

TOWN COUNCIL MEETING

APRIL 9, 2002

6:30 P.M.

AGENDA

Blessing

1. Pledge of Allegiance and Roll Call
2. Correspondence
3. Consent Agenda
  - a. Consider and Approve Tax Refunds (#730-745) Totaling \$12,617.80 - Tax Collector
  - b. Approve and Accept the Minutes of the February 26, 2002 Town Council Meeting
  - c. Consider and Approve a Transfer of Funds in the Amount of \$398 from Backfill Tamper Acct. #001-5015-999-9190 to Hydraulic Auger with Attachment Acct. #001-5015-999-9954 – Public Works
  - d. Consider and Approve a Transfer of Funds in the Amount of \$5,000 from Outside Services Acct. #431-8920-923 to Maintenance of Structures & Improvements Acct. #431-8640-651 – Water Division
  - e. Consider and Approve a Transfer of Funds in the Amount of \$15,000 from Miscellaneous Plant Expenses Acct. #461-8640-643 to Injuries and Damages Acct. #461-8920-925 – Sewer Division
  - f. Consider and Approve a Resolution Authorizing the Mayor to Apply for and Contract with the State of CT. for a Historical Grant – Program Planning
4. Items Removed from the Consent Agenda

5. Discussion and Possible Action on the Town-Owned Former Wooding/Caplan Property as Requested by Councilor Mike Brodinsky
6. Discussion and Possible Action on a Request to Waive the Bidding Process for the Selection and Hiring of a Construction Manager for the School Renovation Project – Wallingford School Building Committee
7. Executive Session Pursuant to Section 1-200(6)(D) of the CT. General Statutes with Respect to the Purchase, Sale and/or Leasing of Property as Requested by Councilor Mike Brodinsky
8. Executive Session Pursuant to Section 1-200(6)(B) of the CT. General Statutes to Discuss Pending Litigation in the Matter of Wallingford Center Associations v. Town of Wallingford – Town Attorney
9. Executive Session Pursuant to Section 1-200(6)(D) of the CT. General Statutes with Respect to the Purchase, Sale and Leasing of Property - Town Attorney
10. Consider and Approve the Contract for Purchase of Property as Discussed in Executive Session – Town Attorney
11. PUBLIC QUESTION AND ANSWER PERIOD

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ADDENDUM TO AGENDA

12. SET A PUBLIC HEARING for April 23, 2002 at 7:45 P.M. to Consider and Act Upon an Ordinance Appropriating \$157,000 for the Acquisition (subject to certain seller use rights) of Approximately 1.65 Acres of Real Property Known as, and in the Area of, 12 Lake Street and Authorizing the Issue of \$157,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose

TOWN COUNCIL MEETING

APRIL 9, 2002

6:30 P.M.

The following is a list of motions made and acted upon by the Wallingford Town Council at its regular meeting held on Tuesday, April 9, 2002 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, Doherty, Knight, Papale, Parisi, Rys, Toman & Vumbaco. Councilor Farrell was out of state. Mayor William W. Dickinson, Jr. arrived at 7:30 P.M. due to his attendance at a Sheehan High School function; Town Attorney Janis M. Small and Comptroller Thomas A. Myers were also present.

ITEM #3 Consent Agenda

ITEM #3a Consider and Approve Tax Refunds (#730-745) Totaling \$12,617.80 - Tax Collector

ITEM #3b Approve and Accept the Minutes of the February 26, 2002 Town Council Meeting

ITEM #3c Consider and Approve a Transfer of Funds in the Amount of \$398 from Backfill Tamper Acct. #001-5015-999-9190 to Hydraulic Auger with Attachment Acct. #001-5015-999-9954 – Public Works

ITEM #3d Consider and Approve a Transfer of Funds in the Amount of \$5,000 from Outside Services Acct. #431-8920-923 to Maintenance of Structures & Improvements Acct. #431-8640-651 – Water Division

ITEM #3e Consider and Approve a Transfer of Funds in the Amount of \$15,000 from Miscellaneous Plant Expenses Acct. #461-8640-643 to Injuries and Damages Acct. #461-8920-25 – Sewer Division

ITEM #3f Consider and Approve a Resolution Authorizing the Mayor to Apply for and Contract with the State of CT. for a Historical Grant – Program Planning

Motion was made by Mr. Knight to Approve the Consent Agenda as Presented, Items #3a-f, seconded by Mr. Rys.

VOTE: Farrell was absent; all ayes; motion duly carried.

ITEM #4 Withdrawn

ITEM #11 Motion was made by Mr. Knight to Move Agenda Item #11 Up to the Next Order of Business, seconded by Mr. Rys.

VOTE: Farrell was absent; all ayes; motion duly carried.

PUBLIC QUESTION AND ANSWER PERIOD (Item #11)

Jack Agosta, 505 Church Street, Yalesville asked if the Town was still on a water alert?

Chairman Parisi stated that people have been asked to voluntarily conserve their water.

Mr. Agosta explained how the Record Journal may have misprinted the reservoir levels and wanted to bring this to the public's attention to set the record straight. He stated that if we had an inch of rain we would be at 100% capacity with our reservoirs. He wanted people to know the information so that they wouldn't think we were at capacity and therefore use water freely.

Robert Sheehan, 11 Cooper Avenue asked if it has been determined yet who the owner is of the West Dayton Hill Road Dam?

Atty. Janis Small replied that there has been no decision rendered yet. You never ask the judge when they will decide.

Gary Linsley, 520 Ward Street Extension asked Chairman Parisi why he skipped over the Correspondence item on the agenda at the last meeting when he, in fact, sent a letter of correspondence to the Council asking that it be read into the record? Also, why was he cut off during Public Question and Answer Period at that same meeting when it had not yet reached the thirty minute allotted time period?

Chairman Parisi answered, the Council changed the rules on the length of its public question and answer period.

Mr. Linsley stated that Robert's Rules (of Order) says that the Chairman should not interrupt anyone when they are speaking; the Chairman should behave himself.

On a separate matter Mr. Linsley pointed out that the Charter gives the Council oversight of the Public Utilities Commission. He stated, at the last meeting you said the council did not have any oversight.

Chairman Parisi denied that he said the Council does not have oversight over the P.U.C. He stated, I said we don't have oversight over any of the employees there; we have oversight of the

PUC Commission. Whether I say it or not, it is incorrect if I say that we don't because it is in the Charter that we do.

Lucille Trczynski, 262 North Elm Street asked if there is a committee that deals with litter in town? If a property is excessively littered, does the Council have the right to say that an area has to be cleaned up?

Chairman Parisi answered, yes, to a degree.

Ms. Trczynski asked, does the Council have jurisdiction over state-owned property?

Chairman Parisi was not sure.

Ms. Trczynski stated, if you drive under the Route 15 underpass by exit 64 and you swing up by Masonic Avenue, the litter there is unconscionable. It looks very much like a dump. There is piles and piles of litter on that stretch as you go up. Anyone coming off exit 64 swinging up to the Oakdale is confronted with that. I tried to research it and I believe that is owned by the State because it comes under Route 15 on Town maps. I wonder if the Town has the right to call the State and ask that the area be cleaned up? Secondly, there is a property owned by Hanover Corporation or LLC and it is right across the street from the Cooke property, owned by Amphenol, that is also a terrible area. There are old dumpsters there, all kinds of litter, etc. I would like to request that the Town look into the matter to find out who is responsible for that so that it be cleaned up. There is no reason why the town should have to look at that if it is not our property. Lastly, in traveling from Stop & Shop to Community Pool and then from Community Pool to the top of North Main Street, there is a vast difference in the surface of those roads. I drive it so much that it is ruining my car. It seems to me that there is a different surface between Stop & Shop and Community Pool and Community Pool and the top of North Main Street, is that the case?

Chairman Parisi stated, the road is scheduled to be done. I believe it is a state project.

Ms. Trczynski asked, when that project is done, will the sidewalk along In Memoriam Cemetery all the way down to the pool be re-done? There is practically no curb there.

Chairman Parisi did not know the answer to the question. He stated, there has been discussion about that sidewalk and curb, especially in the wintertime, but I cannot tell you what the outcome has been.

Ms. Trczynski stated, I will be looking for that litter. I placed several calls about the litter, all to no avail. I also called about the property across the street from that little white house on River Road, which no one is supposed to park on. That was the area where the state had its trailers when they were working on that approach. That is also full of litter. I hope that someone on

this Council or in this town has a lot more clout than I do because those areas definitely have to be cleaned up.

Wes Lube, 15 Montowese Trail stated that Atty. Farrell has told me that one of the areas that Lucille mentioned is owned by a company in New York, therefore it is a tough one to solve. It is the property that is across from the Cooke property.

On a separate matter, Mr. Lube stated, if there is anything in this town that we don't have to worry about, it is the impact on the elderly. We have, in the State of CT., a Circuit Breaker Program. It actually will pay a portion of the real estate taxes or rental that is paid by all of our elderly citizens if need be. All they have to do is go down to the Assessor's Office who administers these programs. It is on a sliding scale; the people who need it the most, get the most. It doesn't cost the Town a dime. All the money is paid by the state. In 1993

Wallingford opted to institute a tax deferral program for those who are elderly and own their own home. If they have applied for and qualify for the state program, they automatically are eligible for the Town program. Interestingly, Durham did not; Meriden did not; Hamden did not and North Haven did not. The only other town that has a comparable plan is Cheshire. Wallingford has gone out of its way to try and help the elderly and one of the things that they benefit from after the state pays a portion of the taxes, the Town will defer up to 100% of the unpaid portion interest-free for as long as the elderly lives on that property. It is a terrific program and more of our elderly ought to take advantage of it.

Pasquale Melillo, 15 Haller Place, Yalesville stated that it is his understanding that there is a special bridge that is going to be built just for the Linear Trail. He heard that it is possible that the taxpayers are going to have to foot the bill for approximately \$1 million for the special bridge for the liner trail. Is that true?

Ms. Doherty replied, yes. The money is not Town money. It is from a T91 Grant which is federal. It is approximately \$750,000 from the federal government and there is a state grant also. There is no Town money involved. It is all through grants.

Philip Wright, Sr., 160 Cedar Street asked, has the ordinance for the money that we are going to spend on the parks debacle been published yet?

Town Clerk Rosemary Rascati stated that it was published approximately 3-5 days after the Mayor signed it following the last meeting.

Mr. Agosta stated that there is an area on Old Colony Road, across from the former Eyelet Building, that has tires stored at the back of the building which find their way out into the middle of Old Colony Road. This is very dangerous.

Mr. Lubee stated, at the last meeting when Tom Dooley was asked a direct question about how the gardeners reacted to the relocation of the Community Garden to Garden Road, he led everyone to believe, the Council in particular, that there was no problem whatsoever and actually it was an improvement. Just two days later there was an article in the newspaper quoting one of the leaders amongst the gardeners saying that she had been arguing with Tom Dooley for two years about this very subject. I am sorry that the air was not clear on that particular subject.

