

1-28-03

TOWN COUNCIL MEETING

AUGUST 20, 2002

6:00 P.M.

DRAFT MINUTES

A re-scheduled meeting of the Wallingford Town Council was held on Tuesday, August 20, 2002 in the Robert Earley Auditorium of the Wallingford Town Hall and called to Order by Chairman Robert F. Parisi at 6:06 P.M. Answering present to the Roll called by Town Council Secretary Kathryn F. Zandri were Councilors Brodinsky, Doherty, Farrell, Knight, Papale, Parisi, Rys & Toman. Councilor Vumbaco was delayed in traffic, arriving at approximately 6:18 P.M. Mayor William W. Dickinson, Jr. arrived at approximately 6:25 P.M.; Town Attorney Janis M. Small arrived at 7:07 P.M. and Comptroller Thomas A. Myers arrived at 6:54 P.M.

In accordance with the Freedom of Information Act, the following document is a draft transcription of the minutes of a re-scheduled meeting of the Town Council held on Tuesday, August 20, 2002. This summarized transcription is being filed with the Town Clerk to comply with F.O.I. guidelines. A detailed transcription will follow and will be filed as the permanent record of proceedings of the meeting.

The Pledge of Allegiance was given to the Flag.

ITEM #2 Executive session pursuant to Section 1-200 of the CT. General Statutes Pertaining to the Discussion of Records, Reports and Statements of Strategy or Negotiations with Respect to Collective Bargaining – Superintendent of Schools

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

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

The Council entered into executive session at 6:08 P.M.

Present in executive session were all councilors (Vumbaco arrived at 6:18 P.M.), Mayor Dickinson (who arrived approx. 6:25 P.M.) Superintendent of Schools Joseph Cirasuolo, Asst. Superintendent of Schools Dale Wilson, Atty. Peter Janus, Board of Education Chairman Andrew Bravo, Board Members Carol Hayden, Brian Noonan and Vincent Testa.

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

VOTE: All ayes; motion duly carried.

The Council exited executive session at 6:46 P.M.

ITEM #4 Consider and Approve One (1) Appointment to the Inland Wetlands Commission to Fill a Vacancy in an Alternate Position which Expires 3/1/05

Motion was made by Mr. Knight to Appoint Thomas Laffin to the Position, seconded by Mr. Farrell.

VOTE: All ayes; motion duly carried.

Town Clerk Rosemary A. Rascati performed the Swearing-In Ceremony at this time.

ITEM #5 Consent Agenda

ITEM #5a Consider and Approve Tax Refunds (#44-91) Totaling \$22,759.48 - Tax Collector

ITEM #5b Approve and Accept the Minutes of the March 12, 2002 Town Council Meeting

ITEM #5c Approve and Accept the Minutes of the April 9, 2002 Town Council Meeting

ITEM #5d Approve and Accept the Minutes of the May 14, 2002 Town Council Meeting

ITEM #5e Approve and Accept the Minutes of the June 11, 2002 Town Council Meeting

ITEM #5f Approve and Accept the Minutes of the June 25, 2002 Town Council Meeting

ITEM #5g SET A PUBLIC HEARING for September 10, 2002 at 7:45 P.M. to Consider Amending Ordinance #494 Entitled, "Noise Ordinance" as Requested by Ordinance Committee Co-Chairman Stephen W. Knight

ITEM #5h SET A PUBLIC HEARING for September 10, 2002 at 8:00 P.M. to Consider Amending Chapter 210 of the Code of the Town of Wallingford Entitled, "Tree Warden" as Requested by Ordinance Committee Co-Chairman Stephen W. Knight

ITEM #5i SET A PUBLIC HEARING for September 10, 2002 at 8:15 P.M. to Consider Amending Section 198-16 of the Code of the Town of Wallingford Entitled, "Removal of Tree Limbs, Branches and Other Rubbish" as Requested by Ordinance Committee Co-Chairman Stephen W. Knight

ITEM #5j SET A PUBLIC HEARING for September 24, 2002 at 7:45 P.M. to Consider and Act Upon a Proposed Ordinance Entitled, "News Rack Ordinance" as Requested by Ordinance Committee Co-Chairman, Stephen W. Knight

ITEM #5k SET A PUBLIC HEARING for September 24, 2002 at 8:00 P.M. to Consider and Approve Amending Ordinance #485 Entitled, "Blight Ordinance" as Requested by Ordinance Committee Co-Chairman, Stephen W. Knight

ITEM #5l Consider and Approve Merit Increases (1) Approved by the Mayor

ITEM #5m Consider Granting Approval to the American Legion Shaw-Simon Post 73 Use of the Parade Grounds on Monday, September 2, 2002 at 7:00 P.M. to Celebrate Post 73's Commemoration of the 57th Anniversary of VE-VJ Day, the Ending of WWII and the Dedication of the Newly Refurbished WWII Memorial Monument

ITEM #5n Consider and Approve a Resolution Authorizing the Mayor to Execute a Grant Agreement with the State of CT. Under the Open Space and Watershed Land Acquisition Program for Reimbursement from the State for the Acquisition of the Bugai Property – State & Federal Grant Program Administrator

ITEM #5o Consider and Approve a Transfer of Funds in the Amount of \$1,485 from Overtime Acct. #1401-101-1400 to Purchased Services – Accounting and Clerical Acct. #1401-901-9007 – Comptroller

ITEM #5p Consider and Approve a Transfer of Funds in the Amount of \$3,000 from Contingency – General Purpose Acct. #001-7060-800-3190 to Carriage House Repairs Acct. #001-5015-999-9942 – Public Works

ITEM #5q Consider and Approve an Appropriation of Funds in the Amount of \$3,703.06 to Appropriation from 01/02 Balance Acct. #232-1043-900-1001 and to Project Graduation Contribution Acct. #232-3070-608-9061 – Youth & Social Services

ITEM #5r Consider and Approve an Appropriation of Funds in the Amount of \$10,000 to Revenues – Hispanics in Philanthropy Acct. #206-1046-070-7050 and to Expenses – Board Training & Networking Acct. #206-3070-900-8361 in the SCOW 148-HRD-49, 2002-03 Fund – Program Planner

ITEM #5s Consider and Approve a Transfer of Funds in the Amount of \$6,000 from Operational Labor & Expenses Acct. #431-8640-642 and \$5,000 from Maint. Transmission & Distribution Lines Acct. #431-8660-673 for a Total of \$11,000 to Employees Pension & Benefits Acct. #431-8920-926 – Water Division

ITEM #5t Consider and Approve a Transfer of Funds in the Amount of \$15,000 from Operational Labor & Expenses Acct. #461-8640-642 and \$5,000 from Misc. Plant Equipment Acct. #461-8640-643 for a Total of \$20,000 to Employees Pension & Benefits Acct. #461-8920-926 – Sewer Division

Motion was made by Mr. Knight to Approve the Consent Agenda, Items #5a&b, d-t, seconded by Mr. Farrell.

VOTE: All ayes; motion duly carried.

ITEM #6 Withdrawn

ITEM #8 Consider and Approve a 3% Cost of Living Increase for Retirees – Personnel

Motion was made by Mr. Knight, seconded by Ms. Papale.

VOTE: Farrell abstained, all others, ayes; motion duly carried.

Mr. Farrell abstained to avoid a conflict of interest – his mother is a retired school nurse who would directly benefit from council approval of the request.

ITEM #9 Consider and Approve a Transfer of Funds (amt. to be determined) from Contingency – Gen. Purpose Acct. #001-7060-800-3190 to Office Expenses & Supplies Acct. #001-6010-401-4000 – Registrar of Voters

Motion was made by Mr. Farrell to Approve a Transfer of \$1,430 to send a standard postage letter to all registered voters, seconded by Mr. Toman.

Motion was amended by Mr. Farrell to Increase to the Transfer to \$2,000., in the event that non-profit postage rates cannot be secured, seconded by Mr. Toman.

VOTE: All ayes; motion duly carried.

ITEM #10 Consider and Approve a Transfer of Funds in the Amount of \$33,849.00 from Snow Plow Truck with Equipment Acct. #001-5015-999-9901 and \$16,151.00 from Materials & Supplies Acct. #001-5015-401-4100 for a Total of \$50,000 to Demolition of American Legion, 41 South Main Street (no acct. #) – Public Works

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

VOTE: Brodinsky, Farrell, Papale & Vumbaco, no; Doherty, Knight, Parisi, Rys and Toman, aye; motion duly carried.

ITEM # 11 Discussion and Possible Action Regarding the Groundwater Contamination Study Concerning the Yale Avenue, South Curtis Street and Whispering Pines Drive Neighborhood Prepared by the Health Department as Requested by Councilors Steve Knight & Jim Vumbaco

Motion was made by Mr. Vumbaco to Conduct a Tracer Test and Put the Service Out to Bid, seconded by Mr. Brodinsky.

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

ITEM #12 Withdrawn

ITEM #13 Withdrawn

ITEM #14 Report Out from the Chairman of the Golf Course Study Committee as Requested by Chairman Robert F. Parisi

No Action Taken

ITEM #15 Withdrawn

Addendum

ITEM #16 Executive Session Pursuant to Section 1-200(6)(B) of the CT. General Statutes With Respect to a Pending Claim

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

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

The Council entered executive session at 10:50 P.M.

Present in executive session were all councilors, Mayor Dickinson and Atty. Small.

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

VOTE: All ayes; motion duly carried.

The Council exited executive session at 10:59 P.M.

ITEM #17 Not addressed

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

VOTE: All ayes; motion duly carried.

There being no further business the meeting adjourned at 11:00 P.M.

Meeting recorded and transcribed by:

Kathryn F. Zandri
Kathryn F. Zandri
Town Council Secretary

RECEIVED FOR RECORD 8.29.02
AT 11 H 07 M A M AND RECORDED BY
Rosemary A. Rascatti TOWN CLERK

TOWN COUNCIL MEETING

AUGUST 20, 2002

*****6:00 P.M.*****

AGENDA

*****NOTE START TIME OF MEETING FOR EXECUTIVE SESSION*****

Blessing

1. Pledge of Allegiance and Roll Call
2. Executive Session Pursuant to Section 1-200 of the CT. General Statutes Pertaining to the Discussion of Records, Reports and Statements of Strategy or Negotiations with Respect to Collective Bargaining – Superintendent of Schools
3. Correspondence
4. Consider and Approve One (1) Appointment to the Inland Wetlands Commission to Fill a Vacancy in an Alternate Position Which Expires 3/1/2005
5. Consent Agenda
 - a. Consider and Approve Tax Refunds (#44-91) Totaling \$22,759.48 – Tax Collector
 - b. Approve and Accept the Minutes of the March 12, 2002 Town Council Meeting
 - c. Approve and Accept the Minutes of the April 9, 2002 Town Council Meeting
 - d. Approve and Accept the Minutes of the May 14, 2002 Town Council Meeting
 - e. Approve and Accept the Minutes of the June 11, 2002 Town Council Meeting
 - f. Approve and Accept the Minutes of the June 25, 2002 Town Council Meeting

- g. SET A PUBLIC HEARING for September 10, 2002 at 7:45 P.M. to Consider Amending Ordinance #494 Entitled, "Noise Ordinance" as Requested by Ordinance Committee Co-Chairman Stephen W. Knight
- h. SET A PUBLIC HEARING for September 10, 2002 at 8:00 P.M. to Consider Amending Chapter 210 of the Code of the Town of Wallingford Entitled, "Tree Warden" as Requested by Ordinance Committee Co-Chairman Stephen W. Knight
- i. SET A PUBLIC HEARING for September 10, 2002 at 8:15 P.M. to Consider Amending Section 198-16 of the Code of the Town of Wallingford Entitled, "Removal of Tree Limbs, Branches and Other Rubbish" as Requested by Ordinance Committee Co-Chairman Stephen W. Knight
- j. SET A PUBLIC HEARING for September 24, 2002 at 7:45 P.M. to Consider and Act Upon a Proposed Ordinance Entitled, "News Rack Ordinance" as Requested by Ordinance Committee Co-Chairman, Stephen W. Knight
- k. SET A PUBLIC HEARING for September 24, 2002 at 8:00 P.M. to Consider and Approve Amending Ordinance #485 Entitled, "Blight Ordinance" as Requested by Ordinance Committee Co-Chairman, Stephen W. Knight
- l. Consider and Approve Merit Increases (1) Approved by the Mayor
- m. Consider Granting Approval to the American Legion Shaw-Sinon Post 73 Use of the Parade Grounds on Monday, September 2, 2002 at 7:00 P.M. to Celebrate Post 73's Commemoration of the 57th Anniversary of VE-VJ Day, the Ending of WWII and the Dedication of the Newly Refurbished WWII Memorial Monument
- n. Consider and Approve a Resolution Authorizing the Mayor to Execute a Grant Agreement with the State of CT. Under the Open Space and Watershed Land Acquisition Program for Reimbursement from the State for the Acquisition of the Bugai Property – State & Federal Grant Program Administrator
- o. Consider and Approve a Transfer of Funds in the Amount of \$1,485 from Overtime Acct. #1401-101-1400 to Purchased Services – Accounting and Clerical Acct. #1401-901-9007 – Comptroller

- p. Consider and Approve a Transfer of Funds in the Amount of \$3,000 from Contingency – General Purpose Acct. #001-7060-800-3190 to Carriage House Repairs Acct. #001-5015-999-9942 – Public Works
 - q. Consider and Approve an Appropriation of Funds in the Amount of \$3,703.06 to Appropriation from 01/02 Balance Acct. #232-1043-900-1001 and to Project Graduation Contribution Acct. #232-3070-608-9061 – Youth & Social Services
 - r. Consider and Approve an Appropriation of Funds in the Amount of \$10,000 to Revenues – Hispanics in Philanthropy Acct. #206-1046-070-7050 and to Expenses – Board Training & Networking Acct. #206-3070-900-8361 in the SCOW 148-HRD-49, 2002-03 Fund – Program Planner
 - s. Consider and Approve a Transfer of Funds in the Amount of \$6,000 from Operational Labor & Expenses Acct. #431-8640-642 and \$5,000 from Maint. Transmission & Distribution Lines Acct. #431-8660-673 for a Total of \$11,000 to Employees Pension & Benefits Acct. #431-8920-926 – Water Division
 - t. Consider and Approve a Transfer of Funds in the Amount of \$15,000 from Operational Labor & Expenses Acct. #461-8640-642 and \$5,000 from Misc. Plant Equipment Acct. #461-8640-643 for a Total of \$20,000 to Employees Pension & Benefits Acct. #461-8920-926 – Sewer Division
6. Items Removed from the Consent Agenda
 7. PUBLIC QUESTION AND ANSWER PERIOD
 8. Consider and Approve a 3% Cost of Living Increase for Retirees – Personnel
 9. Consider and Approve a Transfer of Funds (amt. to be determined) from Contingency – Gen. Purpose Acct. #001-7060-800-3190 to Office Expenses & Supplies Acct. #001-6010-401-4000 – Registrar of Voters
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11. Discussion and Possible Action Regarding the Groundwater Contamination Study Concerning the Yale Avenue, South Curtis Street and Whispering Pines Drive Neighborhood Prepared by the Health Department as Requested by Councilors Steve Knight & Jim Vumbaco
12. Discussion and Possible Action Regarding the Appointment of an Auditor for Fiscal Year Ending June 30, 2003 as Requested by Councilor Mike Brodinsky
13. Discussion and Possible Action on Revising Chapter 203 "Taxation" Article VI, "Abatement for Members of Volunteer Fire Departments" to Include Retired Volunteer Fire Fighters as Requested by Councilor Jim Vumbaco
14. Report Out from the Chairman of the Golf Course Study Committee as Requested by Chairman Robert F. Parisi
15. Executive Session Pursuant to Section 1-200(6)(D) of the CT. General Statutes With Respect to the Purchase, Sale and/or Leasing of Property – Mayor

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VOTE: All ayes; motion duly carried.

