just using these eight typical golf courses and used that to generate some of the demographics in the rest of the report. That is how I read it.

Mr. Lube replied, the courses that are not included in their study and you who are golfers know better than I...

Chairman Parisi interjected, we are not at a decision point here, it is just an update.

Mr. Lube stated, these are some questions that are going to be coming up when you reach your decision. Maybe we can find some of these answers in the interim, if I may.

Chairman Parisi asked, are they (NGF) going to be back here again?

Mr. Zappala answered, yes. You are welcome to attend the Golf Committee Meetings. You may be able to get into details and get some explanations for the questions you may have. If you want to have the National Golf Foundation here to answer your questions, that can be arranged.

Mr. Lube stated, there is no question that some golf courses are superior to others. There is also a lot of golfers amongst these 68,000 who are non-discriminating golfers. They may like a less challenging course because they are duffers. For that reason I don't think it is fair to just discard all these other courses that were not mentioned in the study. It is obvious to me, in reading the study, that the people are totally unfamiliar with our area. They refer to towns, for example, like Pomfret and Rockland as being within our fifteen mile radius. I have never heard of this. They talk about the Town of North Madison and Northford. Obviously, they needed some local input, which they didn't have. No one bothered to review this study before it was

released to the public. I do have a lot of questions. We don't know which towns were eliminated in our fifteen mile radius because they don't list the towns that they did include so we have no way of knowing. They don't tell us the population of those towns within the fifteen mile radius and they don't tell us the number of golfers per thousand population which is a demographic that should be readily available. Once you know the population in the area and you know the number of golfers per thousand, it is easy to extrapolate what the potential is. This is the beginning of a feasibility study.

Chairman Parisi stated, I agree with what you are saying but I think it would be more valuable if you gave your questions to the committee and they were forwarded to the National Golf Foundation Group and we asked them for answers to the questions. I think that would certainly serve us far better. Right now, we don't know what their thinking was.

Mr. Lubeck asked, as Chairman, can you assure me that we will not go forward until they provide us with the answers?

Chairman Parisi replied, I will guarantee you that we will get answers to your questions. I am not going to say that we are stopping anything. Give us the questions and we will get them out tomorrow.

Mr. Lubeck stated, hopefully you will not go forward without answers.

Chairman Parisi answered, we have a long way to go. Let us make a copy right now if you have them with you. I would just assume they would be out because I think they are good questions and I would like to hear the answers that they give. I mean that sincerely. I would like to know what they are thinking.

Philip Wright, Sr., 160 Cedar Street stated, I am not a golfer. I always said that golf was an old man's game and when I got to be an old man that I would play golf. I am rapidly approaching that stage but I really don't expect to take up golf. I have supported the idea of a municipal golf course in this town for as long as it has been alive and I still do. If I were against it, based on what you presented here tonight and what the public is seeing, you struck out. I believe it is a bad performance. There are a lot of people out there that say, "we have enough golf courses in this town; we don't need it." You have got to get a good foot forward and my impression of what I have heard here is, you haven't supplied anything that is very positive. You haven't said anything other than, "we need another study." That is not cutting it, in my opinion.

Mr. Zappala replied, I respect your opinion, of course, but I think what this company has given us is a study that we requested and this is just the beginning of it; not a complete study. This Council allocated money to do the study and that is as far as it is going to go. As far as building a golf course, that is going to be another motion altogether different. The numbers they are giving us right now, I say they are favorable because they shown to be favorable in black and

white. If I can't answer every question that Mr. Lube is asking, I'm not a professional. I do play golf but I don't have all the answers. If I can't answer the questions, I will get the answers for you, that is all I can tell you. The money for the study has been allocated already. Building a golf course is a new ball game.

Mr. Wright stated, you had better get something in the press. This is just got people thinking; I believe there are people sitting out there that were expecting a heck of a lot more than they have gotten. If I were really a golfer and wanted to see a golf course in this town, I would come out swinging and I would get a good article in the paper and put a good face on it.

Chairman Parisi replied, with all due respect, the paper's analyzation of the report was that it was favorable. There was an article written on it, not sponsored by us, but on their own. They got the report and read it and their article said, at this juncture it appears that the golf course report is favorable.

Mr. Wright asked, is that all it said?

Chairman Parisi replied, I can't quote it verbatim, but that I do remember.

Mr. Wright stated, if you are all happy with it, that's o.k. with me.

Pasquale Melillo, 15 Haller Place, Yalesville asked, is it true that we still have a legal dispute on the Cooke property; that the CT. State Department of Health still claims jurisdiction? Has that been settled?

Chairman Parisi replied, no, they don't have jurisdiction; that has been settled.

Mayor Dickinson explained, the legislation was passed that removed this from the jurisdiction. It removed the Cooke Property from the jurisdiction of the Health Department for the purpose of a golf course, as long as certain conditions were met. There is not a legal dispute over the Cooke property at this point.

Mr. Melillo asked, what are the certain conditions that must be met?

Chairman Parisi answered, environmental requirements that have to be taken care of.

Mr. Melillo stated, requirements can get pretty complicated.

Chairman Parisi answered, not any more complicated than anything else in life. The answer to the question is, the problem has been resolved and the land has been cleared.

Mr. Melillo asked, before you vote on this either way, are you going to have another public session?

Chairman Parisi answered, yes. This is only a report out. It is not a vote on the golf course.

Mr. Melillo stated, remember when the Mayor said that the only way he would support the golf course was if it supported itself, remember that Mayor?

Mayor Dickinson answered, that is correct.