Mr. Melillo stated, a couple of sessions ago I suggested that before we allow any of the Wallingford residents into the Community Pool, we ought to have the Public Works Department clean up all of the loose (paint) flakes in the pool. It is a hazard to the safety and health of the residents, especially the children who can get sick by inhaling or digesting the loose paint flakes. Has anyone taken my suggestion seriously and followed up on it?

Chairman Parisi replied, I don't think so. Public Works has been working on it Mr. Knight tells me. It is not unnoticed. I am sure someone is working on it.

The Public Question and Answer Period was declared closed at this time.

Since the Mayor had not yet arrived at the meeting, Mr. Brodinsky chose to wait for his arrival before discussing Item #5.

**ITEM #6** Discussion and Possible Action on a Request to Waive the Bidding Process for the Selection and Hiring of a Construction Manager for the School Renovation Project – Wallingford School Building Committee

Don Harwood, Chairman of the School Building Renovation Committee; Jon Walworth, member of the Building Committee and Ann Hoag, Secretary to the Building Committee were in attendance for this item.

Mr. Harwood stated, we appreciate the fact that we were put on the agenda tonight for discussion about deviating from the procurement process. Our request is driven by the fact that we had an unscheduled departure of our construction owner's representative. We are acutely aware of the trepidation when you deal with any modifications of the procurement process and certainly want to make sure that everyone understands what the committee's objectives are and how we would move forward. Three salient points as far as committee's objectives would be to ensure the spirit of the procurement policy for professional services; that we would provide quantitative and qualitative review; and we want to make sure we maintain continuity with the process that we are under right now. This is a multi-phase, multi-site program with concurrent construction scheduled. We are going to require close monitoring and effective communication throughout the process. We have a large number of issues from a compliance standpoint; building and fire codes as well as A.D.A. and the Dept. of Education, State Facilities Unit.

We are operating in occupied space at all eleven schools. We have to deal with safety as a prime concern; staging, coordination. We have to have meticulous tracking of change orders in order to ensure reimbursement from the State of CT. We need accurate, timely and effective reporting so that all items are covered. Again, we ensure compliance with the State D.O.E. because we will be audited when the projects are over. Sequencing and coordination are key because we have so many different sites working. A couple of the milestones that we have right now that I think are important/relevant is, there are three phases to this project. Phase I was Lyman Hall and Moses Y. Beach. Currently, both of those schools have gone through what we call the Planned Completion Test (PCT) with the State Department of Education Facilities Unit. From there the state does their full review of which... will be done in 120 days, thus pushing the project back. We anticipate, based on the volume of projects out there, that that will continue, even as we go into Phase II and Phase III. Phase I, the state review and PCT has been completed. We have construction documents and are getting ready for bidding on that. We are ready to really move forward on that part of the process. Phase II, we are in design development and all PCT reviews are scheduled with the State of CT. Phase III is right behind that with design development and will begin construction documents shortly. The Building Committee's goal is to secure the best value for the town and deliver this project on time based on a construction schedule as best as we can and also to make sure that, fiscally, we bring this project in with the best value. Soft costs (professional services-type costs) are anticipated to be within budgeted figures no matter which way we approach our delivery system. Our hope is to focus on companies that really have proven track records and depth of experience in the educational arena, that they have sufficient capacity and demonstrated educational project success and that they have availability to take on this project now. If we were to bring someone on, they have to be able to ramp up with us immediately. We would hope that we, as a committee, could focus more effectively on a selected group of construction managers and that would allow us to pick up some time. We have provided the Council with a schedule which is a quick and easy overview. We want to make sure we follow the procurement policy that (Purchasing Agent) Bob Pedersen administers. It is a qualitative, quantitative review process. It is still is a two-envelope system where you physically go ahead and evaluate people on their qualitative elements first, without knowing or seeing financial data. That information is rated, scaled and put into a numeric system and only after that is done, do you then release the financials and then you do a review on financials. Those are weighted, put together and then that is your selection process. That is in compliance with the procurement policy for professional services. It allows for competitive and a very objective review process. We need to bring on someone who will clearly be an advocate for the Town, for the committee and for the Board of Education in moving the project forward for our customer which really is the Board of Ed. We need to expedite the process and that is probably the biggest number one driver that we are faced with. We would not be here in front of you for this if we did not have a little exigent circumstance that all of a sudden presented itself. We need to promote continuity just so we don't lose anything in the process right now. We are looking at constructability reviews on the Phase I and we will be into that mode very quickly with Phase II. Basically, as an overview to ensure that this was the right step that we should move along, we consulted with

Bob Pedersen, the Mayor, Town Attorney and I also spoke with Dave Wedge at the State of CT. BOE. It is very important to ensure that if we are going to procure a construction manager that the State will reimburse for those services. The State will reimburse approximately 53% on eligible items that fit within the criteria. The selection process summary is as follows:

- the committee would go ahead and create a clear statement for a selected group of construction managers that would indicate the size, purpose of the project; goals, levels of effort that is required and our expectations;
- we would identify a schedule and we would provide budget projections as we know them today;
- we would define our internal procedures which would be related to our Purchasing Department, any contracting that would occur, design, changes, how we handle change orders and the daily decisionry which is critical;
- the committee will conduct reviews and interviews with the construction mangers that we would bring forward ;
- request for information and request for a proposal that would be in line with a construction management 254 form which basically puts everything in the same response category so you are comparing apples to apples; and
- review statement of qualifications.

Most firms have certified construction managers on board and that is a professional affiliation. It shows a level of commitment to their profession. We would focus on a short list; look for that deep home and field office staff that is very critical for us so that when we are in the ramping up stage of the very busy time that there is enough talent and personnel to pull on board. We would also look for proposals from a technical merit that would provide an overview of what their approach would be, based on the project. We would look for experience, what resources they would be able to pull from, would separate and make very distinct the qualitative/quantitative elements. We would evaluate all bidders. Finally, once we narrowed it to the firm that we thought, based on all of the criteria, should come forward, we would conduct a thorough discussion/negotiation review and then come back to the Council for approval.

As part of that there are some matrix that are used that allow for identifying general conditions, what is supplied by us, the owner, as representatives of the owners, through you; what the sub-trades might have to take on and what, effectively, is included in the construction manager's fee.

Mr. Harwood stated, I think that gives you a quick overview of some prepared comments that I had.

Jon Walworth, SBC member stated, in the chart that was provided to you in your packet, these are only a few number of items that are going on during the next six weeks. Below that we attempted to show the timeline of what I think was experienced the last time we had moved through this process in the section of Construction Manager and the process under the conventional Town's procurement policy if we were to go out to a public advertisement process. The issue is that because we have lost our owner's representative in the next few weeks, there are many items that are going on that we need attention to now. We are a volunteer committee and the last time it was critical that we bring a construction manager on and we only had three schools. Now we have eleven schools and it involves a number of children that we need to do very well.

Mr. Knight asked, please refer back to the last time you did this because I think it is a pretty good indicator of the success of the construction management apparatus set up, the last project. What you are asking us to do is the same thing that we did on the last project am I correct?

Mr. Harwood agreed that it was. It is not unusual to bring a CM on right at onset to work in tandem with the architect. That was not done last time nor this time however we are now at a threshold where if there is going to be a change, this is the best time for the change because we are just on the cusp of coming out of design development and going into construction. It is very akin to what went on last time and the services that we would request would very much align with that.

Mr. Knight stated, in the last process there were several firms vying for the contract. He asked, how many would you estimate might be included this time and from where do you get your lists of pre-qualified firms that you feel have the horsepower to take on a project of this scope?

Mr. Harwood answered, I would anticipate that if we were somewhere in that 4-6 range of very qualified firms that would give us a fair representation of the market, what we would want to look at is those firms that could clearly demonstrate and document that they had worked on...let's say five significant school projects with multiple schools and multiple principals being able to run them in tandem at the same time. They would have to meet that criteria and show us or show us the ability to handle multiple site projects like this. One area you reach to is simply look around the state. Canton is a good example where they just contracted for CM services. Hamden just completed it and are in their interview process. The State Facilities Unit as well. All those are pretty good indicators. I can probably name 5-6 firms right now that I know are players in the market. That is pretty much where we were last time. You go out and look at the quality firms that can do the job.

Chairman Parisi stated, I was led to believe, maybe incorrectly, that the State Facilities Unit would also supply a list of what they consider to be qualified?

Mr. Walworth answered, the State School Facilities Unit has, on their website, a list of architects and a list of construction firms on all of their projects. It really is all over the lot. There are five or six names that continuously show up. It is a hodge podge of small firms that are working on \$3 million schools; \$5 million schools but wouldn't have the resources to be able to tackle a project of this size. It is important to recognize also that this is not the last school project to be going through the State of CT. There are millions of dollars of projects behind us so it is even more important that we have a company with the resources to withstand the pressures of a number of other schools that are going to be put out to bid in the next ten years around the state.

Chairman Parisi asked, the State does list qualified companies and makes that list available? That is what I was told.

Mr. Harwood answered, the State would be very hesitant to speak about qualifications. They would list firms that they have come in contact with. They watch where they go on that because all of a sudden they are an advocate for a company and....

Chairman Parisi stated, I thought they posted a list of companies that they deem acceptable for this type of work. I was told that but, evidently, that is wrong.

Mr. Harwood stated, on of the items that we considered is, this project as a single, stand alone project, a new high school, for instance because of the magnitude of the dollars; \$62 million total, approximates what you might spend on a new high school. Many firms would jump at that because it is a single location and it is much easier to manage. When you have an aggregate project that has eleven sites and is scattered around from \$8 million to \$4 million to \$2 million to \$3 million, it is a whole different ball game. A lot of players won't touch it because of that; it requires such a depth of personnel.

Mr. Knight stated, we want as much competition as we can get because we feel we'll get the best value. Having said that, with the complexities you just mentioned, it does concern me that we might need to be careful on how we set up who it is that is qualified. Do we want them to have so many engineers or so many employees? How do you intend to measure this?

Mr. Harwood answered, those type of benchmarks are important. We need to clearly understand what they have on the bench by far. The minute news hits the media, obviously you hear from all the big players. Probably four or five have already dropped memos or booklets and they are the big players you would expect to hear from. They are already knocking on the door with interest which is very typical.

Mr. Knight asked, how long do you anticipate this to take?

Mr. Harwood answered, if we were to receive favorable approval tonight...a solicitation to some of the top firms will need to be sent out in a day or two just to get some quick information back. As part of that process, through the Town Attorney's office, we have been working with a contracted attorney who supported the last project. It was extremely effective and Atty. Donofrio is very good, very focused and Janis supported us and brought him on board. We have already had a meeting within hours of notification that there would be a change. Bill Choti, Vice President, and myself met to ask what the game plan or best approach would be. We have already marked up a solicitation to try and figure out how we would go at this, no matter if there was an approval or not. Atty. Donofrio was instrumental in the last solicitation and R.F.P. process for the CM last time. We would be able to flip this very quickly which is extremely good for us because he has all of the documentation. We are quickly going to make some modifications, focus on the project, hit some of the specifics and we can get on the street with everything, with committee approval no later than Wednesday of next week, if not sooner with some of our stuff.