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Motion was made by Mr. Knight to Approve the Consent Agenda, Items #5a&b, d-t, seconded by Mr. Farrell.

VOTE: All ayes; motion duly carried.

ITEM #6 Withdrawn

PUBLIC QUESTION AND ANSWER PERIOD

Jack Agosta, 505 Church Street, Yalesville asked if there have been any complaints now that the Town is no longer accepting grass clippings at the landfill?

Mayor Dickinson is not aware of any complaints. An alternative method of disposal has been established where if a person has to have grass clippings taken away from their property, there is a roll-off and the individual would pay for the grass clippings to be taken elsewhere. They do not go to the incinerator either. I am not aware of complaints.

Mr. Agosta stated that Cheshire charges \$1.00 per bag and we charge \$2.90 per bag. That is quite a discrepancy that should be looked at for next year. We should be charging a more reasonable price to people if we have to go this route. With regards to the herbicides in the lawns, all we have to do is put up a sign informing the people who pick up the mulch that it may destroy some plants, not cut off everyone because of it. That may be a way to eliminate costs to the citizens of Wallingford; something they have been doing for many years.

Mayor Dickinson replied, the problem is the vendor, the firm hired to do the recycling, would not be able to market the mulch with the herbicides; the potential that there is a chemical in the mulch that would harm plants. They do not want to handle anything that might have that potential. They can't sell it elsewhere.

Mr. Agosta asked, what you saying is, some of the mulch is not sold in town, it is sold somewhere else, is that what you are saying?

Mayor Dickinson answered, oh yes. They market that as a product elsewhere as far as I know.

Mr. Agosta stated, the fellow who has a very beautiful lawn will put his grass clippings in his garbage bag, put it out with his garbage and it will go to the trash plant to be burned. That is pollution in the air. That is a thought I have in mind myself. Maybe you can think about it and come up with a better plan than what we have right now. Maybe no one is complaining because they are putting it in their garbage. I don't put my grass clippings in with my garbage but I could if I wanted to.

Mayor Dickinson stated, grass clippings are not supposed to go to the Resource Recovery Plant. There is supposed to be recycling of grass clippings. There are inspections and we don't want to encourage people to do things that are contrary to what the law requires. The law requires recycling and that includes grass clippings to my knowledge.

Chairman Parisi stated, what they do down the plant is sometimes when a truck empties the load it is carrying, they actually spread it out on the floor and go through it and that hauler

can be held responsible for what is in there. Whether people are doing it or not, it is not really a fair thing to do because it can cause a lot of problems for that hauler.

Gary Linsley, 520 Ward Street Extension stated, I noticed tonight that the correspondence tonight was read a little differently, instead of no for an answer, we got, "it is not going to be read." I think the public here, in Wallingford should be aware of the fact that there is a lot of correspondence to the Town Council that does not get any notice whatsoever. Some of it has never been acted on. I think it is in the public's best interest that there is correspondence and the people know where it is available. You never mention that it is available in the secretary's office to be read. I think that is very important. Number two; I took my son to the pool, Community Pool, half a dozen times, and just walking on the edge, the material floats to the top. Having a background in some hazardous material and O.S.H.A. stuff I decided that I should check a little further to see if that was hazardous or not. Originally I was told that it wasn't but upon looking at a memorandum and there have been restrictions as to how that pool can be open set by the State. I will just briefly tell you the part about the pool opening; the edge has to be swept of all the chips every day; during the course of the pool operation, during the course of the day, if anything rises to the top it has to be skimmed with a skim and there has to be postings. The postings should say, and this is by the State, "Postings in the public view is required note by parents of young children. To monitor children closely to prevent children from putting chips in their mouth." There is a reason for that, that's chromate (?) a hazardous material, silica (?) and mica (?), hazardous materials. There are no signs over there, they don't skim that pool, they don't sweep that pool. It has never been done, I went over there six different times and looked at it; hasn't been done. That pool should be closed, it is a hazard. Anybody who says differently should read the sheets here. If there are any questions they should ask them now. I would like that pool closed, it is not safe for little children.

Chairman Parisi stated, we will have a response from the Health Department.

Eloise Hudd, Health Director replied, the memo referred to is dated June 1, 2001 and it is written by the previous Health Director and it is addressed to Mr. Dooley at the pool. What he (Mr. Linsley) is quoting is Maryann's (Cherniak-Lexius') conversation that she had with the State and she clearly says that the pool can be opened this year meaning the 2001 season because there were some questions that were addressed previously. She goes on to talk about a potential posting as he (Mr. Linsley) states however, she (Ms. Lexius) says as a follow up to what should be done as far as the posting, parents, please watch your children so they don't eat the paint, basically is what she is saying. She says, "The Department of Public Health Recreational Health Section has stated that as long as the pool turbidity is not affected by the peeling paint, pool closure would not be required. That is the State's statement and their statement concerning the closure of the pool is based on turbidity." She goes on to say, "However, they do support the above restrictions." Those are not their restrictions, those are restrictions that were placed by the previous Director of Health. That's the first thing. The second thing is; I have inspected the pool. The pool is inspected

routinely. I have not seen evidence of a turbidity problem, nor a problem that creates an eminent health hazard for anyone using the pool.

Mr. Linsley stated, there are three specific restrictions; she forgot to read something that is kind of important...

Chairman Parisi stated, let's see if anyone else has any comments because I don't want to take up all the time on one person.

Pasquale Melillo, 15 Haller Place, Yalesville asked, explain to me, legally, what the words, "PPL, Wallingford Energy" mean?

Mayor Dickinson answered, It is one of the names of corporate entities that own and operate the power plant on the land leased from the Town. "PPL" stands for Pennsylvania Power and Light and I believe they have changed the name since, I don't think that is the current name of the operator.

Mr. Melillo stated, I would appreciate hearing what it means specifically and legally to Wallingford Energy.

Mayor Dickinson replied; it would have to be researched. I am sure there is a corporate entity and subsidiaries. PPL/Wallingford Energy is probably a subsidiary of some type under the PPL Global corporate parent structure, but that would have to be researched.

Mr. Melillo requested a legal research on the matter.

Philip Wright, Sr., 160 Cedar Street stated that he often has made his opinion known about how he feels with regard to the consent agenda and the fact that the public has no input on any of the items. He objected to the fact that an item such as Item #5t was placed on the consent agenda and that approximately \$20,000. was being "shuffled around" and the public has nothing to say about it. He stated that items of this sort should not be on the consent agenda and if it is necessary to place so many items on the consent agenda then perhaps the Council should not recesses one of its meetings during this summer month.

Mr. Linsley stated, the bottom line is that we have been advised by the Department of Public Health that the public's health will be protected during pool use with the implementation with the above interim restrictions; three very basic restrictions; none of which are being done. It is a serious matter; it is chromate (?) that is a long term health hazard and there have been no warning signs not done correctly and I think you should stop the use of the pool immediately until that is corrected, thank you.

Chairman Parisi replied, thank you for your input.

Mr. Melillo stated that the stock market has taken a big hit over the past couple of months. That, naturally, affects the pension benefits of all the Town employees. I would like an item on the next agenda dealing with that. Have the Pension Committee come before the Council and report out.

Chairman Parisi agreed and asked that the Council Secretary note that an item be placed on the next agenda dealing with a report out from the Pension Commission.

Mr. Agosta stated, on July 8th, Northfield and West Dayton Hill Roads were chip-sealed. When I looked back into the budget books I found that the projections for work on Northfield Road were changed to the year 2005/2006 and work projected to occur on West Dayton Hill Road was pushed out to the year 2006/2007. No work will occur this year on either road. They chip-sealed the roads this year instead. They did not take the money out of this year's capital improvements for Northfield Road, however. This is money in the budget for road repairs on Northfield Road. We just experienced an average 17% increase in our taxes and now the work budgeted for will not be done.

Mayor Dickinson explained, the road repair is not chip-seal funds at all. Chip-seal is not meant a road repair, it is a sealing process to help maintain the road as it is and prevent further breakup with water getting through cracks underneath the road and destroying it. Road repair would be actual reconstruction or repaving of roads. The road repair funds, I believe the funds used for the chip-seal come from the State and they are they are the local Town Aid Road funds. I would have to speak further with Henry (McCully) about that.

Mr. Agosta stated, they are doing the work a couple of years from now and they are spending the money now to do a partial job. They seems kind of funny. Most people in this town don't like chip-seal on their roads. They took it off to do the whole road for this year. There is \$1 million down there and then they go and chip-seal it now. That is like doing a partial job. We were going to spend the money sooner or later anyway. Why spend that money now?

Mayor Dickinson answered, because the chip-seal does not in any way hurt the ultimate reconstruction of the road. In fact, it can make it better. In the interim, it helps to maintain the surface and prevent further deterioration from water and freezing. That is the reason.

Mr. Melillo asked, there are many towns, cities and states that have been using sprays against mosquitoes but that has been found to be very dangerous and harmful. The percentage of people actually being afflicted as far as deaths is very minor; only about ten people have died so far. The smart thing is not to spray.

Chairman Parisi stated, we are not spraying.

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

ITEM #8 Consider and Approve a 3% Cost of Living Increase for Retirees – Personnel

Motion was made by Mr. Knight, seconded by Ms. Papale.

To qualify for this increase a retiree would have to be retired at least one year by September 15, 2002, would not be subject to any automatic COLA (cost of living adjustment) and would not be receiving any Heart and Hypertension nor Workers Compensation benefits. The annual cost of this increase would be \$126,230.00. Two hundred ninety-five (295) retirees would be eligible for the increase as their average pension is just over \$14,000 per year, their increase would be about \$427.00 per year.

Ms. Papale asked Personnel Director, Terence Sullivan, when will the increase become effective?

Mr. Sullivan answered, it will be payable in the September 15th pension checks.

Ms. Papale asked, is that 3% for one year? Will you be doing this for every year? Is this a one time increase?

Mr. Sullivan answered, this is for a three year period. We have six pension contracts that cover non-teachers; some 600 employees are pretty much included. Those contracts that do not have automatic COLAs have language that send us here to you every three years to ask for an adjustment. For the past 12-15 years the department has come looking for a 3% adjustment and the Council has approved that each three years. The 3% is not locked in by contract, it is just a recommendation.

Mr. Brodinsky asked, was there any other percentages discussed? Was there a case made for 2% or a case made for 4% or 5%?

Mr. Sullivan answered, it is really a philosophical question, where you want to be and how much you want to spend at a time when I have already heard comments made about what the stock market has been doing. The time is coming soon when the Town will be contributing again to the pension plan. One could argue for a higher percentage or one could look at the CPI and see that going down and argue for a lower one. Three percent has been the standard. I am not sure where that came from but it seems to be the standard in this town and there have been some internal discussions about what that rate might be but we decided to go with what the standard rate has been, historically.

Mr. Toman stated, these retirees are not teachers, they are separate from that contract.

Mr. Sullivan replied, that is correct.

Mr. Farrell asked, are any Board of Education employees included in this contract?

Mr. Sullivan answered, the paraprofessionals, secretaries, custodians, and school nurses are covered by the plan.

Mr. Farrell abstained from voting due to the fact that his mother is a school nurse in the Wallingford school system.

Mr. Knight asked, why is this outside of the contract?

Mr. Sullivan explained, this is language that is contained in three of the six contracts. The non-hazard (hazard being police, fire and lineman) plans, except for new hires in the lineman's contract, have automatic cost of living adjustments at age 60 which are 2% per year. That is very specifically spelled out in those contracts. The other non-hazard plans have language that say every three years the Town will consider an adjustment. There is an obligation to consider an adjustment every three years.

Mr. Knight replied, I find it hard to believe that there wouldn't be some language in these contracts to cover it.

Mr. Sullivan replied, don't give them any ideas.

Jack Agosta, 505 Church Street, Yalesville questioned why the Town will begin to have to contribute to the pension fund again when he remembers a statement being made that if all those eligible to retire from the Town did so at once, there would be enough money to fund their retirements. He wanted to know what happened to change that?

Chairman Parisi did not recall the statement ever being made.