Mr. Melillo asked, how can you possibly do that without saying yes or no, Mayor? How are you going to know if it is going to be self-supporting?

Chairman Parisi answered, that is what the study is for.

Mr. Melillo disagreed. He stated, there is no way of knowing ahead of time. Many people have asked me to represent that they do not want a golf course.

Lester Slie, 18 Green Street stated, 30% of the new golfers coming into sport are women. If you don't want to believe me, go up to the other side of Hartford, there is a woman who bought an entire golf course for herself and she lets everyone play there. She sets up a place for the children to be taken care of while the mothers play golf. I have belonged to the Meriden Golf Course for 53 years. How do you think I feel every time I want to do my recreation, I have to go out of town and pay twice as much money as anyone else because they have a resident's price and an out-of-towner's price. Meriden has been good to us, in Wallingford, especially us seniors. I really think that this town needs a public golf course that they can control by someone on the outside to come in and run the whole golf course and guarantee the Town a certain amount of money each year. That is what we are striving for; I am on the Golf Committee. Like Tom (Zappala) says, there is a lot more going into the golf course than you think there is and as we go along, you will learn that we are striving for a public golf course. Every summer, you can ask Tom yourself, he asked me to try and get his grandson in to teach golf to the kids of a certain age. You cannot get into that group. We only had about 25 when we started and we are now up to over 100 young kids every year and we teach them etiquette and everything else. I agree with the Mayor, if we find out that we cannot support a golf course ourselves, we don't want to build a golf course.

James Gaffey, 50 Northford Road stated, the question I would like to ask is, is it the conclusion of the first phase of this report that a golf course appears to be economically feasible?

Chairman Parisi answered, no. It appears to be feasible. It did not discuss economics. There is a market for a golf course in this area.

Mr. Gaffey asked, they are predicting that there are enough golfers to sustain a golf course?

Chairman Parisi answered, yes.

Mr. Gaffey stated, the observation I would make about that is, it flies in the face of all the evidence that is accumulating nationwide about the sport of golf which is in decline. I sent members of the Council last summer an article that was printed in the New York Times entitled, "Too many golf courses; not enough golfers" and I won't bore you with the details but I would like to highlight a few points one of which is; according to Golf Data Tech the rounds played this year, the year 2001, across the country are down 5.2%, leading them to conclude that there is a glut of golf courses in the country. It is not specific to one region or area, it is a national issue. Despite mob scenes on weekends at many courses, the average number of golfers per course has been declining nationally since 1990. Finally, National Sporting Goods Association ranks golf 10th in participation sports lagging behind walking, swimming, camping, fitness, fishing, bicycling, bowling, billiards and basketball. The observation I would like to leave with the Council is the same one I made last July, I didn't think the National Golf Foundation was going to give us an objective report. I think it is their job to promote golf as a recreational activity and I think this report reflects that. As far as I am concerned, they are completely ignoring all the evidence to the contrary.

(Applause)

Mr. Zappala stated, the National Golf Foundation, in Florida, only performs studies; that is their only job. They are not in the business to build golf courses, design golf courses, purchase land or any other items outside of the study. Once they are paid the \$17,000 from us, they have no other interest than to tell us what they see in this facility.

No action taken.

ITEM #10 Withdrawn

ITEM #11 Executive Session Pursuant to Section 1-200(6)(B) of the CT. General Statutes regarding Strategy and Negotiations with Respect to Pending Workers' Compensation Claims of Janice Sparico, Dependent Surviving Spouse of Louis M. Sparico – Town Attorney

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

VOTE: Centner was absent; all others, aye; motion duly carried

The Council entered executive session at 9:09 P.M.

Present in executive session were all councilors (with the exception of Mr. Centner), Mayor Dickinson, Atty. Small and Atty. Colette S. Griffin, Howd & Ludorf, Hartford representing the Town's interests.

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

VOTE: Centner was absent; all others, aye; motion duly carried.

The Council exited executive session at 9:30 P.M.

ITEM #12 Consider and Approve the Settlement of a Pending Workers' Compensation Claim as Discussed in Executive Session

Motion was made by Mr. Rys to Settle a Pending Workers' Compensation Claim as Discussed in Executive Session, seconded by Mr. Farrell.

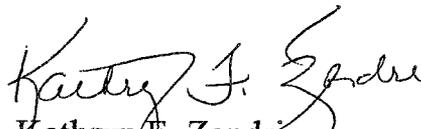
VOTE: Centner was absent; all others, aye; motion duly carried.

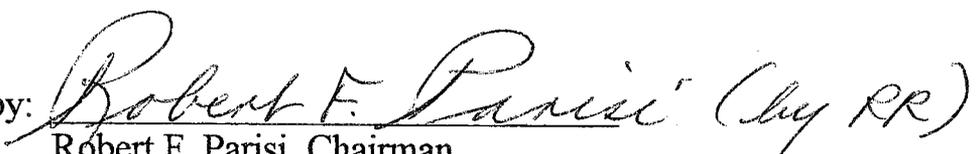
Motion was made by Mr. Farrell to Adjourn the Meeting, seconded by Mr. Knight.

VOTE: Centner was absent; all others, aye; motion duly carried.

There being no further business the meeting adjourned at 9:32 P.M.

Meeting recorded and transcribed by:


Kathryn F. Zandri
Town Council Secretary

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

1-8-02

Date

Rosemary A. Rascati
Rosemary A. Rascati, Town Clerk

1-8-02

Date

RECEIVED FOR DEPOSIT 12-24-01
12-25-01
Rosemary Rascati
TOWN CLERK