Mr. Walworth added, we would hope to be back before you for approval within one month if you were to approve this tonight.

Mr. Knight asked, with regards to the bidding process. Going out for bid for the first phase of the project, wouldn't the construction management firm, if you bring on a construction manager, don't they have a lot to do with putting together the bids?

Mr. Harwood answered, although there needs to be some closeout on constructability reviews, we still have not gotten the comments back from the State Facilities Unit (SFU) so there are going to be some modifications. They are going to pick up some things and go back to Jeter Cooke Jepson, the architect, and ask that modifications be made. There has been a great deal of work done already by our owner's rep in the process of constructability. We are o.k. at the moment. We will catch it on the back end as it comes out of SFU. To Konover's credit, their support as far as the transition, is something that I couldn't ask for any more. To be very honest with you, they are stepping out but they have turned any resource that we need to make an effective transition towards us. I think we will do o.k. as long as we hit an acceptable window of a transition. They are going to want to move on with their business and that is what is key to us. They have been very supportive.

Ms. Doherty asked if the State Dept. of Education has deemed it appropriate to waive the bid for the project?

Mr. Harwood explained, it is a decision the municipality makes in the procurement process. My discussion with the Dave Wedge dealt with if the committee chose to go with a construction manager to manage the project for the committee, is it reimbursable and is it acceptable? There

were two elements that he recommended we focus on; general statutes that speaks to the bonding process and the bidding process. All bidding and bonding must be competitive and in compliance with CT. General Statutes #10-287c and #49-41.

Mr. Walworth added, because it is the selection of professional services, the state does not require you to bid. They will require a bid on all the trade work.

Ms. Doherty asked Mr. Harwood to share with the public why the committee would like the Council to waive the bid and the time element involved.

Mr. Walworth explained the process to the public.

Ms. Papale asked Mr. Harwood to explain what the difference is between an owner's representative and a construction manager.

Mr. Harwood explained, a construction manager, for the most part, is a firm that goes ahead and helps us optimize available funds, for the most part, control the scope of the work, scheduling, focus on the design and field decisions; things that need to be decided on the fly. They would work to avoid delays, deal with disputes, change orders and things like that. Some of those items would be very akin if we stayed with an owner's rep. We thought an owner's rep. combined with a general contractor might be the best delivery system for this project two years ago. Many things have changed. The most significant is the industrial and corporate sector work has definitely changed and has not dried up by any stretch of the imagination. The demand in that sector has changed, a lot of that has been related to economic conditions, market conditions, the terrible incident in September. There's a lot more interest in the public arena right now. The dynamics have changed, there would have been some overlapping and we were very concerned about how we manage that with the state. We went out to bid two years ago for an owner's rep., not a CM and we had to be very careful that our RFP, we didn't step past it and maintain our owner's rep. and all of a sudden really be glossed over as a CM. We were struggling through that process for the past month and one-half to two months. It really becomes very close.

Ms. Papale asked, will the work that the owner's rep. did be carried on and made useful?

Mr. Harwood answered, absolutely. There is a lot of work that goes on behind the scenes that not everyone is aware of, including all of the committee members. That information will be turned over to the CM to build on. There is a lot of history and data that has been done. We got a decent value and a fair amount of work out of our owner's rep. to this point.

Ms. Papale asked, will work continue without the construction manager in place?

Mr. Harwood answered, we would lose time. With the fact that we have so many schools now under way, we have design development going on into the third phase, we are into two schools that are already with the state, we have the next phase which is four schools under way right now and there are parallel paths that we are going down. The owner's rep. was working side to side with that design development process with our architect to review as they go. All of that work needs to continue or our architect continues down that path, following what they see to be a professional judgment all the way through and then we get a document and then we turn the entire completed document over to a CM to do that review. Instead of correcting it as you go, now you have to go back and re-work it. The committee tried to take on some of the cursory type stuff but we couldn't comprehend the detail and we couldn't spend the time on it. If we don't fill the void quickly, we truly will lose time or the real risk is...something that does not get picked up in peer review gets picked up during construction as a change order and we pay significantly more for that change. The goal ahead of time is to minimize the number of change orders. If we can do that, the value clearly is better for the town.

Ms. Papale asked, who will decide, the committee?

Mr. Harwood answered, yes, absolutely.

Ms. Papale asked, not the Board of Ed; not the Council? The School Building Committee will make the decision and then you will come back to us?

Mr. Harwood answered, that is correct. The structure is set, you are our boss, we are your agent trying to build something and bring it in on time.

Mr. Vumbaco asked, is the construction manager going to give us close to the information that we were provided from our owner's rep?

Mr. Harwood answered, typically you would see even more detail now that you move into actual construction because the amount of information that flows is phenomenal. I would say more.

Mr. Vumbaco asked, are we getting close to the point where we were going to be phasing out the owner's rep. and the construction manager was going to be phased in? Were we going to be carrying both throughout the project? Is that why you are stating now that if anything was to happen, this would be a good time to make the break because we were kind of getting to that point where the owner's rep would be starting to be phased out and the construction manager would come in and pick up the ball and go forward?

Mr. Harwood answered, the definition of what the owner's rep was going to do contractually would have increased, there is no doubt about it in some fashions. If we had stayed on with an owner's rep we may have continued to look and say either increase their responsibilities and

stay with a general contractor, or reduce the owner's rep's responsibility and bring on a CM and also your sub-trades under that. Those are models that you can use and they are used quite effectively. New Haven is an example where they have a full-time construction representative and that is a contracted service. That contracted service manages multiple construction managers because they are into a \$500 million project. They actually have a construction management company managing other construction managers. We are right at that cusp of trying to decide where we wanted to go.

Mr. Vumbaco stated, what I am concerned with is, the information that Konover Swinerton provided me, as a councilperson, I found to be very valuable and I would like to thank Konover Swinerton for what I believe was an excellent job well done, especially on the reporting side. For my own self-satisfaction, for my own ability to sit up here and make decisions, I just want to be assured that we are going to get basically the same type of information so that we can look at this going forward and make intelligent decisions.

Mr. Harwood answered, absolutely. One of the things that is critical to the committee is to increase reporting and make it an executive summary so we can understand it and process it because the volume that we are going to see in... about 8-10 months... it is going to be astronomical. You will get as much as you have received if not more.

Mr. Vumbaco stated, this is the real reason why we should be waiving a bid. I am 100% in favor of this. It is a critical situation and we need to move forward on it. I never thought I would hear myself say that I am 100% in favor of waiving a bid, but I am. Please don't take this as a criticism but I just want to make this comment and bring it out in the public; as we go forward, as you just said, you are our agent; the Council's agent. I would hope that in going forward the committee takes the bull by the horns on this issue. The things I have read in the paper and the calls I have gotten on the phone, back and forth about who is talking to whom and who is not agreeing with who and all the issues that have been raised over the last six months up to the point of wanting to fire the firm and all the stuff that has been brought to this Council's attention, it is my understanding that the building committee works for us and you should be the focal point of the project. If major issues come up, and I am not talking about changing the colors from red to blue, if there are major issues that come up, that has to be focused through the building committee so that all of this in the future is put to bed. Let's go forward with the project. I am not criticizing the building committee because I know it is a tough job and you are all volunteers and I think you are doing a fantastic job, don't get me wrong, but I think we need to take it back a little bit and make sure that the issues that come up are focused through you so that you are well aware of it. There should not be one group talking to another group without the committee understanding it. It is something that I want to stress with the committee.

Mr. Harwood answered, your comments are appreciated.

Chairman Parisi stated, I think your comment was well-taken, Jim. I hope that was very clear, I thought it was.

Gary Linsley, 520 Ward Street Extension asked, how much of this documentation will be available to the public? Where will it be available?

Mr. Harwood answered, anything that the committee generates or is provided to us is available to you under Freedom of Information (Act). Anything you need specifically or any questions we can provide to you any time. If you have a specific question, Ann Hoag would probably be the right person since she is our secretary. You are more than welcome to call me if you have something specific on any issue.

Mr. Linsley stated, I bring this up because of documentation that has been missing in the past; taken out of town and kept in someone's personal attic. I want to make sure we don't go through this again. Where is the information as of today?

Mr. Harwood answered, to the best of my knowledge there is absolutely nothing missing related to this project. There is a great deal of integrity and personal commitment towards this project. There may be other ancillary issues that you are referring to but, to the best of my knowledge, that has no application to this committee or this process. Much of the information is here, at the Town Hall. We use Room #315 as our meeting room and we are buying filing cabinets as the project generates paper, to be honest with you.

Mr. Linsley asked, If I am going to file a written request, where would I file it?

Mr. Harwood answered, you are welcome to send it to the committee, to myself, to Ann Hoag and if there is something specific you would like, you are more than welcome...the other thing I would suggest is, this project is so complex in the nature that it has so many tentacles that if you have an issue that you would like an answer for, we meet on Tuesday nights in the Town Hall in Room #315. We did that so it would be central to all building committee and the public. We have a public question and answer period and you are more than welcome to raise any issue that you feel is important. We will be meeting almost every Tuesday night now because we need to make an effective transition. Everything is open, it is for public disclosure. There is nothing to miss.

Ms. Hoag stated, everything the Building Committee has received can be found in Room #315.

Jack Agosta, 505 Church Street, Yalesville asked, what will the cost be for the construction manager?

Mr. Harwood answered, I think what you will find, depending on the project and how they bid it, your range can be from 3% fee to 9% fee to 6% fee on construction. When you go with a

construction management-type delivery system and management of a project, you typically see a reduction in what you would carry for general contractor overhead profit and so on because now some of their responsibility diminishes. We hope to be even more effective financially, at least that is our quick snapshot this week versus the general contractor market right now with a lot of benchmarking that we have done and Jon (Walworth) has done even today. There is certainly a fee. Right now, based on our budgeted dollars that we presented to the Council, we feel that this delivery system will be able to accommodate a construction manager. My hope would be that it is more economical. I am very conservative as an individual...hopefully that philosophy comes forward in my donated time to the Town of Wallingford. I am cheap.

Mr. Agosta asked, when you receive information from the construction manager, does it go directly to the building committee or does it go to someone else first?

Mr. Harwood answered, typically what happens is, we would work hand in hand with the Purchasing Agent because our solicitation would come out of the town and that would be run through Bob Pedersen (Purchasing Agent). Typically, Bob (Pedersen) would receive the qualitative as well as the quantitative elements of it. The Purchasing Department would hold the cost structure envelopes, we would never see them until such time as we did the qualitative review and then we would see the cost structure. We don't see both envelopes at that point. We leave it up to the Purchasing Department.