Mr. Sullivan responded that he did not know whether or not the comment was ever made but, the retiree rolls have increased by some 100 retirees. Benefits have changed and, in some cases, have gotten better resulting in some retiring a little earlier in a few contracts, costing a little money. People are also living longer which results in paying out of benefits longer. The pension fund has been affected by the changing stock market. All things being said, there is less money to play with. The time is coming when the Town will have to contribute again. It hasn't done so since 1996 or 1997 but the actuarial report will reveal whether or not contributions will need to be made once again and how soon. If the Town wishes to remain 100% funded, it considers an actuarial recommendation to put a certain amount of money in every year. The Town was over-funded and it didn't make sense to continue to contribute to that over-funding so the Mayor and the Town made a very conscious decision years ago to stop making contributions. That can't last forever. Soon, maybe two or three years, we may be contributing again. We are still in very good shape, we are still over-funded.

Mr. Agosta asked, is that a 3% increase each year?

Mr. Sullivan replied, that is a one-time 3% adjustment.

Mr. Agosta stated, Social Security gives a 2.81% increase or a cost of living increase. Can't we do that for the people?

Chairman Parisi stated, I don't think 3% is unreasonable. In this day and age, these people worked all their lives.

Mr. Agosta stated, 2.81% is 6% over a three year period.

Chairman Parisi replied, it is a matter of perception. The average pension... I think it is a pretty reasonable number.

Pasquale Melillo, 15 Haller Place, Yalesville asked, if this is passed will all retirees, past, present and future receive this increase?

Mr. Sullivan answered, no. This increase affects a certain number of retirees. You have to have been retired for at least one year; you cannot be on workers' compensation or receiving heart & hypertension benefits, and you cannot be subject to an automatic cost of living adjustment which affects those hazard plans that I referenced earlier.

Mr. Melillo recommended that all retirees get this benefit; past, present and future, without limitations and restrictions. He stated that there are retirees who are forced to choose between cutting back on their drug prescriptions...

Chairman Parisi interrupted to say that the Council is talking about a 3% increase and only that matter.

VOTE: Farrell abstained, all others, ayes; motion duly carried.

ITEM #9 Consider and Approve a Transfer of Funds (amt. to be determined) from Contingency – Gen. Purpose Acct. #001-7060-800-3190 to Office Expenses & Supplies Acct. #001-6010-401-4000 – Registrar of Voters

A memo to Mayor Dickinson from Barbara Thompson & Diana Hotchkiss, Registrars of Voters dated August 1, 2002 was read into the record as follows:

"The Registrar of Voters Office has completed the entire process of redistricting accompanied by our software provider. At this time our office needs to notify all our registered voters, approximately 25,600 voters will be mailed a letter telling them of their new voting place and assembly district. We cannot come to an agreement on how to do this in our office. It is too large a task for the four of us to do, being that we are all part timers. I have compiled prices (Appendix I) to have Central Services do it and we have also put it out to bid. We will open the bid results on August 14th and we will have available for the

August 20th meeting the results. When we met with the Council in April, they transferred \$6,000 for this mailing. I have been advised by Central Services the postage alone will be \$8,960. If we are to undertake this in-house, we still have high costs for supplies, folding and stuffing services. We will need a transfer of funds from the Council into our office supplies to cover the remaining costs whatever that shall be. We will have all of this information by the August 20th meeting.”

Mr. Knight stated, “so moved”.

Mr. Farrell asked, what are you moving?

Mr. Knight replied, consider and approve a transfer of funds from contingency.

Mr. Farrell asked, in what amount?

Mr. Knight answered, that was to be determined by amendment.

Mr. Farrell stated, that needs to be part of the motion. Do you want to stick a number in there just for discussion purposes?

A suggestion was made by the Council Secretary to make a motion for discussion and possible action with the possible action being the transfer until an amount is determined.

Chairman Parisi stated, we are not going to need a transfer because they have enough money in their budget. I think we need a Rule V to advise them which plan here to accept.

Mr. Knight stated, let's have discussion and possible action on...

Chairman Parisi stated, let's Waive Rule V.

Mayor Dickinson suggested that the Registrar of Voters' Office be heard from. He asked, are you looking for money?

Barbara Thompson, Registrar of Voters stated, after opening all the bids and looking at all the bids, I was away last week when they came in, after going through them and then I did call some of the people who submitted bids, the bid from ABC printing, which you all should have the information, for \$5894.00 is the best bid. The only addition to that is we need to apply for a non-profit stamp. So we would need to add an additional \$125 to that which would bring that figure to \$6,019.00. We did put \$6,000 additional money in our account so we could probably just make up the \$19 ourselves. He is looking to do a letter with the new voter district and assembly district in an envelope and the envelope will have the person's name printed on it.

Chairman Parisi asked, where are you adding the \$125 to the total price?

Ms. Thompson replied, to the \$5894., you need to add \$125. for the non-profit stamp which we would now need to apply for.

Diana Hotchkiss, Registrar of Voters stated, I've done a little bit of research on this myself and most towns around us do a postcard mailing. In our office two years ago when the previous Registrar was there, we mailed out 7,800 post cards to the tune of \$.30 each. If they came back we scotch taped them together, we did it ourselves and saved the taxpayer's money there. The only part that I don't think has been considered in this is, when this letter goes out, it comes back from the post office and for every one that comes back non-deliverable, we will then be charged \$.60 per envelope. Bristol, Middletown, Meriden does post cards for 30,000 people. Wallingford is going to pay \$.35 to mail out a letter to 25,600 voters where I think sending out a postal mailing can be done for \$3,300 rather than anything close to the \$6,000. It costs \$895 to buy the forms and \$22.61 for the ribbon on our printer. Can it be done in-house? That is why we have a multi-fast printer which was purchased to conduct our own stuff in-house. There is a fifteen day turnaround on this and the longer we put off making a decision and going forward with this... we have a republican primary in the sixth district and they don't know where they are voting yet. I tried to get this issue done with previously to now and, yes, I did not sign the paperwork that went to the Mayor's Office because there was no figure on it and I didn't agree to put this out to bid because I know for a fact that our office can do this work with no problem. We did it two years ago with a double mailing than what we did before. To send out 25,600 voting letters is not necessary.

Ms. Thompson stated, the ABC Printing comes to \$.16 apiece is their postage for mailing. My feeling is, postcards are not read by the public, it is considered junk mail and we are staffed four people part time, never really overlapping. To do a 25,600 piece mailing is really beyond our capabilities. We are there to be the Registrars, not there to be computer programmers. For \$6,000 we can bid it out and have a professional nice letter received by the public who will appreciate having something they can stick on their fridge and remember to go where to vote.

Mr. Farrell asked, if we were going to go with the outsourcing, doing it with this letter, would that be ready for the primary?

Ms. Thompson answered yes. After they receive the disk from us, the turnaround time can be 6 days.

Mr. Farrell stated, versus if we tried to do it in house...

Ms. Thompson replied, I don't know how long it is going to take to do it in house.

Mr. Farrell stated, I suppose that is my point, that we run the risk of not being able to do it in time for a primary that is 2 ½ weeks away.

Ms. Thompson replied, I discussed this with my programmer who first would have to set us up to run the postcard and help us with it, so everything would match up where it is supposed to be, if we are going to be printing it out. He felt that it was a large task to undertake, of all the people he helps, most people outsource it; it is a more efficient way of doing it.

Ms. Papale asked, what is the Republican primary in the sixth district for?

Ms. Thompson answered, Al Adinolfi is primarying against Dave Bouvier for the 103rd Assembly Seat.

Ms. Papale stated, my thoughts on this is, I need to know the difference in price if you do it in-house or if you do it through a mailing.

Ms. Thompson replied, I gave you what I thought was in-house; I called the Post Office and to do a post card that is fed through the computer, it's \$.23 a piece, as I gave you on the printout and then buying the cards and the labels, it came to \$6,600.

Ms. Papale answered, it is a matter of \$1,500? What I am concerned about is, I read the paper this morning like everybody probably did here and I got altogether different information. Did I read it wrong as far as thousands and thousands of dollars difference? Did anyone else read that or am I not commenting fairly? I thought it was a much bigger difference than the amount we are getting here. Diana, is it worth it for the amount of money, \$1,700., to go through all the time and effort?

Ms. Hotchkiss answered, I feel that 25,600 do not need to be notified and the computer company based its decision on the fact that only 17,644 pieces of mail need to be sent out. Do I need to send Gerry (Farrell, Jr.) a letter to tell him he is voting at this particular polling place, plus his mother, plus everyone else that lives in that household? No, we do not. All the other towns do the postcard mailing – which ever way you go with is fine, but to send 25,600 pieces of mail out when I can send one piece of mail for everyone in your house to tell you that anyone in this household, address it to the Farrell Household, you will save a lot more money and that is based on the figures that I came up with. The figures she (Ms. Thompson) came up with can also be adjusted to be done the same way. There is no reason to send a personal letter out to every person out there. When you have 25,600 people, they do not all need to receive a letter. The paperwork coming back to the office with that kind a outgoing letter is going to be astronomical.

Ms. Papale asked, you really feel that you wouldn't have to think about, "oh my goodness, this is not going to be done on time"? There are four of you in the office and you're all part time. I am only concerned that it may not be able to be done on time. Are you going to have other Registrars come in and help you; people who work at the polls?

Ms. Hotchkiss answered, that is why we have been trying to solve this problem since July and it was put off until this meeting. I just don't feel like 25,000 pieces of mail need to be going out in the mail.

Ms. Papale asked, do you feel, again, if we go in-house and you, and Barbara, and the two other part time girls can get this done on time and sufficiently and not to have to lay awake; it will be done without any concern in-house?

Ms. Hotchkiss answered, we have done in-house mailings before, yes.

Ms. Papale stated, it is August 20th now.

Ms. Hotchkiss replied, Iris, I don't care which way it goes, as far as whether we are going to do a letter, which ever one the Council decides is more cost effective. If you would like to send the letter, I will agree with the letter but I also say, do not mail that out to 25,600 people. Cut the cost a little bit further. There are 15,968 households with voters in them, there is no reason to send out an individual letter. We have families with 7 & 8 people in one household. I would think saving money, we do not have to send 7 or 8 people a letter to tell them where to vote, whether it is a letter on the refrigerator or a post card.

Chairman Parisi stated, I understand what you are saying and it does make a lot of sense but the only concern I have is, if we cut it down would we possibly run the risk of missing someone? I know we don't get to every single person. We would like to think we do. Cutting down versus going maybe a little more and having a greater saturation and probably a less chance of missing is a better way. Your primary goal is to reach every person that you can.

Ms. Hotchkiss answered, right. The way the mailing is done, either way that it is done, the way our diskette is run, you can run a diskette that categorizes all the people by household. If there are two people living in the same household with two different last names, there would be two pieces of mail going to that particular household; one for this person with this last name and one for the other person with a different last name. Therefore, there really is no reason by not cutting down that you're not saving more money.

Chairman Parisi asked, is that a difficult task to sort out?

Ms. Hotchkiss answered, no.

Chairman Parisi asked, can it be done by computer?

Ms. Hotchkiss answered, yes.

Chairman Parisi asked, is there any problem with that?

Ms. Thompson added, we would have to check with our programmer to see if he could set the disk up that way. I have not asked him that question and then you run into multi-families; two and three families. My personal opinion is that every voter should receive a letter stating that the polling place has changed so they are also aware of the fact that they are a registered voter also. When one letter goes to the house and there is a nineteen year-old and a wife and grandma lives there, maybe they are not sure they are registered to vote. I think we owe them that courtesy.

Chairman Parisi stated, I understand. I think you both have good points.

Mr. Vumbaco asked, Ms. Thompson, you said the Town can buy a non-profit stamp for \$125.?

Ms. Thompson answered, yes.

Mr. Vumbaco asked, can the Town be considered non-profit?

Ms. Thompson answered, it would be the Registrar of Voters Office applying for it. I don't know; it would not be considered the entire Town of Wallingford.

Mr. Vumbaco asked, aren't you part of the government? No? I feel confused. We are going to make this decision maybe on getting a non-profit stamp and then end up going up there and they say; I know they are very particular how they give out stamps. That why I am wondering if the Town can be. Maybe, Janis can...can the Town be considered non-profit? If that's the case, how come we are not doing all of our mailings non-profit? It can save us a lot of money.

Atty. Small answered, I think we are in a category of our own. A governmental agency is a category all by itself, I think. I don't know in terms of the Registrar of Voters.

Ms. Thompson stated, the Health Department, I was told, did a large mailing a few years back and they were able to get the non-profit stamp. They got it and then they did not renew it so they let it go. Which is; we would do the same thing.

Mr. Vumbaco stated, that's just a concern of mine because I hate to make this decision and think we are going to be able to send it out at, what did you say it was, \$.30 or something?

Ms. Thompson answered, it's \$.16 if it's non-profit. If we cannot do the non-profit, that price would then move up by \$1,500 to go to standard mail, so you would go to \$7,430. at that point instead of \$6,019.

Mr. Vumbaco stated, maybe it is just my numbers. It's \$.19 to mail non-profit, Barbara?

Ms. Thompson answered, \$.16 a piece if you have non-profit. I called the post office, the specialist wasn't in but they didn't think we would have a problem, we just have to fill out some paperwork and wait a few days to be approved. But they didn't really see a problem.

Mr. Vumbaco asked, if we don't get non-profit, then it goes up to the \$.34 or \$.36?

Ms. Thompson answered, no, then it goes actually to \$.19 a piece. You would have to add an additional \$1,500 for postage to that original \$5,894 figure which would come to \$7,430.

Mr. Vumbaco stated, I am concerned that we are thinking one thing and then we are going to end up with \$1,000 or a couple of thousand dollars over. I think if it goes to \$.19 it is not first class, it is considered bulk mail and if we are in this time crunch to get this out and this sits in the post office for 3 or 4 days because it is considered fourth class mail at \$.19 that will mess up the timing. I am only being cautious on this, I am not trying to debate it.

Ms. Thompson stated, actually, if you are going to do the first class postage on the post card, it is still \$5,800 because the post card is \$.23 a piece. I called the post office today.

Mr. Vumbaco stated, it is \$.19 to mail it and he quote is \$.23 so he is charging us \$.04 a piece to put it together, is that how it works?

Ms. Thompson answered, right.

Mr. Vumbaco asked, historically, is there any record of what the percent is that we get back that is not deliverable?

Ms. Thompson answered, I would not be able to answer that.

Mr. Vumbaco asked, you don't know? And what was the cost if we do get them back that aren't deliverable?

Ms. Thompson answered, I don't think we are going to have that in the postage, if it is not deliverable, it is not deliverable.

Mr. Vumbaco asked, then we won't be charged back for processing it through?

Ms. Thompson answered, no.

Mr. Vumbaco asked, so that shouldn't be factored in as far as the cost is concerned?

Ms. Thompson answered, no.

Ms. Doherty asked, did you check this out with the State as far when you send these out whether it is household or individuals?

Ms. Thompson answered, state statute does not require us to mail at all.

Ms. Doherty answered, o.k.

Mr. Brodinsky stated, I am trying to identify the issues and get an idea of the difference in price. One issue is whether it is post cards or letters and I think I am hearing you saying that the postage for letters at the most favorable rate, which you think you can get, is substantially the same as the postage for post cards, is that what you said?

Ms. Thompson answered, if we can go to non-profit, it is only \$.16 a piece and a post card is \$.23 a piece.

Mr. Brodinsky asked, what is your comfort level that we can go non-profit?

Ms. Thompson answered, my comfort level actually was pretty good after discussing it with the post office.

Mr. Brodinsky asked, what is left to do? Are you waiting for someone to return your call?

Ms. Thompson answered, the Bulk Rate Specialist is in in the morning so I would have to call him tomorrow morning and basically we would have to fill out an application and wait a few days for approval.

Mr. Brodinsky stated, the other issue seems to be whether we mail 25,000 to each individual voter or mail to each household and can that be quantified, the savings? How much money are we talking about there if we go; any assumption you want to make, it doesn't matter...

Ms. Thompson replied, it wasn't a calculation that I took into account. I just think it can really get screwed up doing households, I am just really afraid of that.

Mr. Brodinsky answered, I'm just asking the question; it may be a silly question, but I am asking the question.

Ms. Hotchkiss stated, in our programs that we run, even for the politicians, you can get a list asking if you want it run by household; by every person on the list; etc.

Mr. Brodinsky answered, I am aware that can be done, I think we all did that when we did our mailings running for elections.

Ms. Hotchkiss answered, I am also finding it out, I did my calculations the other way.

Mr. Brodinsky stated, about \$1,700 in savings if we go roughly 18,000 (households) as opposed to 25,000. What is the size of the letter that was in the bid specs?

Ms. Thompson answered, it is going to say, "Dear voter..."

Mr. Brodinsky asked, the size?

Ms. Thompson answered, 8 ½" x 11", standard size.

Mr. Brodinsky asked, was that what was bid on? Because the specs said 9 ½", was that cleared up with the bidders?

Ms. Thompson answered, I'm sorry, it was 9 ½" x 11", you're right.

Mr. Brodinsky asked, was there a reason why it was a non-standard...

Ms. Thompson interrupted to say, whatever the standard size is, is what it was supposed to be.

Mr. Brodinsky stated, let me back up, I wasn't clear. The bid specs said, 9 ½" x 11", standard size is 8 ½" x 11". Did the bidders bid on a non-standard size?

Ms. Thompson answered, no, they bid on the standard size.

Mr. Brodinsky asked, how do you know?

Ms. Thompson answered, I have the bids here.

Mr. Brodinsky asked, and they all said 8 ½" x 11" in their reply?

Ms. Thompson answered, I am pretty sure they did. I think it was just a misprint on the Purchasing (Department). Give me a minute to look at them?

Mr. Brodinsky answered, absolutely. Obviously, my concern is, if there is a little surcharge because of a non-standard size because that is what appeared in the bid specs and then you have the confusion of someone took you literally and priced you at 9 ½" x 11".

Ms. Thompson stated, so far I am seeing two at 8 ½" x 11" and the bid that I prefer says 8 ½" x 11". They are all 8 ½" x 11", it was just an error.

Mr. Brodinsky asked, so the bid specs said "9 ½" " but they all replied to "8 ½" .

Mr. Knight stated, to address an issue other than postage, if anyone up here hasn't been involved in mass mailings, it is a tremendous amount of work. It would seem to me that they can get this; if they say they can turn this around in 6 days, that we are opting for a much safer approach by, even if we were to spend more money, I think we would be opting

for a safer approach that is going to reach the voters at an appropriate time and the chaos of trying to get a mailing of whether it is 18,000 or 26,000 pieces out in a short amount of time with a deadline having a Republican primary in one district, it seems to me that we are opting for more, less prone to glitch answer to this problem, with what you (Ms. Thompson) are suggesting.

Ms. Thompson answered, I think you sound fairly accurate.

Rita Katona, 148 North Branford Road stated, I want to address the efficacy of the post card versus the letter because both of these ladies are relatively new and having been involved in the elections for so long, I remember the last time we mailed out post cards a great number of them were simply ignored and there was a lot of confusion at the polls. I remember when we did the census, people would check their name and address and toss it out, not realizing it had to be sent back. I think a letter will get more attention.

Suzanne Rourke, 947 Durham Road stated, I have three children and I have a bulletin board, I have a refrigerator and if you can find a place where I can put a letter where it wouldn't end up with something else on top of it or a note written on it. They take up too much space. Everything comes on 8 1/2" x 11" paper. I have school schedules, cub scout schedules, etc. School is starting and they are going to keep coming in. It takes up a lot of space. As far as the post office goes, it doesn't matter, I don't care what size, whether it is an envelope or a post card, things get there when they get there. We did a mailing for our church, sent out post cards on Sunday for pictures and one woman got hers six weeks later. I have gotten envelopes the same way. It is all a chance.

Barbara Kapi, 6 Deme Road stated, I want to reiterate what Mr. Kapi said, a non-profit stamp is not a priority to the post office. That can sit 3-4 weeks if there are other more essential pieces of mail to go out. I have been involved in a business venture where we found out that these came out after the event because it is not, repeated, not a priority to the post office. So if you are talking about turnaround time in the printing, the glitch will be at the delivery end, not at the printing origin. You should keep that in mind.

Chairman Parisi stated, we will have to go see Bob DeVaney.

Ms. Papale stated, I think we have three different issues here and if you agree with me, tell me if not. We have to decide if we want to do a post card or a letter; we have to decide if we want to do each individual or each household; then we do have to discuss the non-profit stamp. There are a few things.

Chairman Parisi asked, do you want us to make the decision on the letter and the things that Iris said? Do you want us to make all those decisions?

Ms. Thompson answered, I think she's right. It really does get broken down into three points. The non-profit is a concern. Maybe it is worth spending a little bit of the extra

money to do the standard mail, it would only come to be \$1,500 more and we are assured that it goes out. It is a hard decision, I don't know.

Chairman Parisi asked, what was your plan? Was it to go for the stamp and then go for first class or what ever it was?

Ms. Thompson answered, my original was to go with first class mail which would have cost us, doing it in house, \$8,300. Then when we got the bids that \$5,894 just sits out there as like such a nice number. But after doing a little investigation, I realize it is a non-profit stamp, he said we could use his standard stamp which brings up to the \$7,430 which is still not a bad price. My personal opinion is that every voter should receive their own letter.

Chairman Parisi asked, do you have the money in your budget for that?

Ms. Thompson answered, we have \$6,000.

Chairman Parisi asked, what is your final number?

Ms. Thompson answered, the final number is \$7,430.

Mayor Dickinson asked, were all of the bids based upon a non-profit stamp or what?

Ms. Thompson answered, in looking at them, most of them were mixed between non-profit and standard, none were first class.

Mayor Dickinson replied, if we are going to do this in first class, would ABC be the lowest?

Ms. Thompson answered, we are going to do it in standard. It is a standard stamp, you save a little bit of money. It is not first class. ABC is still the lowest, yes.

Chairman Parisi asked, based on the standard class, how much money do you need?

Ms. Thompson answered, \$7,430.

Chairman Parisi stated, I think we have to Waive Rule V first.

Mr. Farrell stated, I think we can go back to the original motion. Do you want me to make it?

Ms. Hotchkiss informed the Mayor that the low bid was rejected when the bids were opened because it was based on the \$.09 for mailing and we automatically rejected that one.

Motion was made by Mr. Farrell to Approve a Transfer of \$1,430 from Contingency Gen. Purpose Acct. to Office Expense and Supply Account to Permit the Registrar to Mail a Standard Postage Letter to all registered voters, seconded by Mr. Toman.

Mr. Vumbaco stated, I am still a little concerned that we got the right numbers here. If we go and say that it is only going to say that it is only going to be \$7,430 and it ends up to be \$7,800 or \$7,500., then we won't have the money to cover this expense. I would like to see us put a little extra in contingency to cover it and not to exceed \$8,000. I am just concerned because these numbers are not jiving right with me and I am a little concerned. If we are going to go that route, I would like to have a little built in and if we don't use it, that' id.

Motion was amended by Mr. Farrell to Increase to the Transfer to \$2,000., in the event that non-profit postage rates cannot be secured, seconded by Mr. Toman.

Chairman Parisi stated, I would like to know what the final cost is on this. Ms. Thompson agreed to supply that information to Mr. Parisi.

Mr. Vumbaco commended both registrars for looking at the best dollar value for the taxpayers.

VOTE: All ayes; motion duly carried.

ITEM #10 Consider and Approve a Transfer of Funds in the Amount of \$33,849.00 from Snow Plow Truck with Equipment Acct. #001-5015-999-9901 and \$16,151.00 from Materials & Supplies Acct. #001-5015-401-4100 for a Total of \$50,000 to Demolition of American Legion, 41 South Main Street (no acct. #) – Public Works

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

John LeTourneau, 3 Regent Court stated, on behalf of the Wallingford Preservation Trust, which I am a member of the Board of Directors, I am here in that capacity. We feel we have come up with a viable plan to save this building for the future of Wallingford. I had a meeting today with the Mayor and Attorney General I the Mayor's Office. Worst case scenario is this goes to court and it really doesn't benefit the town in the long run. It is going to cost the Town money to go to court. We just feel that the building can be saved. It would take some commitment from the Town. We are not looking for hundreds of thousands of dollars. Right now what is in the table is a commitment of what would be used to demolish the building and the money that was talked about to build a gazebo, the \$90,000. More importantly, we have not had access to the building. We have asked to have access to the building so we can bring our own contractors in and work with real figures and ~~we have not been allowed to do that.~~ At this point, all I can do is ask is that you not approve the demolition money and to let us go into the building, bring our contractors in and take a good, hard look at it. There is a lot of opposition in town for taking the building down. We have gathered over 1,400 signatures and there are people here, tonight, quite a

few who are opposed to this and it just builds as people find out about it. They have been coming into my store on Center Street asking why and asking to sign the petition to keep this building up. Historical? No. No one great built it; no one wonderful lived there. But what is important is, it is part of a neighborhood. It is part of the parade ground uptown. It is so important that it was put on the National Registry and I know there are pros and cons with the National Registry but it is a serious thing to have a building put on the national registry. This is put on and looked at very carefully by the National Parks Department. They have people that specialize in this and just for the fact that putting a building on, doesn't necessarily mean that it gets on. They look at this and look at it very carefully. Also, by being on the National Registry, there is a possibility that if Wallingford applies for certain grants, they would be denied if that building were torn down. This could affect future downtown projects because the government does take a serious look at how you handle such things. We would like the Council's permission and the Mayor's permission to go into the house and be able to work with real figures on this and to do it in a very timely manner. We could do this in a month. That would be a lot of time and then we would come back and say that we can do this project; we can do it with the money that was already spoken about, or we might come back and say, you're right, this building is beyond repair. But the feeling is right now, the preliminary walkthroughs that we have done and I was in there when the demolition contractors were in there and I acted like a demolition contractor and took a walk through. It is a sound building. We have had contractors who have worked on the building in the past when the Legion had it and they have come back and told us that it is a very sound building. It is a win/win situation for the Town. The Trust is proposing a Visitor's Center which the Town doesn't have right now. We have different groups that have approached us saying that they would be interested in the Visitor's Center, such as Choate. We have not asked any group for any money because we don't know what it will take. We have not asked Choate for any money for this project and that was not our intention to do so. Choate has sent a letter to the Mayor saying that their students sign on for a term to do community service and they would help us with staffing the house as a visitor's center. That is where their interest lies. We have had other groups who want to use the house to showcase who they are. That is what this house can be used for. I know it comes down to dollars and sense. Every project does. But the Trust feels that, on the surface, right now, we can handle this project. We would need help from the town. The Town will gain a good Visitor Center. There is grant money that would be applied for for this building also. If it is used as a Visitor Center there is a transportation grant administered by the D.O.T. and there are various other ones. Again, the building has to be up to apply for these grants.

Jack Agosta, 505 Church Street, Yalesville stated that what Mr. LeTourneau said made a lot of sense. He would find it hard to believe that anyone would vote against keeping the building up. He asked if there was a meeting today of the Mayor and Atty. General Blumenthal about the building?

Mayor Dickinson answered, yes.

Mr. Agosta asked if the Atty. General came up with any future plans on his part to save the building?

Mayor Dickinson replied, no, Atty. Blumenthal was hopeful that the parties could work out their differences. Any proposal thus far has involved the Town spending money on the building and we have taken the position that there is a need for us to be cost-conscious. We should not start another money-intensive project on a building that town government does not need. We have spent six years at various times going out and looking for private use, someone who would put money into the structure. No one has come forward. The only proposal on the table is that the Town, the taxpayer, is supposed to put money into a building that is a government we do not need. That is the crux of the matter, I think the Atty. General understood that, he is looking to at least represent the interests of the State Historic Commission. The answer to the question of, who puts up the money to improve the building? That is answered here, locally. I cannot recommend that the Town begin putting money into a building that we don't need. We have too many other projects and priorities that are absorbing funds.

Mr. Agosta replied, all the Historical Society wants for the Town is what you are planning on spending to take the building down. Where is the cost involved? I trust the Wallingford Historical Society because they have the people's interests at heart. I don't think they would make a false statement.