Mr. Agosta asked, is the Building Committee in total charge of the project to make sure it works right? You make the final decisions?

Mr. Harwood answered, the easiest way to draw an analogy is, my personal role is that I am a department head for the Town; the cheapest department head the Town will ever hire and my staff, if you want to draw the analogy, is the rest of the committee. My overhead and benefits and vacation time is very limited with the Town and we are spending money just like the Fire Chief or Police Chief does, it is the same type of thing. We will spend more in the aggregate dollar value than most departments will spend. We are just an unpaid group in control of the information. The caveat to that is, we can't make financial expenditure decisions, the Council does that, that is why we need to bring this data back to the Council and they review it, ask questions and then decide for us to move forward or not.

Mr. Agosta asked is there any interference from anyone else? You have the say? You bring it to the Board of Education and the rest of the people involved as Town officials?

Mr. Harwood answered, that is the way the system should work.

Mr. Agosta stated, if we go ahead that way we wouldn't have the same problem again if there is interference. I think we should avoid that as much as we can. I would hate to see the cost go up because of interference.

Robert Sheehan, 11 Cooper Avenue asked, do you hope to have a construction manager in place before you go out to bid or isn't that going to affect your bid?

Mr. Harwood answered, if there is any way we can do that, we are going to do that. The target date for going out to bid on Phase I project is the middle to latter part of May. It is just around the corner. It would be worth our while if we saw that we can get someone on board that, if we had to allow for some slippage in that just to get the construction manager up to speed and do a quick review, it would benefit the town, we would hold back. We won't rush into that because, again, we don't want to be into change order mode down the road if we can spot it early. We want to start the project in the Fall and some of that was predicated on the State Facilities Unit and their review period. Our actual schedule has slipped based on the State going from 30 days to 110.

Mr. Sheehan asked, do you feel the process will delay the time schedule for starting?

Mr. Harwood answered, I hope not. The one slippage encountered was that we are probably going to miss this summer although we would like to try and get some hazardous abatement done this summer because that really helps us to move forward, but with the slippage experience with the State of CT. it is really tough. When you miss the summer because you normally need a period of time to cleanse the facility and do air tests, you really don't have many other opportunities other than the Christmas break, Winter break or the Spring break. That may cause us some blips down the road.

Mr. Sheehan asked if Konover Swinerton was offered the position or did they just want to step out of the project?

Mr. Harwood answered, we were clearly actively involved with Konover and the Town Attorney's office in trying to solidify a contract. Konover made a business decision not to step into the construction phase of this project at this point.

Mr. Sheehan stated that the nine Town Councilors are who the committee answers to and if the committee was satisfied with Konover Swinerton then they should still be here. They are still involved to a minor degree and are going well above and beyond the call of duty in assisting the Town but there must be monetary consideration for that assistance. Hopefully, it will not through off the budget.

Mr. Harwood explained, just the contrary. There is fully an expectation that we will continue to pay for services provided by Konover during transition. But as a result of their willingness, not our asking, to make it a very effective transition, they will probably save the community money in the long run because the more effective the transition is, the less items that we have to try to re-hash and try and get our arms around. As the data comes forward and the information comes

forward, the start up with the CM will be much more effective and ultimately a very good balance.

Mr. Sheehan inquired as to the rate of reimbursement.

Mr. Harwood answered that the rate of 53% stays the same on those items that are eligible for reimbursement.

Pasquale Melillo, 15 Haller Place, Yalesville inquired about the ventilation systems in the school buildings and whether or not there will be working windows to assure fresh air is filtered in and through the schools.

Chairman Parisi reminded Mr. Melillo that the item up for discussion is the waiving of the bid and the present situation of the committee.

Mr. Harwood answered, ventilation, in accordance with current standards for air exchange in being addressed at all schools that are in this project. It is a very focused item at all schools. If you look at the budget for each school, ventilation was one of the biggest drivers and one of the bigger cumulative numbers at all schools.

Mr. Melillo stated that the Building Committee meeting scheduled conflicts with the Town Council meeting schedule and the councilors are unable to attend the building committee meetings. Why not hold the meetings at a different time?

Mr. Harwood stated, we currently alternate Tuesdays. When we have met on the same evening as the Town Council, we have found it beneficial because we are meeting in the same building and have come down from our meeting one floor up and joined the Council for discussion on issues. In fact, it has been extremely effective for all parties involved.

Mr. Melillo asked, relative to the state and federal grants and monies, do you think it is possible that you are going to get more additional state and federal grants?

Mr. Harwood replied, based on your recommendation approximately 18 months ago we went, via the Mayor's Office to see if there was any federal money that might be available. That was based on your recommendation. There is not. The state has already committed to 52.38% or approximately 53%. That is what we have available to us at this moment.

Mr. Hoag added, based on your recommendation, I did contact Rosa DeLauro and Senator Lieberman's office and, as of this time, they are trying to propose legislation but it has not passed.

Mr. Melillo stated that there are many skilled Town workers who can assist with the project.

Mr. Harwood agreed stating that Town Attorney Janis Small has been a strong advocate for the committee; Bob Pedersen, Purchasing Agent, has been effective; Tom Myers, Comptroller, and his staff have worked well with the committee; the Building Official and Fire Marshal have met with our architectural team; and members of the committee, including myself, have sat with them. They have been more than responsive in trying to work with us. The utility departments have been very effective. There is a huge amount of interaction with town officials. To date we have done very well and they are very responsive to us. That is key to a successful project. The administrative branch of this government needs to work very effectively with us in order to hit the objective and the goals. They have done very, very well and we appreciate their efforts.

Mr. Melillo was opposed to waiving the bidding process. Competition should be encouraged.

Chairman Parisi asked, do you expect to hear from the State as far as the design approval by June 1<sup>st</sup>?

Mr. Harwood answered, before that. Probably the end of this month into May.

Motion was made by Mr. Knight to Waive the Bid to Allow the School Building Committee to Procure a Construction Manager Using a Process Described by Chairman Harwood at this Meeting, seconded by Mr. Toman.

VOTE: Farrell was absent; all ayes; motion duly carried.

ITEM #5 Discussion and Possible Action on the Town-Owned Former Wooding/Caplan Property as Requested by Councilor Mike Brodinsky

Mr. Brodinsky stated, the subject property has not been discussed as a sitting body since I have been on the Council. It continues to be a problem because as time goes by it costs the town money in two ways; first, we lose the possibility of getting taxes if the property were in the hands of a private owner; and secondly, we are losing money that we would or could earn if we were to sell the property and bank it. The longer time goes on, the more the problem grows and I am a believer that problems such as this only get worse if you look the other way. It really needs to be confronted.

At this time Mr. Brodinsky gave a description of the Wooding/Caplan property.

Mr. Brodinsky stated, it is basically a vacant, unsightly, parking lot that the Town has very little use for. It was brought in 1991 for about \$1.5 million but it has cost us more than that. In addition to the purchase price, the Town put more money into the property; demolition work was performed; a fence was erected. We have lost taxes since the time we bought it up to the present day; lost interest on the purchase price and, as recently as 1999, we have spent over

\$8,000 for architect fees. When you add that all up, roughly the property has cost us over \$2,100,000. It is a problem that continues to grow. In 1991 it was said that the property would be purchased for expansion of the Police parking impoundment area. In review of the minutes of 1991 when there was a debate, it appears that the land was purchased on speculation and that seems to be following a pattern. After that land was bought the American Legion was bought and basically the same rationale. It is a very eerie thing going on now with the industrial expansion zone in the North Farms area. Going back to the 1991 minutes, I am paraphrasing some of the minutes and the minutes do not purport to quote the speakers, they are just a paraphrase; Mayor Dickinson at the time was recommending to the Council and the Council went with the recommendation but the Mayor was saying, what makes this a priority and I am paraphrasing now from the minutes, what makes this a priority from the Mayor is that this is a one time opportunity, buying the Wooding/Caplan property for \$1.5 million and what the future needs of the community may be and whether another fire station, police needs, or sale for some other purpose years from now is anyone's guess. The words, "anyone's guess" highlights that we really didn't have a clear vision as to what was going to be happening. This was a purchase on speculation. The comments from the Mayor continue, again, I am not paraphrasing the Mayor, I am paraphrasing minutes; reporting from minutes which track the Mayor's comments but the Mayor apparently said, "this is an opportunity that has to be carefully weighed in terms of the Town's future, twenty to twenty-five years from now, there is no replacement for this size property of the potential uses that could be placed on it." I think what the thought was, there is an unlimited number of uses that we might have. The question I am raising tonight is, name one. We bought it in 1991, we are eleven years down the road and we are no further along to finding a use or a way out of this \$2.1 million "investment" may be one way of phrasing it. In 1999 there is another flurry of activity with respect to Wooding/Caplan. There was some thought that an architect could drop some plans that would change the look of some of the back of the buildings that surrounded part of the property and it was thought that that might help stimulate some interest in moving the project along. Approximately \$8,300 was appropriated by the Council in 1999 for plans to be drawn. To this date the Council has not received the plans so that expense did not help us move forward. Also in 1999, before I got on the Council, I heard through many sources that many, if not most, of the Councilors and I believe the Mayor, were supporting a plan that would potentially cost the Town hundreds of thousands of dollars. In fact, an estimate that I heard was perhaps up to \$2 million and according to this plan that was in circulation in 1999 and 2000, the idea was that a developer would come in and build a commercial and residential properties. There would be a piazza a parking lot and this would be how the property would be used. The role of the Town would be, as I understand it, to engage in various land swaps so that it could construct this piazza and parking lot and then maintain it all at the Town's expense. Back then I never heard any analysis as to how the Town would get its money out or how this would be a general benefit because the property is secluded in the sense that it is hidden in back of North Main Street in one hand and the buildings lining East Center Street on the other. People driving through town from one destination to another would really not see the improvements inside because it would be closed off from general view. There is a strong possibility that this thinking, that the Town would