Mayor Dickinson replied, There are no false statements. It is only the beginning. You cannot do much to improving the building with \$50,000. I would have to assume that every year there will be requests for additional funds. I spoke with a representative of Choate. Choate has no plans to put any money toward the building next door. The only money that we are talking about is coming from the Wallingford taxpayer. I cannot sit here and say that it is a building we need for governmental purposes. I wouldn't be doing my job if I said, "yes, there is plenty of money and we should put it into that structure." When we purchased the property, it was indicated that we were not interested in the structure. That hasn't changed in six years and it is time to make a decision. The Atty. General wants to represent the interests of the State Historic Commission in court, that is his obligation and duty. Ultimately the question will come down to, what money is coming from the Town of Wallingford? Even if they say, "keep the building, you can't tear it down," that does not dictate that we have to put money into it. In the very near future, we will have to paint the building and that is \$10,000 to \$15,000 to paint the building that we have no governmental purpose for. I don't want to have to explain to the people in town why it is that we are spending money on painting a building that we have no plans to use. I don't have a logical answer to that. I think it is important that we bring this matter to a close and move on.

Mr. Agosta stated, it is my opinion that you just want to get that building down and off of your back. The money that you are transferring is being taken out of snow plow truck and equipment account. Last year \$120,000 was budgeted and only \$113,263. which means that by taking that money away, there is a \$79,000 difference. He will be spending \$79,000

against a budget that is \$120,000. I think you just want that building down and you will do anything you have to to get that building down. You don't care about it.

Mayor Dickinson answered, my motivation is that we have spent six years dealing with how to use the building and now we are faced with the Town of Wallingford having to put money into the building and I can't favor the Town putting money into a building we do not need.

Mr. Agosta stated, we had a petition signed; why don't you listen to the people who have spoken?

Louise Coffin, 412 North Main Street stated, Mayor and Councilors, I find it somewhat reassuring that you are contemplating transferring money from two separate accounts in order to demolish a building. This says to me that the Town government is really not in the business of demolishing buildings so that gives me hope that perhaps you can see your way clear that there are parts of this town that need to be saved, not necessarily because, as John LeTourneau expressed, someone important lived there, or someone important erected the building, but because it is part of the integrity of the Town. I have lived here only six years. I have lived in Atlanta for twenty-seven. Now that is a town, Mr. Mayor and Councilors, that sweeps everything in its past out of its way. I am happy here because I think there is a commitment to preserving all of the past, but part of the past. I encourage you, please, to consider that you are not in the business of demolishing Wallingford's past. Thank you.

(Applause)

Philip Wright, Sr., 160 Cedar Street stated, a number of moons ago I was on the Planning & Zoning Commission; maybe Henry Toman was there at the time. That was before Jim Vumbaco's term. The Town of Wallingford got rid of a large house at 88 South Main Street and wanted to convert that property to a parking lot to make up for the fact that Planning & Zoning permitted this building to be opened without having adequate parking. At that time the Town was forced to move the little building that was in the back up in front so that the rest of the property could be used as a parking lot. It seems to me that says something like, you can't take that building down and use that as a parking lot. I believe there is a reason, there is probably a legal reason why you cannot do that. If you remove that building, you are going to have to do something other than have a parking lot there and certainly, in the opinion of many, many people, the wild idea of a gazebo is exactly that; wild. We are not talking about spending just \$55,000., we are talking about doing something that will make it legal to have a parking lot on South Main Street; a parking lot, period. That may well be an additional stumbling block if you people are inclined to want to demolish the building. I hope that common sense will say, do not do it, it is a building worth saving and I find it hard to believe that you, the Council, whom I believe are the custodians of all properties that are not being used by the Town, I find it hard to believe that you, the Council, will not permit someone who has a very definite interest to go in there and examine that building and determine the cost to renovate. I do not believe the Mayor is God

of that building. I believe you guys are. I think you have the right to say that someone with a justifiable reason can go in there and do the estimating that is necessary. I believe you will be serving the town well if you do not proceed to pass this for demolition. There is a fair number of people out here today that if the wrecking ball hits there, I suspect there will be some repercussions in the future.

Geno Zandri, 9 Balsam Ridge Circle stated, the Mayor has stated that he feels he doesn't want to spend taxpayer's dollars on a building that he feels the Town doesn't need, yet we, as a Town, have spent millions of dollars on open space that, as a Town, we really didn't need but we wanted to preserve certain areas and the aesthetic parts of the Town for future generations. I think we can justify spending dollars on this building that can serve the Town of Wallingford. The suggestion made, a Visitor's Center, is an excellent one. I think you have to look at everything we have done and the reasons why we have spent dollars here. I think you can justify spending dollars maybe on a building that we don't need, but just to preserve it for future generations.

Pasquale Melillo, 15 Haller Place, Yalesville agreed with Mr. LeTourneau. He felt Mr. LeTourneau's request should be granted and his ideas are very good. If the Mayor goes ahead with demolition of the building, the Atty. General will file a lawsuit. The building should not be demolished. Do not make a decision relative to the political party you belong to but as representatives of the people of Wallingford. The people of Wallingford have spoken loud and clear; leave the building alone.

Vincent Avallone, 1 Ashford Court asked, what would be the rationale behind not letting Mr. LeTourneau go into the Legion building to see what it would take to refurbish it?

Mayor Dickinson replied, representatives of the Trust have been in the building several times in the past, a couple of years, as recently as the inspection for those who had bid on the demolition. We have an estimate that has been known. The estimate was received in 1998; there has been no question about the legitimacy of that estimate until now in the eleventh hour; twelfth hour of the issue with this building. We have spent six years talking about uses for the building. No uses that were acceptable to the Town have surfaced. The only proposal on the table, regardless of the cost of improvements to the structure, the only proposal on the table is using tax money to begin a process of refurbishing. Once we spend \$50,000 and if it cost another \$200,000., the request will come back to the Town to get the additional money to do that. There has been no indication of funds from any other source. Given all of those facts and the looming potential of a lawsuit from the Attorney General representing the State Historic Commission, at this point representing the Town, I am not interested at all in encouraging interest adverse to those of the Town of Wallingford with regard to a lawsuit. In my opinion, that is what we are headed for; we are headed for a lawsuit. The Attorney General will do his job; we will do our job. Atty. Small doesn't have anything to do so she is anxious to be able to represent the Town and she has already paid to do that.

Mr. Avallone replied, then it is a fete accompli, there is no sense in even discussing this now. You have come to the conclusion that that is what you are going to do.

Mayor Dickinson replied, Administrative, that is the position we have taken; that has been my recommendation; there has been little change in it over a period of six years. It is time to make a decision.

Mr. Avallone asked, can you share what the estimates were?

Mayor Dickinson replied, it was approximately \$330,000. There was an estimate prepared for Public Works that I think was in the range of \$327,000. That documentation has been there since 1998-99, there is no new information on this subject. Maybe that is unfortunate but there really is not new information. It is a question of whether the Town should embark upon a potential \$300,000 expenditure on a building that we don't need and I can't sit here and say that we have the money to do that, we should not do that. We never bought that property for the structure. We have had a reasonable amount of time, probably beyond a reasonable amount of time to arrive at a solution and it is time to make a decision and we move on from here.

Mr. Avallone asked, the \$330,000., is that what it would cost to get that in a year or two years, or what that projected as to ten years from now?

Mayor Dickinson answered, it is the cost of repairing; bringing the building up to a useable state; an estimated construction cost.

Mr. Avallone replied, I am not familiar with those numbers but it doesn't seem to coincide with what Mr. LeTourneau was suggesting and I just don't get the disparity there. It may be or it just doesn't seem like there is that kind of a disparity. At least I didn't get the impression from Mr. LeTourneau said this evening that he was talking about that kind of remedy.

Mayor Dickinson answered, I am sure there will be plenty of ability to debate but, in speaking to Henry McCully, Public Works Director, upon his receipt of that figure, he indicated to me that he felt it was a sound figure. In the last several weeks, by happenstance, the individual who put together that estimate came up to me and said, "I stand by what that estimate is. In fact, I think it's higher today, because it was done several years ago." There's no reason to doubt the legitimacy of that estimate and given my experience as one of the people involved in projects in town, I have seen what happens when we do construction projects and what happens with the bids we receive. I don't doubt at all that it is a legitimate figure.

Mr. LeTourneau stated, yes, I was in the building twice, and I was in the building illegally. As far as going in there, I went in the day of the demolition contractors. They were standing out in front and it just so happens I drove by and I saw Henry McCully standing on

the front porch and talking about the bid. When the rest of the contractors went in, sometimes having more nerve than brain, I went in, too and I took a quick walk through the building; a quick walk and it is a sound building. The other time I was in there it was during Celebrate Wallingford a couple of years ago when it was uptown. Again, maybe not using better judgment, when the front door was open, and it was a vacant building and that's pretty much fair game for me, I went in, but I didn't hang around. I went in and I looked at the building and right then and there I said, wow, what a great building, what a great building this is. The Mayor has come up with figures of \$300,000 from an individual here, in town. That same individual has given the Trust a figure of well over \$1 million to restore the Silver Museum, the project we are working on. That project is going to come in at about \$700,000. I have a problem with that. I have a problem with how the figures were compiled. Were they compiled to fully restore the building? To fully restore that building, to do an historic restoration, we can spend over \$1 million on that building, hands down. That is not our intent, that is not what we are looking to do. We have been denied access to the building because of pending lawsuits and pending, pending, pending. The Congregational Church has been allowed to go through the building. They have come up with a figure of \$200,000+ to rehabilitate it.

Chairman Parisi replied, I don't think that is accurate.

Mr. LeTourneau responded, that is the figure that I heard.

Chairman Parisi answered, it is considerably higher than that.

Mr. LeTourneau answered, o.k., if it was considerably higher, but it was for their use and from what I understand, they were going to use it for classrooms. That is a different use. Those are whole different zoning issues. That is altogether different because it involves children. If you are using it as a school, you have a whole different criteria. What we are looking to do is, bring our contractor in to tell us this project will be "x" number of dollars. We would ask for some Town money, of course, we are a non-profit group. We are all volunteers, we have no paid staff and the Town has been generous year after year giving us money for various projects. But where does it end up? It ends up back to the people of Wallingford. The Mayor pointed out that the building is an endless money pit and that we will be back year after year after year; this endless money pit. That is not our intent. Our intent is for the Wallingford Historic Preservation Trust to be the caretaker of this building. If the Town wants to retain ownership of the property, fantastic. Let us be the caretaker of it. Let us be responsible for the paint job; let us be responsible for the maintenance of the building; we can alleviate the Town of that. There are many ways to do it. Looking for funding; we haven't asked anyone because, again, we don't know what to ask for. The Trust cannot go to other organizations and say that we would like \$1,000 from them because we can't bring our contractors in to get an idea of what we are facing. We very well could bring our contractors in there and they could come back to us and say that it is a \$700,000 project. Then it's off the table. All we are asking for is that chance for us to go in and compile our figures to see if it is a viable project. The other point, the last point;

in the meeting this morning, Mayor, you had said and a couple of times you had said to me, "I haven't heard any opposition to this plan." Well I think tonight you are hearing opposition and I would like everyone who is here tonight that is opposed to tearing the building down, who wants to keep this building up to applaud (applause). This is the opposition; this is only a small part.

Phil Wright, Sr., 160 Cedar Street stated, the \$15,000 to paint that building to keep it in decent shape until some of these things could be accomplished is a mere pittance. I am sure you can find \$15,000 in a lot of places like Henry has and if that is all we have to do to keep it alive until some organization can come along and do something worthwhile with it, I am sure, Bill, you can find that \$15,000. If you were as interested in saving every last little buck for the taxpayers in this town as you seem to be in this situation, I am sure you wouldn't have had to raise our taxes last year.

(applause)

Mr. Farrell asked Atty. Small, Mr. LeTourneau mentioned that demolishing this building could have the ramification of making Wallingford Center, Inc. and the Town of Wallingford ineligible for some of the grants that have paid for some of the streetscape improvements. That's millions of dollars that have been invested. Wallingford Center still has other plans to do more streetscape improvements. Has your office at all researched that before we rush that? Are we cutting off our nose to spite our face that potentially losing hundreds of thousands of dollars in general grants, have you researched that?

Atty. Small answered, no, I haven't been asked to. I didn't know anything about it.

Mr. Farrell asked, why not?

Atty. Small replied, I wasn't told anything about it. I don't know anything about it, the landscape grants.

Mr. Farrell commented, to me, that would seem a pretty legitimate question that, before we rush to cut off our nose to spite our face that we would research something like that.

Mayor Dickinson stated, I can tell you that there were no grants that would be jeopardized that we use for streetscapes. The streetscaping on North and South Main Streets was done with local funds. All of the streetscaping was done with local funds except for the initial project at the railroad green and we received money from Bristol Myers. Beyond that there were funds used on Quinnipiac Street which was part of transportation funding and that is received through the Council in Government and I know of no connection with historic grant issues. That comes through the ISTEA 21. I am not aware of any connection between the National Registry and these items. The National Registry is an interesting subject by itself, let's not get off the subject; I am tempted, but I won't.

Mr. Farrell replied, it is sort of interesting that the same pot of funds, the T21 funds that you're citing, the Quinnipiac Corridor, those are exactly the same funds that potentially could restore this building and yet you are trying to argue there's no connection. I am not necessarily saying that there is but, looking into it and making sure that that's the case would seem to be a precautionary measure. I also don't understand why we're even discussing this item without Henry McCully being here. If I recall correctly we have a rule that says that we do not discuss an item without the department head here. There is no one from Public Works here. We are talking about taking a snow plow truck away from the people of Wallingford and Henry McCully isn't here to explain why there is a difference here and why there is \$50,000 available from his account to do this.

Mayor Dickinson replied, the money is available because bids came in lower than what was expected and I think that is typical for transfers of money from accounts like this. No one is losing a snow plow truck. I wish the snow plow trucks amounted to the kind of money that we are transferring here. The ISTEA 21 funds are transportation funds. I don't know of any program that could be used to refurbish that building out of ISTEA 21 funds. There are transportation enhancement funds, there are mass transit enhancement funds. I am not aware of any of that program that can be used to refurbish a building. The Council on Government deals with that. That has to appear and is part of their sanctioning process. I am not aware of anything that runs through D.O.T. that could be used for refurbishing the building next door.

Mr. Farrell stated, the T21 funds are for transportation enhancement and I can find you several examples where a visitors center or a welcome center was considered a transportation enhancement because it cut down on the number of people using cars. There are a number of examples out there. I still don't understand why we are discussing this without Henry McCully here. We can't question him on the demolition bid. We cannot question him on the money that is going to be left in his account. Where is he?

Mayor Dickinson answered, Henry McCully is ill at home. He cannot be here; seriously ill. There is no reason given the length of time this information has been available. This information was first proposed, I believe, back in June. The meeting in July did not take up the matter. We are now in August and to say that there has been no opportunity during all of that time to develop information if it was so desired and now wait now to deal with a simple transfer as if it is a matter of great significance or great mystery is amazing to me.

Mr. Farrell responded, he (Mr. McCully) seemed pretty well when I saw him in the coffee shop this morning.

(applause)

Mayor Dickinson replied, Henry McCully had a serious operation the end of this past week. Maybe he was out at a coffee shop, that's possible, but it was a serious operation and he cannot come to work. I don't know. If he was out at a coffee shop, I'm not his doctor. He

was in the hospital for at least three days and as far as I know won't be back to work for another week or more.

Mr. Farrell replied, he does have two assistants, Mr. Nyland and Mr. DaCunto. They could have been here.

Mr. Rys stated, we are here tonight just to transfer the funds for the demolition because we have already voted on the demolition before, right? How does a building get on the National Registry and who did it or who does it?

Mayor Dickinson answered, as near as I can determine, various buildings in areas in town were proposed by the Historic Preservation Trust and I believe WCI (Wallingford Center Inc.) supported their application. The application went to the State Historic Commission. The State Historic Commission, given letters that I have, submits that information on to the National Registry. At that time, the Town of Wallingford, there were a number of structures that the Town owned, voted to disapprove the inclusion on the National Registry and requested a re-drawing of the boundaries of the National Registry limits and some of the structures being placed on the National Registry. As far as I can determine that was completely ignored and our properties and some other properties were placed on the National Registry. That is as simple as that. As far as I know there is no voting by owners of property, it is just an application and the information is reviewed and the national people put it on a national registry. If anyone has other information on that, I am happy to be corrected. From what I can gather, Gerry is saying that it wasn't Historic Preservation Trust, there was a reference to them in a letter that WCI had prepared regarding that subject. Wherever it came from, it basically went to the State Historic Commission, they approved it, it went to the National, they approved it and from then on, you deal with the fact that you are on the National Registry.

Mr. Rys asked, but the Council is in charge of properties, why weren't we notified?

Mayor Dickinson answered, you were notified as to the pending application. My office brought it to you, the Council voted to disapprove and request a change. That was submitted and sent to them by registered mail, I believe. We never heard anything more until it was indicated that all of the properties, as originally submitted were included on the National Registry.

Mr. Rys asked, does that include that brick building on Center Street?

Mayor Dickinson answered, that includes an entire section on Center Street, obviously this building, the railroad station; there are a number of buildings and areas set out.

Mr. Rys asked, would it be out of order if I was to ask Mr. LeTourneau a couple of questions, Mr. Parisi?

Mr. Rys asked Mr. LeTourneau, the Historic Preservation Trust has how many buildings in their possession now?

Mr. LeTourneau answered, three buildings standing, two in trailer boxes.

Mr. Rys asked, how many are going to be completed this year?

Mr. LeTourneau answered, we will have the Silver Museum completed this year ready for furnishings and our next project is the Royce House. Depending on contractors, I don't know if it will be done this year, but we are trying to get that one done prior to winter. That is in pretty good shape.

Mr. Rys asked, what is the house on Route 68?

Mr. LeTourneau answered, that is the Blakeslee House and that one, priority-wise is on the back burner. It is not forgotten, it is one of our more important buildings, believe it or not. It has great merit. All of our buildings are part of the Historic Preservation Trust family but they are all individual children. They have their own fundraising, grant proposals we apply for. When we apply for grants, the money for the Blakeslee House, we can't use that for any other properties. If we apply for the Silver Museum, we can't use that for any other properties. Each one has their own fundraising, each one has their own grants to be used. We have money for the Royce House that is in an account and we actually have \$50,000 seed money that was given to us by Home Depot to be used for that house. That is only a portion of it but we have more funding for that, too. That is not a project that we will be coming back to the Town and saying, "gee whiz, we need the Town to give us \$50,000 for that." What we have come to the Town for so far has helped us with general operating expenses and we have spread it out across all of these properties. This year is an exception, we have used all of the money that the Town gave us to buy a wheelchair lift for the Silver Museum to make that house ADA compliant.

Mr. Rys asked, with all of these houses; two in a trailer and some to be re-done or finished, do you have any guesstimates as to how much money is involved and how long it is going to take you to do this?

Mr. LeTourneau answered, I don't foresee it ever being done. Why I say that is, when you get done with a house, it is like every other house, you have ongoing maintenance costs. With an historic structure, the maintenance costs are always there and they are always building but we are always fundraising for that also. We make plans for that, we have long term projections. That is where we have people within our organization that concentrate on grant money, on finances, and we are always looking at private donors. We are looking – little donations, we get \$10 and \$15 dollar checks to go for that.

Mr. Rys stated, I think the key word you said was the planning aspect. You have to appreciate that I was one of the Councilors who was involved with purchasing that house

along with the Mayor. I think you heard his intentions and the intentions of some of the Councilors who were involved in the original purchase. That was for planning for the future expansion of this Town Hall. I am not going to be around most likely when this Town Hall expands, but my children probably will be here and if we allow someone now to come along and spend \$300,000 - \$400,000 on this, what do you think our chances are or someone else's chances are 40 or 50 years from now of obtaining that property without a big fight?

Mr. LeTourneau stated, we are talking about 50 years down the road. That is a crystal ball issue. How do we know that in 50 years that the Town of Wallingford will, in fact, be here? The Town Hall could be on the opposite side of town. Fifty years from now, we could be part of New Haven, who knows? God forbid. It is a crystal ball issue. For expansion for the Town Hall, for fifty years, you have plenty of property around surrounding. There is plenty of parking down here. This building can go up. Maybe you can put another floor on it fifty years from now, the technology will be there to put another floor on. Maybe the technology will be there to dig up the parking lot and go underground. Fifty years is fifty years, there is a lot of technology, a lot of things change. Once that building comes down, that's it, it can never be put back. It will never be put back. The Town fifty years from now, if the Town citizens feel that is not a nice building and they don't want it, let them make the decision fifty years from now to tear it down. Short-term sight, let's keep the building up.

Mr. Brodinsky stated, I heard the Mayor make a comment and it went something like this, and it is not a direct quote, "we spent the last six years talking about trying to find uses for the building." My reading history is just the opposite; the Mayor spent six years we're not going to find a use for the property so it is no wonder that the Town of Wallingford whose Mayor will not tolerate a use of that property, it is no wonder we haven't found a use because that is how we have spent our time. The Mayor, in answering a question from someone from the public said, the reason why contractors from the Preservation Trust were not permitted access was because, "there's no new information, so what's the point". Well, there's no new information because the Mayor doesn't want any new information. The Mayor doesn't want a second opinion on the estimate that he has gotten and the Mayor has said, "there has been no question about the legitimacy of this \$300,000 estimate." I don't know who he is talking for, but he is not talking for me because the first time I saw it I had question about the legitimacy of it. Especially when I recall back when architect Paul Pizzo was going to try to use the building and he was going to rehab it for his purposes for a cost of less than half of what the Mayor's contractor has estimated. So of course I have questions about the legitimacy of that. That figure just cries for a second opinion, I think the Mayor knows it and he won't allow a second opinion on that and hence, the Trust contractors won't get access. There was some talk when Mr. Rys was asking about the National Registry. This issue came up during the hearings in front of the Historical Commission, I was there, Mr. LeTourneau was there, Atty. Small was there. As I recall the discussion, Mr. Shannahan, who is the Executive Director of the Historical Commission was very clear in his recollection and very adamant and the documentation bears the following: when the

Town bought the property it was already on the registry or at least an application was pending; it was already destined to be or it was, in fact, on the Registry. So we bought an historical building. When you buy an historical building the letter and spirit of the law assumes that the new owner of this property will assume some stewardship responsibilities; that they will have some respect for the past; some respect for the historical nature of the building, that is what the law assumes. The law does not contemplate that you buy an historical building with the purpose of knocking it down, that is not what the law is all about yet the Mayor, back in 1994 and 1995 led us right into the purchase of this historical building and the fact that it was on the Registry was never discussed. So various Town Councilors talked about what to do with the building but the issue of it being on the Registry was never mentioned and that is how we got into this position. Since that time, any time the issue of; not any time...; most of the time when a municipal use for the building has been raised, the Mayor has said, no way. There has been ideas and suggestions but, no way, the Mayor won't hear about it. It is a very important point about the grants that we may not be eligible for. I heard the same information and the first point of information that I heard is that federal transportation funds can be available to rehab a building if it is used for a welcome center. The Mayor said that he is not aware or that or doesn't agree with it. With all due respect to the Mayor, I do not consider him an expert on this issue and his statement that he is unaware of that isn't satisfactory to me. I have also heard from sources in the Historical Commission and the Attorney General's Office that if a building on the Historical Registry is taken down and demolished we become ineligible for other kinds of federal grants, grants that are intended to help rehab aging Main Street-type buildings. So by taking down this to save a few dollars, we could be jeopardizing many, many dollars that we may need fifty years from now. To say, "Well, ya' know, I haven't heard of any that and maybe, ya' know, I'm not so sure and I don't believe it", that's not good enough. I appreciate the fact that Atty. Small has not been asked to research it, but she should be. She should be. If there is any question about it, before we do something that is going to jeopardize future grants we ought to nail that done so hard there is absolutely no doubt about it and it should be nailed down with someone without a political agenda. It should be nailed down with an objective source, maybe an outside legal opinion; what is going to be the legal affect or our ability to get grants in the future of tearing down this building? It is a very important point. As far as the doings of the Historical Commission, the role of the Historical Commission has come up a couple of times in discussion before June 5 when we had this hearing and at no time was the role of the Historical Commission accurately described to this Council. So it does not surprise me that various Councilors and the public have taken positions not knowing or having it fully explained to them what may happen. So they took positions in the press or in votes and sometimes it takes a great act of political courage to back off from a position you took a year or two ago or even last month, especially if you don't have all the information. Changing your mind or modifying your position, you may feel that you will be subject to needling or teasing in the press or something, I don't know. But it shouldn't take an act of political courage to change your mind if new facts come in and the public demonstrates that the course of action that the Mayor proposes is not the course of action the people of Wallingford want. I remind you that 1,400 – 1,500 people have signed petitions and there are probably a lot more out there

who would have signed it had we continued the petition drive. The Historical Commission said that they were recommending to the Attorney General that he try to protect the building for a couple of reasons and this was after a hearing; I spoke, Atty. Small spoke representing the Mayor and John LeTourneau spoke. Both sides of the issue were aired. It was not a one-sided presentation and Atty. Small did a very admirable job and I told her that. The Historical Commission found that the property at 41 South Main Street appears to be structurally sound. No argument has been made that the building cannot be rehabilitated, that argument is not being made today. The building is not impacting the parking needs or any proposed expansion on the existing Town Hall property. There is no known need or even a remote possibility of a need for parking or expansion of the Town Hall. People raise that as a speculative possibility fifty years from now but that is not good enough to base policy on, it seems to me. The Historical Commission said that the Town has plans to spend \$120,000 for the demolition of the building and the construction of a bandstand/gazebo; money that can go a long way to rehabilitating a building. I made a note when the Mayor said he did not want to put any money in the building, yeah but, just a few months ago the Mayor and five members of the Council were willing to put \$120,000 in on the property. Now, suddenly tonight we can't afford one penny. That sort of speaking out of both sides of one's mouth made an impression on the Historical Commission. Certainly the Town, at one point, and still is willing to devote the money to that property either in demolition costs or in gazebo costs or something else. No evidence was demonstrated that the Town of Wallingford could not find someone to put this property to new use. There have been some, in my opinion, half-hearted and amateurish efforts to market the property but never a serious effort to place it with a Realtor to get real bids. It was sort of splinter markets R.F.P. which tests a very narrow market at one particular time, never placing it with a Realtor over six months or a year to test the broader market. Advertising it in an historical journal. It is a very narrow market that you reach with that. Putting it on a website for people who may want to move the building. Come on, if you really want to market your property, is this how you would do it if you owned it? I don't think so. The Historical Commission did not feel that it had been shown that alternative to the demolition had been considered because, by the Mayor's own statements, he will not tolerate a municipal use for this building and he has said so over six years. He relies upon a non-profits and other organizations to come forward, which is really hard to do when the official policy of the Town is, the Town of Wallingford is not going to use this building, so much for the Historical Commission. The history, and I am going to try and condense this really fast if I can. It has been said over and over that the property was purchased with the intent of taking the building down is just not true; it is absolutely just not true. Different Councilors back in 1995 when this matter was discussed had different points of view. Now maybe the Mayor had the idea that the building should be taken down but that wasn't the unanimous opinion of the Council. Mr. Gouveia said that he wanted to be sure that the Town would pursue some action to see if anyone were interested in using the building, perhaps the Town could advertise. Mr. Zappala thought it was premature to determine now what our needs will be ten years from now. Mayor Dickinson said that a determination must be made now as to what to do with the building, otherwise it would be boarded up. Mr. Zappala said that, if he remembered, it was a unanimous decision to buy the property for the purpose of the parking lot and for the

future use of the Town Hall. Mr. Killen suggested that the Electric Division could move over there. Mrs. Duryea thought the Electric Division could use it. She was tired of seeing buildings in town boarded up and the Wooding/Caplan property was one of them. Mr. Gouveia stated that we had to have a plan for what was going on. Mr. Knight said that at first he was in favor of purchasing the property and the more he hears of the subject the more he feels it would be better to have someone from the private section renovate the building and rent it. Ms. Papale said that the Council, as a whole, voted to purchase the property and she voted with the intention of investing in the property because of the potential expansion of the Town Hall. She was not in favor of tearing it down, in summarizing her comments. Mr. Killen agreed with Mrs. Duryea saying that there was never a mention of tearing it down. Mr. Solinsky bought the whole thing to a close and he said, "there have been a lot of suggestions made. It is an adjoining property, we cannot decide what to do with it, we all agreed to buy it, so let's buy it." It was a divided vote; it was a divided vote. Mrs. Duryea, Mr. Killen and Mr. Rys voted not to buy it or not to fund it and everyone else voted to.