invest a substantial amount of money, maybe up to \$2 million still may dominate the thinking of many members of the Council, it may still dominate the thinking of the Mayor although the timing of it, obviously, has been deferred. This plan for the Town to invest a lot of the money it seems to me to be an intellectual prison and there has not been any escape. The purpose of my comments tonight is to try and break out of jail; suggest that there maybe there is another way to go. We have been looking at this for eleven years and we haven't made a whole lot of progress and I certainly not in favor, never have been in favor of the Town becoming a partner with some private entrepreneurs and helping some private interest make money off of town dollars. I was never in favor of that. To explain why, a quick analogy; I know somebody who has a very nice sailboat but he says that there is one thing better than having a very nice sailboat and that is having a friend who has a very nice sailboat. That points out the weakness of the thinking back in 1999, maybe up to the present time. Another analogy which is more appropriate as to why the paradigm, the conventional thinking today, I think, has been flawed; imagine a professional football team wants to come in to Wallingford and build a stadium but they don't want to spend money on parking; they don't want to do it. It is a cost of their doing business but they don't want to spend money on parking so they persuade the town to use the Town's land for parking space so they can have their customers park, watch the game, buy tickets, so the team can make money. That was close to the thinking that was going on or may still be going on. The football interest in my little example say, that's not such a good idea but we don't want to even pay for building the parking lot and they tell the town that; why doesn't the town pay to construct and maintain the parking lot and to make the deal even sweeter, the football interest says, we won't even take title to the parking lot because that would give us a little nasty inconvenience of having to pay taxes on the property once we take title. The football interest says to the town, you keep title, you build a parking lot, you build what ever we need and our customers will come and park and what a sweet deal it is for the town. I suppose it could be argued that the Town fathers could save face by saying we haven't given up anything; we haven't passed title to the property when, in fact, doing so would be a net benefit because at least we could get taxes on it. That kind of analysis has been the prevailing view and I am not in favor of it. The morass that we are in; it is my opinion that we are in a morass and that may not be shared by others but the lack of progress indicates that me, the morass that we are in is illustrated by some newspaper articles. In 1999 the headline read, "Architect to study another future for downtown block." In the article it stated that the Town Council voted 7-2 Tuesday night to pay Lazarus & Sargent to touch up old plans and get information specific enough to draw the interest of downtown landowners and yet another concept for this property. Later on in 1999 there is an article of which the headline reads, "Hotel seen unlikely on Wallingford site." There was some idea perhaps, maybe a dream that a hotel might be purchasing... the lead sentence says, "Hotel for the former Wooding/Caplan property is an unlikely prospect according to Mayor Wm. W. Dickinson, Jr. The next article appeared on February 11, 2000 and the headline reads, "Designs for Wooding/Caplan project nearly done." About halfway through the article there is a quote from Sam Sargent (Architect) that reads, "We are working with a cost estimator but we still don't have final designs. What we are doing here is proving the economic viability of the project. We want to provide them with enough

information so decisions can be made. Skipping ahead, there is another article on June 18, 2000 and the headline reads, "Nine years later Wooding/Caplan still in limbo." In part it reads, the proposed project which should be presented to the Council this summer involves the Town and Caplan and 390 Center Street buildings. Town Councilors and the Mayor are waiting for these new plans to be finished before deciding how much public money they will dedicate to the project. I was on the Council when that was published but I was never in favor of dedicating public money. There is a quote from Steve Knight, "I do suspect the Town will have a substantial hand in financing the development we already have \$1 million+ invested." In September of 2000... the headline on another article reads, "Wooding/Caplan remains bogged down." Half-way through the article there is a small paragraph that says, "however architect Sargent may be doing more than he was contracted for" stated Town Council Chairman Robert F. Parisi and democratic Town Councilor Michael Brodinsky agreed. At least we had a meeting of the minds back then and maybe we will tonight also. There is some confusion about the role; who is doing what? Who is at the helm? Who is the visionary? Who is making the plans? There wasn't a consensus on that and finally, in February 2001 the headline read, "Council skeptical about development of lot." It is written by the record journal staff and reads, "The (architectural) plan which had been promised for more than a year will fulfill a contract... although the plan is near completion, it will face a difficult fiscal picture in Wallingford and a leery Town Council. One Town Councilor called the plan a "pipe dream." That is a two to three year history of where we have not gone and what we have not been able to do. We need a plan, we need to do something. Looking away is not going to get us where I think we need to be. This is costing us money in lost taxes and interest that we could earn if we were able to sell it. We need to break out of the conventional thinking and come up with a good idea, something that will get this going. My opinion is, the first step is to get it on the market listing it with a Realtor and according with Town ordinance and Charter procedures but keeping the neighbors in the loop, bringing them in at all critical stages of the decision making process because they certainly have a stake in how their property is developed. Getting the property on the market with their help and consultation so, again, their interests can be protected. I am saying that twice because it is an important point and I don't want it to be missed from my comments. There may be other good ideas and the purpose of putting it on the agenda is to get some great ideas out.

Mayor Dickinson stated, I don't see Wooding/Caplan as such a huge problem. The big problem for any community is the downtown and the health of the downtown. Yes, you invest money but picture our downtown if we hadn't invested money in the streetscapes. There were people who weren't totally in favor of that. I think that has been a very positive effect for the community. There are opportunities to enhance Wallingford and certainly that piece of property constitutes one of those opportunities. I don't quite see it as the highest priority for us right now. I think we have a number of other fiscal projects and proposals that want to become projects that, in my mind, have a higher priority than the Caplan/Wooding project but Caplan/Wooding is very much an integral part of what we want to see as a vibrant part of downtown for the community. There were those who advocated additional public money being

put into projects that would enhance that property. With that said, certainly we can find out whether there is a willing buyer but the list of contingencies is long with regard to that property. One of the key elements is for good use of the property providing better access. As you know we purchased one property that was then put on the Historic Properties list. That property was purchased in order to allow a wide road access and also discussions were held with another business in town to provide access from the other side. It would require public contribution, there is no question. But my belief is, for the downtown to be a vibrant place, we will have to be willing to come to the floor and make sure as the governmental entity that the downtown remains a place to be part of civic pride. I don't see it as the highest priority, I think there were some good proposals in the past for, unfortunately, for a variety of reasons they haven't come to reality but I am not at this point willing to give up on what can be a very positive showpiece for the community. I would urge that what ever direction we take, that remain foremost in our minds. We have a real interest in it. It is not often that any community has control a little over three acres of property right in the middle of the so-called downtown. We have some responsibility to see that that develops in a way that will be an enhancement.

Mr. Vumbaco stated, Mike did a good job of summarizing the last eleven years but it was like dejavu as I was reading through the November 1999 minutes. It was pretty much the same issues in different words that Wes Lubeer brought up. Here we are three years later and still nothing is done. I keep hearing constantly and what seems to permeate a lot of these minutes and discussions on this is that we put money into streetscapes and it was a very positive thing for the Town of Wallingford, which I whole-heartedly agree but I think this is a different issue. This is not streetscapes, this is a piece of property that we have spent over \$2.2 million on that is just sitting there and the next part that keeps being said is that it is an integral part but no one is willing to define what that integral part is. Unless the Mayor has some plan in his head that defines what the integral part is, I am not one to sit on a piece of property and lose tax dollars for someone's belief that there is an integral part and not even knowing what the integral part is. It is stated that it is positive for the town and I whole-heartedly agree. It is three acres, I whole-heartedly agree. I understand downtown; I love it and want to maintain it as best as we can but I think there is also private enterprise who can do the same for us and we can start getting some money back in on tax dollars. Yes, is it going to be hard work, absolutely. There probably has to be some issues with change to zoning or at least working with Planning & Zoning and the Department of Development and the downtown commercial zones and the people who live there but it is something that, if you really wanted to do it, that it can be done. I personally think that by turning it over to a private developer, he would probably have an even better plan. When it was bought in 1991, it wasn't stated that it was for an integral part of our downtown. It was to put in a parking lot for the Police Department to store their impounded cars on it. I, for one, don't want to see the middle of my community with a parking lot for impounding cars. It was stated, I talked to the Police Chief about it and, at that time, that was the major reason for buying that property, a now-existing \$2.1 million not used parking lot. I wasn't on the council but I did read the minutes and go back and research it and I still don't see what the integral part of downtown is. Maybe you can define it for me, Mayor.

Mayor Dickinson stated, let me categorically state that was never purchased to be a parking lot for the police station. One portion, behind the police station was designated for police purposes but that was the only portion. The rest of it was meant to be an area for residential as well as commercial office use. We felt that it was important to bring residential use into the downtown to allow people to be living there and making uses of the services close by. At one time there was discussion about underground parking for the condominium-style residences that would be constructed. At no time was it entirely to be a parking lot. It was recognized, however, that public parking would have to be an element since to put new uses in the location would require some ability to allow people to park and use what ever the services or to live in the residences, hence the necessity for streetscaping and amenities that would make this an attractive place to live and be. That makes it an integral part of the downtown. A wider avenue in, good access out; an attractive place to be. That makes it a part of the active downtown to achieve those goals.

Mr. Vumbaco asked, then why hasn't anything for the last eleven years, if that was the reason why we purchased it, not pursued at least with Planning & Zoning? In talking to the developers who were actively involved with this said that the current zoning regulations would not make that property viable for any private developer to go into. Most likely there would have to be some zoning regulation changes to allow higher buildings in order to do the residential/commercial mix which I think is perfect for that area. For eleven years we haven't even discussed it. Planning & Zoning meets once a month. We have gone through a whole cycle of plan of development and it is not even mentioned in it. I fail to understand that if it is so integral, why is it so far down on the radar scope?

Mayor Dickinson answered, it hasn't been. There were discussions that included the Town Planner. There was a very active program in 1999 to bring it to a reality. Unfortunately, not all parties were willing to remain part of the entire plan and the economy and a few other things all asserted themselves and we were not able to move forward. Certainly, the Town Planner was notified and once there is a proposal then the request for what ever changes are necessary from Planning & Zoning would be brought forward. Without a specific proposal, it is very difficult for Planning & Zoning to make changes in a vacuum. Again, it is not something that has not been pursued. A number of things have been against us, the interested parties, the economy, other projects have all played a role in relegating this to a lesser priority. But unless we see our downtown as completely falling apart and no one ever wanting to be in the downtown, I fail to see how this will ever lose its value over a long term.

Mr. Vumbaco replied, I talked to the developers that you said were pursuing it in 1999 and they told me that they wouldn't give \$500,000 for that piece of property right now. We can debate this back and forth and unless we get this appraised, we don't know whether it is not going to lose value. I personally believe it has because there is not the proper zoning there to make it valuable and you and the Administration and choose to be reactive until there is a potential

plan. I err on the side of being pro-active; go in and look at the zoning and see what possibility can be used for that. Yes, the builders did present a commercial/residential site there. It was not viable because they couldn't build enough residential units to make it viable for them. That is why they walked away from the project. There was not attempt to change the zoning to give the developers an extra four if that was what was necessary. This can be debated back and forth, Mayor, but I personally believe that this is just being left to sit there and the Town and community is being hurt by not having viable property that could be used turned into tax dollars.

Mayor Dickinson replied, I ask that you not state as fact matters that are not fact. Developers did not walk away because they were unwilling to make an investment there. A significant part of the whole project was not able to be pursued and that was the hotel which had nothing to do with anyone walking away, it was an interest that was no longer committed to improvements to the of the structures that was there. If that had remained as a focal point of the project, I think things could have probably moved forward but a number of people lost interest at the point there was not going to be an improved hotel as part of the project.

Mr. Vumbaco answered, that is not what I was told, Mayor and as I said we can debate this back and forth. I am done, Mr. Chairman.