Mr. Brodinsky stated, I am going to vote against the transfer of funds. I don't think it is a smart move to tear the down. I think more investigation needs to be done as to what it would cost to rehab it. I think someone needs to look into grants. The Town has not been interested in that. Grants remain a possibility. It made take some time to do this. It may take as much as a year to see what can be done. It may take a year to apply for grants and get some word out. It may take a year for the word to get out that the Town is interested in finding a use for it. You can't in a period of two months say, "o.k., we are looking for a use for the American Legion Building" and expect people who have settled offices, headquarters or homes to come rushing to our door, that takes time to develop. If we had spent six years seriously looking for a use, I think we probably would have had it. I also agree with the very eloquent comments by Mr. LeTourneau and others, if you take the building down, Main Street suddenly looks uglier than it did before. That's worse. You will have a hole right there, right there by the Town Hall and all you will see is the parking lot. That is worth something not to have that hole. If you don't take that building down, you automatically save \$50,000. There is another alternative, which isn't very popular, but it is an alternative that I know the courts are going to look at and the Attorney General is going to look at and that is a sale of the building. We certainly don't need it for parking, we don't need it for Town Hall expansion, we'll just say that we are not going to sell it as a matter of policy, it doesn't make economic sense. If you can get \$200,000 for that property, not only do you get \$200,000., you saved the \$50,000 demolition and the private owner will rehab. I would like to see the Trust and the Town work something out. It doesn't look like that is going to be possible until after we get a decision from the judge. There are a lot of possibilities and I hope we find one. Thank you Mr. Chairman.

Mayor Dickinson replied, two things were represented; administratively we have done nothing; requests for proposals were prepared with the efforts of the Program Planning Office, Don Roe. There were efforts to provide the information necessary to find a private use and, secondly, I don't see how there could be any penalty against the Town of Wallingford for demolishing the building if there has been a fair hearing, the court has been involved; that is not a "in the dark of the night doing something that is evil and malicious", that is using the process, allowing people to be heard and ultimately a decision is made. So I can't see how that would be held against us at all.

Chairman Parisi stated, Mr. Brodinsky, if I may, I just want to clarify one thing; on Mr. Pizzo, his figure was so low because he had several family members that were involved in trades and he would have had a considerable amount of sweat equity in there, so that is why his estimates were so low.

Mr. Brodinsky replied, I am aware of that. I was at that same breakfast that you were at with Mr. Pizzo when we discussed that. Yes, you, I and Mr. Pizzo sat down for breakfast and he had various costs in mind but the point is that his view of renovating the property is entirely different from the contractor that gave the Mayor an estimate; entirely different. And there just may be someone else out there who could put some sweat equity in or a contractor who might buy it, there are possibilities. If one person can do it for about \$150,000 and maybe someone else can, too.

Chairman Parisi stated, I just wanted to clarify why Mr. Pizzo's numbers were so...that was your focus and I just thought it should be clarified, that's all.

Ms. Papale stated, last time I discussed this, I gave my opinions and I'm still keeping with the same opinions that I had. I know Mr. Brodinsky was reading from minutes, but I knew you couldn't talk about all the minutes. The reason the Council, at that time, the ones who did vote to tear it down was to think of the future; 10 years; 15 years; if the Town Hall expanded that building would come down and we would use it for expansion for either the Town Hall or for a parking lot. But things have happened and last time I changed my mind. I was one who voted to take the building down and last time we discussed it I was one of the four votes that voted to keep the building there and my reasons at that time was because of the idea of a gazebo. I had asked if we could have two different votes; one to knock down the building and one to put up a gazebo. But we did it as one vote and the vote did go 5-4 and I voted to keep the building there. The main reason was, I just couldn't picture and didn't think it was a good place for a gazebo to be. Now we are not even discussing the gazebo anymore. But, things have been brought to my attention and there have been other considerations that I have made and, gazebo or not, I am going to vote not to do the demolition of 41 South Main Street. I will vote to keep it there. Another thing I want to mention was, the situation when Mr. Pizzo was here, I was one of the Council people that really, really pushed to go with him and many of the Councilors did not just want to collect \$1.00 per year but he was going to go in there and really fix up 41 South Main Street and at

the time I really believed and I still believe that our building is much better when it is occupied. It would never be in this mess it is in now if someone like Mr. Pizzo did go in and fix it up and that would have been a lease for 10 years. I am disappointed to hear, Bill, that the Preservation Trust could not go in with their contractors to get different figures. I really think that they should have been allowed to go in there just to come up with figures that maybe would it would have been so much money they would have decided not to look at it anymore. I think they should have been given the opportunity. If the church went in there to look, why couldn't the Trust go in there to check.

Mayor Dickinson replied, if that is a question for me, I had no knowledge the church went in. I would have said the same thing regarding the church.

Ms. Papale stated, I am not the one to debate with you, believe me. I am just telling you that I am disappointed that they couldn't go in there. I just have to ask Mr. LeTourneau one question; if you had the opportunity to go in there and it turned out that your contractors came up with a price and you did collect the \$50,000 that would have been used for the demolition of the South Main street property...where would this money be provided for you? From what I understand, the Town would not be giving you any money. Would there be fundraisers the same way you have done the house on South Main Street?

Mr. LeTourneau answered, yes. That came from all sources; private donations; we have had business donations; primarily private donations and it is ongoing.

Ms. Papale stated, let's say it happened that you could go in there with your contractors and the amount of money came in, you would not be coming back to the Council for the money?

Mr. LeTourneau answered, no. Our position with the Trust is, this is the core of why the Trust got involved in the first place, not six years ago with this. We felt the money, and only the money, that was going to be spent to demolish the building, the \$50,000 and the \$90,000 that was originally floated as an idea for a gazebo, we felt we could go in there and bring it to a useable building. In talking to contractors that had been in there when the Legion was there, and going with their say that it is a sound building; going with my say when I was in the building illegally that it is a sound building, no, we are not going to come back to the Town and say, "well, gee, that's nice that you gave us \$50,000., now we want another \$400,000 from you." No, that is not what we are looking to do. Also, we are not looking to go into the building – if we go into the building and we bring our contractors in and a contractor comes back and says that this project is a \$500,000 project or a \$400,000 project or we are into a lot of money to rehab this building, no, then it does not make economic sense to do it. Then, unfortunately, that old building has got to come down. But this is something we don't know.

Ms. Papale stated, if you cannot go in with your contractors and see what it would cost you, then there is no sense in even discussing it. It may be something that you can afford or something that would have made you throw up your hands and say, "impossible". I am

disappointed that you weren't given the opportunity to go in there. I have seen what your group has done with other pieces of property in this town and I just don't understand why the Mayor and the other members of the Council think that it was going to cost the Town all this money. You are telling me one thing...

Mr. LeTourneau added, we don't want this to be an endless money pit for the Town. That has been thrown out there and that is not our goal.

Ms. Papale stated, I would really like someone to check on the legal effect of the grants. I would not vote for the demolition.

Mr. Vumbaco for the sake of expedience, I will not debate the merits of this issue all over again because I unfortunately believe that minds are made up on how is going to go. This Town has spent millions and millions of dollars to buy open space, not for any specific use but to preserve the future of Wallingford. There are many communities in this state that have spent dollars to preserve their streetscapes and all we have to do is take a ride a little bit north to our neighbor in Meriden and look at their Curtis Memorial Building. The City of Meriden spent \$2 million to preserve that building. If you go up there today and look at it, it is the most magnificent piece of architect that I think that community could have done to preserve itself. IT is right across the street from their Tow Hall, it is one of the main thoroughfares into their community and I think the citizens of Meriden are extremely proud that their community decided to spend that kind of dollars to renovate that building. It boggles my mind that we are not willing to sit here and do some thing to preserve this building next door. I just believe this administration is willing to spend millions of dollars saying that they are preserving the future of Wallingford and won't spend any money to help preserve this building especially when it is going to affect the streetscape along south Meriden, as everyone has said already, the neighborhood, as Mr. LeTourneau so nicely put it, and the parade ground. I just can't believe that we are going to be that thick-headed and not spend some dollars and at least take a look at this issue to preserve it. It just seems to me that the mind was made up and nothing is going to change the mind. Unfortunately, I think tonight it is going to go that way but I, in my mind as a councilor and as a citizen of this community, emphatically will not support this transfer. Thank you.

Mr. Toman stated, I look to get applause just like everyone else. I remember when Phil (Wright, Sr.) and I were on Planning & Zoning many years ago, we never got applause. And, I am not going to spend fifteen minutes impugning people's motives and reading history backwards to suit my positions, I like to look ahead. When Phil and I were on Planning & Zoning many years ago, the concepts of historical preservation and the concept of buying land for preservation were just in their infancy. As a matter of fact, most of the time, they were laughed at. But, thanks to people like Gerry Farrell and others, that pendulum has swung and swung hard the other way and that is a good thing; that is a real good thing. But just like a pendulum swings, I think the pendulum has swung a little too far sometimes. I think this issue and this building are a good example of it. I am for historical preservation. I am for buying land for preservation, there is no question about that. But I

am also thinking about the taxpayer; about the hundreds of dollars the average taxpayer this year now has to pay in property taxes and it is very hard for me to justify spending hundreds of thousands of dollars at this point with no other private financing available after six years of trying and there was trying. Hundreds of thousands of dollars in almost a 3 to 1 cost benefit; 3 to 1 versus demolition and the replacement. I am thinking of the replacement. I haven't heard much about that tonight. I have heard the word gazebo mentioned a lot. A gazebo brings to mind something that you flee to when you want to have a picnic; gather with some friends; a little place. I don't think so. I think a concept of a meeting place pavilion would serve the activities of the townspeople and would serve the taxpayers at less cost than this pendulum swing too far to the right in preservation of a building that, apparently, people in the private sector don't want. I would love to have lots of people applaud for me but I do support this item and I think we should move on.

Ms. Doherty stated, six years is a lot of time that we have spent in town trying various avenues to keep the American Legion at 41 S. Main Street. I, myself personally, would love to see it kept, however, I can't justify spending the money that has been put before us to restore it when we have no monies in place whatsoever to do this. I will be voting for the demolition.

Mr. Knight stated, this is not an easy decision. I don't think it would be an easy decision for anyone but I also, I have what I would like to consider an abiding interest in certain historic preservation. Even Mr. LeTourneau told us this evening that this building isn't truly historic and, indeed, that seems to be the case as opposed to some of the other buildings that the Historic Preservation Trust has, which are indeed, especially the Royce House, perhaps the Johnson Mansion that have terrific historical value to the community. Therein, I think is where one of the cruxes of the matter is. We are talking about a building that, while it has some interesting architectural features and while it does have its proximity to the parade ground, is not truly of an exceptional nature that would warrant the spending of what could be a tremendous amount of money. Now I am not a restoration person. I am not a contractor. I am merely an observer and I am going to give you an observation that I made yesterday coming down from Maine. Some friends of mine and I stopped at Strawberry Bank. And if anybody has ever been to Portsmouth, New Hampshire and has been to Strawberry Bank you have seen that, literally, million, millions, millions of dollars have been spent restoring some buildings there, to great affect, I might add. It is a very interesting development but these are buildings from the 1600s and 1700s. One of the buildings we visited we had a discussion with some of the people who were giving us information about it. They said that they were unable to restore the second and third floors of the building yet. We asked when they planned on doing so. They responded that they were not sure when they were going to be able to do so because when they got into the building and began to look at it and the contractors got there and push got to shove, \$250,000 was spent on the foundation. What I mean by the example is just this, and we have seen this in our school renovation projects; not the Yalesville School which was virtually new, but the two middle school renovations. Renovation work can uncover some really nasty expensive surprises. I am erring on the side of caution. I think this building,

given the condition that it is in now, also may hold some very expensive surprises should we opt to save it for, as the Mayor has said on several occasions this evening, no specific purpose either now or in the future. The other reason I think it is time to come to a decision is, as good as a welcome center is; what a wonderful idea and I applaud the creativity people put into trying to find some purpose for this building, and a welcome center certainly would be an interesting addition to the Town facilities, but, at this point in the Town's fiscal history, I am not sure that it is appropriate to start spending several hundred thousand, possibly and at the very least couple of hundred thousand dollars, on a building that is not going to serve any truly important use to the Town of Wallingford. A welcome center would be a wonderful addition but we are looking at multi-million dollar expansions of our library. There is never enough money to keep our roads in the condition that everyone would like. We know about the school renovation projects and certainly it seems that when we get through with one renovation project we certainly seem to embark on yet another. You have to prioritize where you are going to put your limited resources. It was mentioned tonight of the increase in taxes and out of the same person's mouth a very minutes later we are talking about spare this building. We just got a big tax increase to most homeowners because of revaluation and yet spend \$200,000., \$300,000., or \$400,000., or whatever it takes to save this building. You just have to start measuring your priorities. I am, unfortunately, of the opinion, and I say unfortunately because I like to consider many of the people that are out in that audience my friends, I hope they will continue to be, and that I understand the irrevocable nature of a decision like this but it does, indeed, come down to money. We have heard so much tonight about grants and I never cease to marvel how the federal government can take what is essentially transportation money and twist it and scrunch it and push it into renovating a house. I am not saying that the federal government doesn't have the creativity to spend money as fast as we can send it to them on almost anything and designating it what ever they want out of what ever pot. But the fact is that grant money is not as easy as what I am hearing tonight. It is not that you just go to the federal government and you say that you have this great idea and you want to renovate this house and you want them to give you a couple hundred thousand dollars and then you go to the State Historical Commission and say, "hey, c'mon, you know what we are trying to do here, give us a couple of hundred thousand dollars." These grants are just not everywhere you want to look. They are if you really, really, really have wishful thinking then I truly think that, yeah, gosh, somewhere, somehow, we will get the money. I applaud the Historic Preservation Trust for all they are trying to do and Ray did ask John some very interesting questions about projects they have underway, especially Johnson Mansion; the Silver Museum; the Royce House; the Blakeslee House; the Yale House is in trailers. God bless them for the ambition, I admire that. But when the rubber meets the road, to add yet another project whose only source of funding is going to be the Town of Wallingford or some other government entity is, I think at this point, inappropriate. I must say, as difficult a decision this is to make, I am going to vote to demolish the building at this point.