Mr. Brodinsky stated, in going back over the minutes from 1991 to see if there is any reference to using the property for housing, I couldn't find any but I did find this; Mayor Dickinson speaking, July 9, 1991, "The most immediate plans for the property is the expansion of the Police Department's parking and impoundment area." according to the Mayor. "At some point the Fire Station will need replacement. Whether this will be the area or not has not been determined." I already paraphrased earlier comments that what the use was was going to be anybody's guess. The original intent was to immediately expand the Police Department and making a parking lot and now it is a \$2 million parking lot. We learned tonight that this is an integral part of the community and it is a very unsightly parking lot, yet it is an integral part of the community, yet it is a very low priority, yet it is an integral part of the community and I guess I wasn't very clear in my comments because if it is an integral part of the community, let's make it worth something; let's make it an integral part of the community and I am told, it's low priority, we had better not. It is an integral part of the community, but it is a very, very low priority and putting it with a real estate agent takes too much effort. Putting it on the market to see what the market will bear, I guess we don't have the time or energy, it is too low a priority but it is an integral part of the community, though. I see more of the same paralysis here, it is very simple to take a step. Whether it is successful? I don't know. Will anyone buy it? I don't know but to say that the property has not lost value indicates to me maybe why there is a movement not to put it on the market because once you do that you realize it doesn't have the value any approaching \$2 million and maybe there is a fear of finger pointing, which I will not do. If we get a bid on that for an appropriate development of \$500,000 at least we can get back on the tax rolls, we take a loss but under my position it is a gain because we are getting back on

the tax rolls and that is a gain. If we get it placed with a Realtor with a bidding process and we get a buyer, it goes back on the tax rolls, I will not be highlighting any loss, I will be highlighting the gain. What it takes is a little bit of courage, a little imagination, a real recognition that maybe this could be a part of the community, but not as an unsightly parking lot. It is just going to be, apparently for the future, an unsightly parking lot but it is still an integral part of the community. I think we ought to get going. Maybe putting it on the market is not the best idea but I want to see another idea, whether it comes from the Mayor's Office or other councilors; let's get an idea on the table, what ever it may be. Let's get an idea and get going.

Mayor Dickinson replied, other members of the council know what the discussions have been over the years. I don't think it is correct to characterize this as ever anyone's goal that it just be a parking lot. It is very easy to characterize that no one cares about it when, indeed, I think any people do. I think the goal is to see it be a very positive statement for the entire community. We have had a number of financial challenges and they are coming at us again. The previous one was the school renovation project which was in the middle of the '90s and now we are facing another major project with the school renovation again. That absorption of our fiscal capability is and will have a serious consequence. I think you are seeing it in the proposed budget. Where we take on debt we will have to be putting money into our tax rate. We are taking money from the tax rate to handle the debt and interest payments. We can go out and find out what the market is willing to do. I don't have a problem with that but, ultimately we have to decide what is in the best interest of the downtown, not just to get rid of the property because we don't want it to be the way it is now. What do we want it to be as a wonderful additional focal point for the community?

Mr. Brodinsky asked the Mayor, what do we want it to be? You have asked the question, what is the answer?

Mayor Dickinson answered, we want it to be a place where people can feel comfortable to be there, to have a place to live, to maybe have shops that they can visit and purchase what they might need. We want it to be a part of the downtown, not isolated but part of the Main Street, Simpson Court, the whole area where people feel comfortable in walking around and enjoying the environment. That is what I believe is what the goal should be.

Mr. Brodinsky replied, and your earlier comments indicated that the Town should help to fund that because you talked about the school renovation project and all the financial challenges and that assumed that the Town would be underwriting the development of that, is that correct?

Mayor Dickinson answered, if we are able to obtain a developer, find a developer who is willing to do the kind of improvement, make the improvement there, without public participation, that is great. But as yet, that has not been found and basically we are talking about the same kinds of streetscape improvements that we have funded elsewhere because we

are talking about a public street in that area. We are not talking about a private driveway, it would have to be a public street with potential public parking, otherwise I am not sure how it would have any hope of working as a commercial area. If it is all going to be private, then that is another issue. But if there is to be a wide street and open up the area, then I would be very surprised if a private entity were willing to provide all of that and hand it to the Town. If so, that is fine.

Mr. Brodinsky stated, the difference between what you proposed and the streetscape is, the streetscapes along Center Street are viewed by everyone going to and from destinations, whether or not they become a customer of one of the shops. However, if you drive by Wooding/Caplan on North Main, South Main, Center Street, you can't see the streetscapes in there and that is a critical difference so therefore the improvement are not truly a municipal project, it is a project to benefit the developers to draw in renters or other businesses. I think that is a critical distinction.

Mayor Dickinson answered, the public road would go from North Main Street and meet with Wallace Avenue or Wallace Street, I am not sure which one it is and then exit onto Center Street. It would be a public street through there. That is the only way to make it a part of the downtown. Short of that, if it is all private drives, I agree with you. Then there would be no reason for the Town to make any investments because then it would be a totally private area that would be the developer's responsibility to try and entice people back into an area that right now is not attractive.

Chairman Parisi stated, Mrs. Doherty pointed out that this site was also considered for the senior center and that was part of the time element.

Ms. Papale stated, I was one of the seven who voted in favor of purchasing this property. When this was brought to us to purchase the property, there were many things that were said to us. One was the parking lot that is in the back of the police station for some of the cars. I remember all of the neighbors coming up here and there was going to be buffer zones; everything looked like it was going along very well. It came up about the fire department because we felt that we may be in need of another fire department. We weren't sure but we had the choice. I think we met approximately 4-6 times seeing different developers come in with different ideas on what we could do there. The senior center did come up but the seniors did not want to come uptown and I think, because the council pushed it, the senior center is where it is today. I have talked with the developers, I have met with them, seen all of the plans and I even made the comment, "wouldn't that be wonderful, I would love to buy a condo there" because that is how sure I was that this was all going to happen. I understand that there was only one person who was committed that is not committed, only one, correct?

Mayor Dickinson answered, I don't know at this point. Recently there was still interest but It had not solidified to the point that there was a definite project. I don't know who is still interested and who is not.

Ms. Papale stated, that is something we should know before I vote on this to go for sale or stay in the same state it is in. My question is, who is still interested or half-committed to do what was planned to do. If these gentlemen are still committed, I still believe it can be accomplished, even without the hotel. The parents of the Choate students are always looking for a place to stay. They have to go out of town or way up Rte. 68. When I voted on this, I really, in my heart believed that this is going to be a wonderful thing for our town. Now, I am not even really sure who is still committed. I thought there was only one after talking to the other developers who are not committed anymore. I think we should know what is going on.

Mayor Dickinson answered, we can determine that. The other part of this that has to be understood is that, partly for the reason that this did not go ahead, we were able to purchase open space. We are not able to do everything. We have to keep in mind that there are tradeoffs. A lot of good has been accomplished in other areas so all is not a bleak picture. It is not that nothing is being done for the Town of Wallingford, a lot is being done. Maybe not where everyone would like it at any particular time. It is not like we are sitting back and doing nothing, we are doing things. At any given time we can fund everything that everyone wants to put on the table without any impact financially is just not the case. The school project is bringing that home with a rapid reality.

Ms. Papale stated, I think that having open space the way we have been purchasing it in Wallingford is a good thing. I think we are mixing apples and oranges here. I am not saying that this wouldn't have taken place if we didn't buy open space or it would have taken place. I really feel that without the commitment of these developers that came in with such beautiful plans for that part of Wallingford, I might feel different. Right now I am not voting to put it out to market. I really, if I have to do it myself; I know the people who were interested in developing and I could find out by I think it would be a good thing if your office found out and got back to us. Let's see where we stand with the people who were willing to make it such a beautiful part of our town. If they are not interested, then to me it is a different situation.

Mayor Dickinson answered, I would be happy to. I don't know at this point.

Chairman Parisi asked, if we sold this property, could we exercise any control over it?

Mayor Dickinson replied, certainly. In the past, I believe, some specifications were drawn up to put it out to bid. I am not sure if they were ever approved to actually do so. It included a request to provide a proposal to the Town and what, exactly, would be done with the property. Then you either agree with it or not. That is the condition of the sale, that you ask for a proposal as to what is going to be done with the property and then before entering into a

contract have to get some assurances that there be commitments to see that that happens. Certainly that can be done.

Lucille Trczynski, 262 North Elm Street stated, I remember talking about doing an R.F.P. Was that ever done? We talked about that in 1992.

Mayor Dickinson answered, I know one was drawn up, I am not sure if it was ever approved to go out.

Ms. Trczynski stated, I don't think it was ever approved to go out. As a taxpayer and someone who has some knowledge of this project when I was quite involved with Wallingford Center, I don't feel that the Town or any members of the council who voted for it should necessarily be compelled to feel that we have got to get our money back. Business people make investments all the time where they don't get their money back and I think we should sell this property, send out R.F.P.s, get bids from a wider circle of perspective buyers, let us see what they are willing to pay for it, put all the contingencies on it that you want; we ask developers to put in roads all the time that become public roads in many projects. It is one of the ways we save money as taxpayers, by asking developers to do that. Why can't we just say, here is a wonderful piece of property? It would be wonderful if we could use local people. We would all rather do that but, at this point, as a taxpayer, I don't care what that property sells for, I don't care if the person who comes in with a wonderful plan who is willing to meet all of our contingencies... I think we have to look at a wider circle and see what we can get for it, put all the contingencies on it that we want, say to a potential developer that we will work with them on the project, let that developer go to the private parties that be, let them handle it. They won't buy it until they have everything in place. They are not going to close on it until everything is in place and everyone has agreed to it. Then it is out of your hands, it no longer belongs to the Town, it is no longer our responsibility, the burden of responsibility of doing what they need to do to make money and what we need to expect of them in order that we can have a viable project is on them. The onus is on them. Until we get those RFPs out to a wide circle of prospective developers, we are going to go on and on and on with this. You cannot limit yourself to what is in Wallingford. There is a big world out there with a lot of people who are willing to pay a lot of money for 3.5 acres in the center of a viable downtown.

John LeTourneau, 3 Regent Court partially agreed with the previous speaker. He agreed that the property should be put out for sale but it is a complicated piece of real estate. He stated, if a developer went back there now and purchased the property and put up stores, I think I would be very hesitant, as a retailer, to have a store back there. The way the property sits, there is no visibility. To make this property visible, it would take a large commitment on the Town's part, maybe losing the fire station to make that a major entrance or exit onto Main Street. The property owners that are along Center Street; I know the Town does own a piece of property there, it is an older building and I do believe it was put on the National Register... do we tear that down to gain access there? Ideally, it would be all the properties along Center Street where

Miscellaneous is right up to the former Town Hall. If that was torn down, that would give a major entrance and exit to the property along with the fire station. Again, it is going to be a major commitment to the Town to make it visible for retail. It is fine for residential back there; it would be nice. But to have retail below it, it would be very, very difficult as a retailer to go back there. How do you advertise? I am on Center Street now, I get great visibility. Why would I, as a retailer, go up there where I would be buried? It is not an easy piece of property to market. It is not an easy piece of property to develop and it is going to take a major commitment to the Town. Selling it to a developer, that is fine. If a developer is willing to go in there, maybe with help. For visibility, then I think it would be marketable. Other than that, I think it is going to be tough.

Wes Lube, 15 Montowese Trail stated, the comments I will make are not intended to be critical. They reflect the twenty years I spent in real estate, primarily in real estate management, not in real estate sales. I am trying to be helpful. You are talking about the flagship; the crown jewel of the properties that the Town has mistakenly purchased or ignored. It is too bad that we sometimes feel that if we don't mention it, it will go away, but it doesn't. The Council has been charged with the responsibility of taking, purchasing, leasing, selling, real estate on behalf of the town and I honestly don't feel that it has been done in a reasonable business-like manner. For example, one of the major handicaps to a significant developer who would do the job with the Mayor envisions, absolutely will not consider investing the money in Engineering, traffic studies, architectural work, to do an R.F.P. It is just too big a gamble for some amateurs to review and decide whether or not they think it is what they have in mind. You want to approach this in a business-like manner. Step #1 is to disregard the understatement of Councilman Brodinsky about the cost of the property. There is no way we are ever going to get back the \$2.1 million that the Town has tied up in this property thus far, it just isn't going to happen. What do you do? What is it worth? Hire an appraiser to tell you what, in his/her opinion would be the highest and best use and instruct the appraiser to disregard the existing zoning. What in his business acumen does he think would be the absolute highest and best use of that property? Once that appraiser does that and puts what is, in his professional opinion, the value based on that, you then go to the Planning & Zoning Commission and ask them to re-zone that property to conform to the appraisal. It may require creating a brand new zone that does not now exist. By that, and by that creation, you would have the restrictions on that property that were mentioned. Anyone who is buying that property, with that zone, would know exactly what the Town expects on that property and that is the business way to do it. Once that is achieved, then you take Councilman Brodinsky's step; you put it on the open market with a commercial Realtor where it is going to have broad exposure through all of northern New England and northern United States. In the process you would find people who are willing to create what the appraiser first envisioned on behalf of the Town. What I feel has been going on underneath the surface is that there isn't a crystal awareness on the part of some individuals in government that perhaps we did overpay for the property initially and over the years because of various things being dallied in front of the Town, actions on anything constructive in developing the property has been postponed and set aside; tomorrow; next year; and now all of

a sudden all of these expenses, real hard costs, are beginning to add up and we are almost to feel that, "if we don't do anything with the property, no one will every know what a mistake we have made." So the Property kind of sits there without anybody doing anything about it and I am very appreciative of the fact that the Council has now finally put it on the agenda. Maybe we will see some action on some of the other properties as well. This is constructive. Mr. LeTourneau said something that is exceptionally real; even as a small, local businessman, he realizes the commercial impossibility of his business being transplanted into a hidden position. Any substantial business operation, the bigger they are, the more they agree with that gentleman. They have to have what they call a "keyhole". They have to have a lot of visibility from the drive-bys, they have to know it is there. We have a surly example of what can be done wrong by a local developer with the plaza over there by Yale Avenue. That has been a financial disaster. Why? Because most of the town doesn't even know it is there. If you look at the quality of the tenants over there, one of them is a doctor's office which it was never even intended for. That is the type of mistake that is sometimes made by communities that will approve businessmen who are really doing something irrational and that was a good example of an irrational investment. That will probably be a long, long time before it ever is an answer to the original dreams because it is poorly conceived, poorly located and doesn't have that magic keyhole. Don't wait another eleven years. Do something about it this year. Do something positive or get rid of it but just don't let it sit there because it is not accomplishing anything.

Mayor Dickinson stated, I want to have it reflected in the record that I think you will join with me that in no way by not saying anything that we are in agreement that there are businesses in town located in poor places or that they are not respectable businesses. I think some of the comments can be misconstrued that way and I don't agree with it and...

Chairman Parisi added, there are two very fine restaurants in that plaza that look like they are doing extremely well. I think I understand what your point was but I guess you can look at Dunkin' Donuts on South Colony Street and they bucked the tide because no one could make money on South Colony but Dunkin' Donuts is a gold mine. You just never really know. You can have the experts and have the experts' opinion and then there is always someone that can prove even the expert wrong.

Maryl Ryan, 200 Cheshire Road stated, the property is in the middle of the downtown and we (Wallingford Center, Inc.) had a vision for our downtown and we still have the vision of a successful downtown. We want the highest and best use but we want it in the context of our vision for our downtown which could be residential. The downtown is successful and it is the heart of the community and this is the heart of the downtown. Please keep that in mind. We don't want to lose what we have. We want the highest and best use but also that it fits in with the vision of the downtown.

Philip Wright, Sr., 160 Cedar Street read the following from the Charter of the Town of Wallingford, "The council shall have the power to take, purchase, hold, condemn, lease, sell,

convey such real and personal property as the purpose of the town may require.” The Council has been sitting on their duff for eleven years because they have abdicated their responsibility to the Mayor who believes that, “we are too busy over here on this project; a little too busy over here...”. When he was proposing we buy open space, did he say, “if we buy this open space we can’t do anything with Wooding/Caplan?” Those two things were never equated at all. Now he is saying that because we have bought open space, we can’t do anything with Wooding/Caplan. I think you, the Council, have got to take this thing into your hands, accept your responsibility as indicated by the Charter and do perhaps what the Mayor did when he wanted to buy a piece of land out east, he hired a Realtor to put the project together and we paid some money for that. Maybe that is what we ought to do, now; hire somebody to put this thing together. Obviously, all of you don’t have enough time to do a proper job and you don’t have the expertise either. Hire someone. We spent \$8,000., \$10,000. or \$12,000 a couple to three years ago and we haven’t seen anything tangible for that. Go out and spend some money and do it right but it is your responsibility, not the Mayor’s. As soon as you accept that and forget about what Bill’s opinions are, you got it, we will accomplish something.

Chairman Parisi reiterated that he wanted to maintain some accuracy. He stated, this thing has not sat here without any action. That I have to take exception to. Everything else you say is accurate but this did not sit here without any action at all. There were many efforts made to do something. They were unsuccessful...I have to agree, but there was effort to do something.

Lucille Trczynski, 262 North Elm Street stated, there has been action but we have been trying to make things fit, trying to take certain things and fit them into this project. I disagree with Mr. Lube, respectfully, that the first thing you should do is put it in the hands of an appraiser and let the appraiser tell you what the highest and best use is. The market will tell you what that is. Throw it out there and see what you get back. You may get back nothing but at least you will know where you stand and you will know that if you are obligated to work within the framework in which we have been working to date, that the market...people who do these types of things will tell you, the Council, what the highest and best use is for that property then the burden is theirs. Relieve yourselves of that burden. It takes a certain kind of establishment/ability to focus on what the highest and best use is for that property and it is not, in my opinion, an appraiser.

Pasquale Melillo, 15 Haller Place, Yalesville stated that the Town Council should take the advice of Wes Lube and Philip Wright, Sr.

Vincent Avallone, 1 Ashford Court acknowledged that efforts have been made in the past to do something with the property. He asked, if this item had not been put on the agenda, what efforts were in effect and if there aren’t any ongoing effort up to the point that this was placed on the agenda, what do you plan on doing? What efforts will be made to do something with the property?

Chairman Parisi answered, with all due respect, I raised the question about three weeks ago, as to what the progress was on this. It isn't that it sat unattended. Whether the results are there or not...I did ask the question and there were no new developments on it. It is somewhere between the architect and one of the builders. That is the information that I have.

Mr. Avallone asked, something was on the table?

Chairman Parisi answered, I don't know if it was on the table. I raised the question, I did ask the Mayor's Office what the status was of this. I called up and asked. The response was that there was nothing new on the progress and it was in with the architect.

Mayor Dickinson explained, the firm has not completed the design and I don't know what the status is beyond that. I can contact them and find out where it is, who is still interested and who n't. I haven't had recent conversations with them.

Mr. Avallone asked, is it safe to say then that if this wasn't brought up and discussed tonight that this could be sitting there until God knows when, is that correct?

Chairman Parisi answered, we can say anything we want to say. I have asked many times. That is all I am going to respond to.

Mr. Avallone asked, what does the Council plan on doing with this property now?

Chairman Parisi answered, that will be determined as soon as we finish taking comments.

Mr. Avallone asked, does the Council want to do something or are they satisfied with leaving it in limbo?

Chairman Parisi answered, I, personally, liked Ms. Papale's suggestion that the Mayor contact the developer and find out what the status is.

Mr. Avallone asked, so you do think some positive action should be taken by this Council to do something with this property?

Chairman Parisi replied, I think what Ms. Papale suggested, I would subscribe to.

Jack Agosta, 505 Church Street, Yalesville asked, if a motion is made to go out to R.F.P. or to hire an appraiser, I would like to hear everyone on the Council give their opinion or it and not just the side of the minority.

Chairman Parisi stated, I appreciate your comment and it can be taken under advisement but that is up to every councilor whether they choose to explain their vote. If they choose to, they can. If they don't choose to, there is no way we can make them.

Mr. Agosta would like each Councilor to express themselves before voting yes or no.

Robert Sheehan, 11 Cooper Avenue stated that the two original ideas/proposals of doing something with the police impoundment area and fire house were still good ones. It would be nice to be able to get around the police department building (with a motor vehicle) and the fire house can be moved. Mr. LeTourneau made a good point about visibility; the property is hidden. As a former business operator on Center Street, Mr. Sheehan stated that downtown Wallingford is a residential area. There is nothing but houses all around Center Street. There was a decline on Center Street years ago and it has come back some. There used to be a lot of people, mostly senior citizens, who would come downtown just to walk around the center. There is always a need for elderly housing and what fits better in a residential area than housing? It would be good to have a small commercial area for a grocery store, knickknack store, etc. One of the things that hurt Wallingford was the loss of Courtesy Cosmetics. That was a great convenience for elderly people who lived around the downtown area. Elderly housing would preserve the downtown area. The other alternative would be to sell the property and whatever you get, you get. Something is going to have to be done with the fire house eventually, it is old and antiquated. I don't know how safe that building is anymore. The property has been sitting there too long and it continues to get pushed aside. Make the effort, do it and end it once and for all.

Mr. Lube stated that he called up Mr. Sargent who had been commissioned to draw up one of the more recent proposals, to ask if it was ready for public scrutiny. Mr. Sargent replied that it was not, it was a dead issue. Prior to that Mr. Lube had been in touch with a member of the property owners fronting on North Main Street and out of the conversations with the owners and Mr. Sargent, the concept that has been alluded to included, as a developer, the owner of the former Town Hall on Center Street. The deal that apparently was on the table at the time was to make the Wooding/Caplan property more attractive, looking out towards the traffic street. The businesses along North Main Street were asked if they were willing to invest varying amounts of money to improve the appearances of the rear of their properties for which they would receive nothing but a thank you. Each of the owners had to analyze their investment in terms of how it would impact their business, hopefully to the better. Apparently, they didn't. Conversely, the owner of the former Town Hall who has to maintain that tunnel entrance and exit that accesses his parking to the rear of that building, was going to be able to swap or contribute his parking area to the main parking to the rear, thereby enabling him to fill in his tunnel and add to his building at no additional cost because the tenants of his building were going to be able to also utilize all of that parking that his parking lot was going to be added to. For his participation and in lieu of his contributing this land, he was going to be given the land or the rights, Mr. Lube was not sure which, to build a residential apartment building on the

northeast corner for which he was also going to be able to have his tenants use this municipal parking. As Mr. Brodinsky was alluding to, a situation would occur that is a plus, plus, plus, without any minuses whatsoever on the part of that participant. In contrast to the business owners on North Main Street who are going to have to find their own rewards, that particular developer had some very definite rewards in mind and none of it was going to benefit the taxpayers of the town except for the taxes that were going to be derived from this thirty unit apartment building. To even talk about spending or having a 30 unit residential building on a \$2 million parking area piece of land is so ludicrous that anyone would just laugh you out of the room, Mr. Lube stated. This is the type of pipe dreams that are being bandied around that are so unworkable that it is never going to happen. You can sound those people out again and you will come up with the same answer, Mr. Mayor, Mr. Lube commented.

Philip Wright, Sr., 160 Cedar Street stated, as long as you accept Iris' suggestion that you tunnel this thing through the Mayor, you are trying to put the camel through an eye of a needle; it ain't going to work. You are going to have to pick it up yourselves and appoint somebody, hire somebody and take the bull by the horns.

Ms. Papale responded, what I was asking for was that my colleagues hold off for a couple of weeks. I want to hear from the people who I spent so many hours with say that they are not interested in this project anymore, that it is a dead horse project. That is all I want to hear. Then I may feel differently as far as keeping this property but I have to hear for myself.

Chairman Parisi agreed.

Mr. Brodinsky stated, with respect to councilwoman Papale's concern that there may be someone out there who has put in some time, if this motion passes, that time and effort has not gone to waste, that person is not cut off. That person's options are not foreclosed. In fact, he is ahead of the game and the only thing he may be faced with is, perhaps, a little competition and what a horrible thing that would be. If there is a developer out there who is interested, he can still put forward what ever proposal he may want put forward. If it is before we hire a Realtor or whatever we do if the motion passes, terrific. It will put a little pressure under him and maybe that is what is needed. If he is not willing to act so fast, then it goes to a Realtor and maybe that is what the market bears. No one is wasting their time, no one is cut off, no one's opportunities has been foreclosed. With regards to Mrs. Ryan's comments regarding the visions of the residents, it is a good...I tried to say in my earlier comments that the neighborhoods directly affected by this would be brought into the loop at an early stage. I tried to make that point twice because I think it is very important. I think that the neighborhoods are partners in the decision-making process, not merely be notified what the town has decided, but to really be brought in as one of our consultants, our quality of life consultants, so to speak. I think it was Ms. Trczynski who is in the real estate business who I think has a very valuable comments; get it in the hands of a Realtor, they will hammer something together, the market will respond. If the market doesn't respond, we will go to plan B. Mr. LeTourneau and Wes

Lubee said that if you have commercial real estate out of the view of high traffic areas, it is a riskier set up but that should not be the Town's risk and that is why I am against the Town putting one penny into this. That may affect the market value of the property but that is alright. If we can get a buyer for it, what ever we get is a lot more or a little more than we have right now. Either way it is a plus.

Motion was made by Mr. Brodinsky to List the Property with a Qualified Realtor Specializing in Commercial Real Estate with a Statewide Reach; that the Listing be in Accordance with our Bidding Procedures and that the Property be put on the Market Subject to Conditions to be Approved at a Later Time by the Town Council, seconded by Mr. Vumbaco.

Mr. Knight stated, we have been on this forever but I just can't help but wonder why we are going to shoot from the hip and put this property in the hands of a real estate developer and then later tell them what the conditions are to sell the property. I think we are putting the cart a little bit before the horse. I concur that more discussion would be useful as to what the potential developments might be of this property. I have never understood the rationale for taking the first half-baked offer that comes down the road and say, "o.k., we have to do something so let's just do this." I really think we are getting the cart before the horse. Other people to my right have suggested that perhaps Economic Development might have more of an impact than they have had before; that Wallingford Center; that we have a Plan of Development. There are a lot of parties that have a stake in the eventual development of this property. To just shoot from the hip tonight and say, "let's sell it or find out what we can get for it" is really very short-sighted and I will not vote for it.

Mr. Toman stated, I would also like some input from the Economic Development Commission before we vote for this. I would like to see what they have to say. Maybe they can come up with a plan. A suggestion was made to send out R.F.P.s and they certainly can get involved with that. I would like to see us do a little more background work and utilize agencies like the Economic Development Commission.

Ms. Doherty asked, the plans are not completed on that yet?

Mayor Dickinson replied, no, I think there is \$4,000 not spent on the funds that were appropriated for the architect to come up with plans. The plans have not been completed and I am not sure why at this point; whether there is not a plan to design or whether they just have stalled out for other reasons. I don't have an answer for you.

Ms. Doherty asked, the plans were started in 1999?

Mayor Dickinson replied, if that is when the appropriation occurred, it could be, right.

Ms. Doherty stated, I would like to find out what the results of those are and also see what Wallingford Center, Inc. and the EDC's thoughts are on this matter. I would not vote for this at this time but I would like it to continue.

Mr. Vumbaco replied to Mr. Knight's comments; I don't shoot from the hip. I don't present half-baked ideas, Mr. Knight. I take this job as councilman extremely serious and tonight Mr. Brodinsky, as well as myself, put a lot of effort and time into reviewing the ten year history of this project and to put some ideas on the table. I, therefore, take your comments as a personal insult as a councilor who represents the Town of Wallingford and I don't believe they are justified in this forum.

Chairman Parisi commented, I am not going to support the motion at this time. I would like to see the Mayor take Ms. Papale's suggestion that you get in contact with both the architect and the developer and get a final answer once and for all if we are going to do anything or not. The second step I would like to see is that we get an appraisal and find out, in fact, what we are talking about regarding the value on this property.

Atty. Small stated, if you are talking about something that was described by Mr. Lube, I don't think that is an appraisal. An appraiser is not a visionary. That is someone who does planning. There are people who design cities, etc.

Chairman Parisi stated, we have heard all kinds of numbers here, tonight, from \$0.00 to \$500,000 to our spending \$2 million on it. We are all over the lot and I am sure everyone is accurate as they see it. I would like to know what the property is valued at. If it isn't valued at anything, then we are not losing anything. If it has a value, then we will have to probably make a decision as to where we are going to go. With all due respect, Mr. Brodinsky, I understand your motion but I think it may be a little early for me, otherwise I don't know that I can tell you that I have a problem with it.

Mr. Brodinsky stated, to leave a trail of legislative history, the idea of the conditions on the sale would be determined before a Realtor puts it out on the market. If this motion should pass, then we would get together and determine what sort of conditions we would put on it and then the Realtor would know how to sell it.

Chairman Parisi stated, I would like to clear up these other two things first.

Mr. Brodinsky stated, after I am done with this, I am going to make a motion to have it appraised, as your suggestion and I welcome your vote in favor of it.

VOTE: Brodinsky & Vumbaco, aye; all others, no; motion failed.

Chairman Parisi stated, I made a very public request that we have it appraised. I honestly don't feel I have to make a motion. Will we have it appraised?

Atty. Small answered, yes.

Mr. Brodinsky asked, so we can look forward to discussing this again in maybe a month or so?

Chairman Parisi replied, I am sure it is going to go somewhere.

ADDENDUM ITEM #12 Motion was made by Ms. Doherty to Move Addendum Item #12 Up to the Next Order of Business, seconded by Ms. Papale.

No vote taken.

ITEM #12 SET A PUBLIC HEARING for April 23, 2002 at 7:45 P.M. to Consider and Act Upon an Ordinance Appropriating \$157,000 for the Acquisition (subject to certain seller use rights) of Approximately 1.65 Acres of Real Property Known as, and in the Area of, 12 Lake Street and Authorizing the Issue of \$157,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose

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

VOTE: Farrell was absent; all ayes; motion duly carried.

ITEM #7 Executive Session Pursuant to Section 1-200(6)(D) of the CT. General Statutes with Respect to the Purchase, Sale and/or Leasing of Property as Requested by Councilor Mike Brodinsky

ITEM #8 Executive Session Pursuant to Section 1-200(6)(B) of the CT. General Statutes to Discuss Pending Litigation in the Matter of Wallingford Center Associations v. Town of Wallingford – Town Attorney

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

Motion was made by Mr. Knight to Enter Into Executive Session, seconded by Ms. Doherty.

VOTE: Farrell was absent; all ayes; motion duly carried.

The Council entered executive session at 9:47 P.M.

Present in executive session for Item #7 were all Councilors (with the exception of Mr. Farrell), Mayor Dickinson and Atty. Janis Small.

Present in executive session for Items #8,9 & 10 were all Councilors (with the exception of Mr. Farrell), Bonnie Hill, Tom Burmeister, State Rep. Mary Mushinsky, Lynn Hoffman all from the Quinnipiac River Linear Trail Association, Mayor Dickinson and Atty. Small.

Motion was made by Mr. Knight to Exit the Executive Session, seconded by Ms. Doherty.

VOTE: Farrell was absent; all ayes; motion duly carried.

The Council exited executive session at 10:44 P.M.

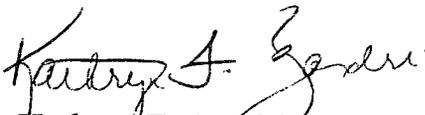
ITEM #10 Unaddressed.

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

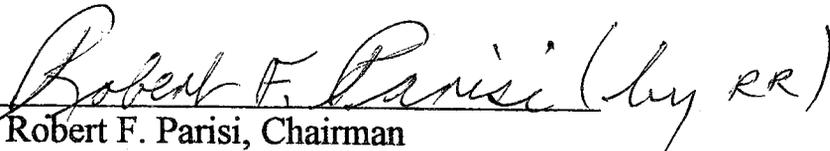
VOTE: Farrell was absent; all ayes; motion duly carried.

There being no further business, the meeting adjourned at 10:44 P.M.

Meeting recorded and transcribed by:

  
Kathryn F. Zandri  
Town Council Secretary

Approved:

  
Robert F. Parisi, Chairman

9-10-02  
Date

Rosemary A. Rascati  
Rosemary A. Rascati, Town Clerk

9-10-02  
Date

RECEIVED FOR RECORD 8-23-02  
AT 2 H 25 M P M AND RECORDED BY  
Rosemary A. Rascati TOWN CLERK