VOTE: Brodinsky, Farrell, Papale & Vumbaco, nay; Doherty, Knight, Rys, Toman, & Parisi, aye; motion passed.

ITEM # 11 Discussion and Possible Action Regarding the Groundwater Contamination Study Concerning the Yale Avenue, South Curtis Street and Whispering Pines Drive Neighborhood Prepared by the Health Department as Requested by Councilors Steve Knight & Jim Vumbaco

Mr. Knight stated, I was unaware that there was going to be a meeting at the time I made the request. It was a very extensive meeting that I thought was one of the most informative that I have ever attended. The meeting I am referring to is the one held in this room with the consultants that did the study. I thought they did an admirable job. I thought they fielded some very difficult questions. I thought they were very thorough in their approach. They left me with the impression that this matter has, I feel, has been studied appropriately and thoroughly as need be for the decision to be made to move on. We have been at this for several years. I think the money that we spent on this particular study was well spent. I thought that one of the most interesting remarks that I heard the entire evening from one of the people in the audience, one of the affected people, who said, and I am paraphrasing this which may be inappropriate and I am sure I will be corrected but, I heard someone say, "we are looking for somebody to pin this on and you are not telling us what we want to hear." That was more candid than I think the person really intended to be because I think that is really where we are at right now. My purpose is to see where we are going from here. My opinion is that it is time, if we are going to bring some closure, that the other alternatives, other than the Town funding the installation of the water system for that neighborhood, needs to be explored. That is what I came to ask about.

Mr. Vumbaco stated, I have a little different take but, you are absolutely right, we both attended the meeting. I think the meeting was extremely good. The reason I asked for this to be on the agenda because I talked with many, many, many of the residents in the neighborhoods and most, if not all, are just looking for a solution; a reason for what is really going on over there. We funded this one survey and there were some conclusions by Tighe & Bond but they did state that, based on review of the data the bacteria contamination to the neighborhood water supply wells appears to be associated with the aquifer and not attributed to individual wells that are poorly constructed or water distribution systems at the residents. The hydro geologic setting that includes shallow depths of bedrock relatively high bedrock transmissivities and the water table within bedrock, the factors that allow the bacterial contamination to migrate to the bedrock aquifer. But they also state that the potential sources of this bacterial contaminations include run-off and infiltration of surface water from the nursery; area-wide storm water run-off, particularly during precipitation events or sewage leakage from the sewer lines; private sewer laterals or on-site septic fields. They go on and talk a little bit about migration in the areas. My concerns and the concerns that I felt from the citizens when I had talked to the residents is, they just want to know whether it is the sewers or not that is causing the problems. I also understand that through the discussions that night from Tighe & Bond and the gentlemen here were very knowledgeable and did an excellent job, state that there was no way that they were going to be definitive; where it does come from; that there are multiple reasons. It could be a

combination of a whole bunch of things. There is no way they could really put a handle on exactly where it is but I think the residents are only looking for reasonable assurance that it is not coming from the sewer; reasonable assurance. I think that is the reason why you are not getting a lot of response on the request for supplying water because a lot of the people I talked to have stated that they don't mind paying for the water if, in fact, it is not the Town's fault. Now, granted, we can never definitively say it is or it isn't the Town's fault. I'm looking for, personally, and I think the citizens are, reasonable assurances that it is not coming from the sewer. If it is not coming from the sewer, I am willing to bet you that you will get an 88% or more sign-up for water. But those people don't want to spend the money out of their pockets, hard-earned money; some are retired and there are a lot of young couples up there; if, in fact, the sewer line could be causing the problem and it is a Town issue. I think all they are looking for is that reasonable assurance. I am not blaming the Town. I am not saying it is the Town. I am not saying it is the water run-off. I just think that we need to take it one step further to at least see if we can get some definition on what the reasonable assurance would be. To me, I would go by one of the recommendations that Tighe & Bond has presented on page 3 & 4 where they talk about tracer testing. I know that is not a definitive example, but I think there is enough professionals out there that can do it to provide reasonable assurance that it is not coming from the sewers and if that is the case, that is where I am heading. I would like to see us take it that one next step, only for the sake of, like Steve said, it is time to finally put this issue to bed and I, personally, would not want to be an individual who has to be bringing in bottled water for the last 2-2 ½ years and be afraid of the situation up there. I think the Town needs to protect its citizens. I know there are some areas of this town or some government officials that don't want to do the tracer testing because it might prove that the Town did cause the problem, but I think it is our duty to be able to give at least some reasonable assurance to the citizens that it is not the sewer. We are kind of on the same wavelength but maybe a little different in our approaches but I think we both want to give the citizens in the area some potential finality to this.

Mayor Dickinson stated, I think it is important to quantify that the meeting was pretty thorough. I would disagree a little bit; I think the presentation indicated that the consultant believed that the most likely cause was surface groundwater. That is the most likely cause. But, in addition, they did quantify the cost of the additional testing. They did tracer testing could be done but there were other things that had to be looked at first. The other things amounted to some \$40,000 and then the tracer testing was some \$40,000. As I recall the price tag was an additional \$80,000. for the additional testing in order to look further at the issue and they said it is very possible that we would \$80,000 and know nothing more than what we know today and again, their conclusion was, it is most likely a surface water contamination through fissures in the bedrock.

Eloise Hudd, Health Director stated, correct, under Section 7, under Conclusions the last paragraph says, because you are correct, they did list several potential sources. But it says, "of the potential sources infiltration of the area-wide storm water run-off containing bacteria is the most consistent with the data." So I think that to say, let's absolutely rule out, I think

that, based on what they are saying, they are telling you the most likely source is the storm water run-off. Then when they talk about the recommendations concerning the tracer study using the dye which will be a fluoride, not so much a dye because it is a more definitive study, it does say, "we recommend a tracer study be conducted only if a number of the other factors are conducted first." Some of those other factors are literally impossible. Particularly number 2 where it talks about lack of bacteria and surface water run-off which means that we would have to take – somebody would have to take water samples of storm catch basins and ponding water when it occurs in season and that water result would have to be absent of bacteria and based on all the information in the report, that is not going to happen. There is bacteria occurring in run-off coming down from the streets, from whatever people are doing on their properties and as I said, it does list several factors on there before the tracer study should be conducted.

Mr. Vumbaco answered, that very well may be but I think this is just, once again, we are talking and we are sitting here or discussing or making reasons why we can't do something for our citizens. I just happen to be on the other side of the fence and feel that it is our obligation to do something for these citizens. It is three streets. I am not sure exactly how many people are there that have been paying their taxes for years in this community. I don't have a problem and I think there is nothing wrong for us to go out there, even if we have to spend that \$80,000 because we are asking them to kick in I don't know how many thousands of dollars of their retirement money, their young; whatever the case may be to put water up there to solve a problem that could be a problem that this community caused. That is the only reason I am saying it. We, the Mayor and I, are going to disagree on it. I, personally, believe that \$80,000 to assure or give some reasonable assurances that it is not coming from the sewers is not bad money spent. I could be accused of attempting to waste money; we gotta save every dime and every dollar, but these citizens are paying their taxes, too and they at least deserve that much. I, personally, believe that the Water & Sewer Department should be able to fund that money with no problem, with the amount of dollars they have in their budgets. Besides that, I don't think they want to know if it is the sewers that is causing the problem, that is my issue here. I think they feel that it is better not to do anything about it; out of sight; out of mind, and the citizens have to pay for it. You can go through all of this (study) and read it word for word. I think we should be pro-active in looking for what we can do for the citizens, not for reasons why we can't do something.

Mr. Rys asked, it was indicated in the study that the ground surface water was probably the most likely cause of the contamination?

Ms. Hudd answered, right. Their conclusion was that the aquifer itself is contaminated. The question is, where is that contamination coming into the aquifer? They said, it is based on infiltration from surface water coming into ground water.

Mr. Rys stated, the study did mention that the sewers do leak, but the sewers are below the ground surface area. If they do leak they would not, most likely, be responsible for

contamination to the wells. Did I hear right at that meeting that the laterals that run off the sewers run above surface water?

Ms. Hudd answered, that is correct.

Mr. Rys continued, and that may be one of the items that may be contaminating it?

Ms. Hudd answered, that is correct.

Mr. Rys continued, if you were to do this type of testing, that was suggested, would that testing be done in the individuals also?

Ms. Hudd answered, yes. What would happen is, you would have to do it in each individual home which is why they were projecting it to take so long. You would have to have cooperation from all of the homeowners.

Mr. Rys asked, we would need to have access and they would have to allow us on their property, correct?

Ms. Hudd answered, correct.

Mr. Rys asked, what happens if it is one of the individual houses that are contaminating the water?

Ms. Hudd answered, if we have a definitive source, if we have a lateral that is cracked and it is known that it is this lateral, then we can issue an order to that individual to repair that lateral. But you need to know the absolute source.

Mr. Rys asked, but they're not liable for any damages or anything to their wells?

Ms. Hudd answered, civilly they could be liable, absolutely.

Mr. Brodinsky stated, there was a number of \$80,000. which was mentioned. In my opinion, that's not the right figure. You can do a dye test according to these people for \$41,000. If it was sent out to bid, it might come in for less. The question is, do you want to go right to the heart of the matter and go right to the dye testing, and I use dye testing because whether it is tracer testing, dye testing, fluoride testing, everyone sort of understands it to be the same thing. I am going to use the word "dye" testing. But the question is, do you want to go right to the heart of the matter and go right to the dye testing or do you want to go to some interim expensive tests which, it is known in advance will not lead to any useful information with respect to whether or not the sewer pipe is the source of the contamination? That is really what is going on. Of course the engineers will say, "you know, it is going to involve work here; we have done this study; we need another one; we need another one; then we can get to the dye testing; then we can get to the heart of the

matter.” The heart of the matter is, the dye testing. We didn’t even have to do this study; didn’t even have to do it because it was known, in advance, it was known by the people who did the study, it was known by the Health Department, it was known by everyone on this Council, that this study would be a survey; it would give general information. It would not even attempt to investigate the Wallingford sewer pipe as a potential source – that wasn’t the purpose of the study. The purpose of the study was to look for all the other kinds of sources and that’s, to me, not the issue. If you or if a person, let’s put it that way; if a person suspects that his conduct or condition that he is responsible for may be causing innocent people harm, what position do you take? One position you could take is, you say, “I’m going to investigate that and I am going to investigate it in the most efficient, cost-effective way, my conduct, my condition, and see if that is responsible for harming innocent people. That means, we will do the dye test. Or you can take another position, you can say, “well, I am going to make it extremely difficult to get to the heart of the matter and, you, know, they’ll never prove it. They’ll never prove it and whether my conduct or my condition is doing it or not, they’ll never, ever prove it.” I don’t think government should behave that way, yet, that is how Wallingford’s government is behaving. If we want to know whether or not that sewer pipe is causing these people harm, and that is what we should want to know, that should be our concern, if it’s our pipe. An expert has said that it is a possible cause; maybe not the most likely in their view, but that is not comforting enough for me. They are still saying, we are possibly hurting innocent people and I say, let’s put it to bed with the best test possible. I was at that meeting, thank goodness, because off the rumor mill I got word that I wasn’t told by the Town, the Health Department, the Mayor or anyone else, but off the rumor mill I found out about this meeting and at that meeting I asked the engineer, what is the best test to do if you are interested in investigating whether or not that sewer pipe is contaminating the wells. They said, the dye test is. Then they said, “well, it is not conclusive.” I got this suspicion that they really didn’t want to go to that dye test for reasons which they may address themselves but, that dye test, by their own statements, is the way to get to the heart of the matter. That is what we should do. It may not cost \$41,000 if it goes out to bid, it may cost less than that. Who funds it? I saw Dick Nunn at that meeting and I said, “Dick, the P.U.C. (Public Utilities Commission) in all good conscious should fund this. You’ve got the dough and it is a P.U.C. problem.” He did not really respond to that. I still think that is a good idea. I think the P.U.C. ought to do that, but, it doesn’t matter where the money comes from, that test ought to be done. That dye test ought to be done and if the dye test indicates that the city sewers are not; or there is not evidence from the dye test that the city sewers are not contaminating those wells, it is over. If the dye test indicates that the city sewer is contaminating the wells then the Town has some responsibility here. I think that is how we should proceed. Thank you, Mr. Chairman.

Ms. Doherty stated, I am reading the letter we received from the Health Department and it reads, “The tracer study may not result in any conclusive results. The absence of the tracer chemical may not conclusively eliminate the possibility of a connection.” It is kind of not quite what I just heard, is that correct?

Ms. Hudd answered, no, that would not be conclusive. There is a potential that it would not be conclusive, correct.

Ms. Doherty asked, so we could pay for the \$41,000 and still not get conclusive results?

Ms. Hudd answered, correct.

Emil Lawrence, 1149 South Curtis Street stated, I know when the Mayor wants closure; we want closure. This is going on almost four years. For the new members of the Council, here, and the new member of our Health Department, when the road was resurfaced up there, they ran 30,000 – 40,000 ton trucks over the roads there. They cracked and smashed pipes; they had to do something to them. They are nothing but transit pipes. We never had a problem with the water before that. My water was tested several times because of the Meriden Sewer Pumping Station flooding over. They came down, checked my well because the brook runs right in back of my house where they ran their sewage right into the Quinnipiac River. They checked several wells in the area and not one well was contaminated by that run-off. They had that oil spill up at Caldor's there where the condenser transformer was busted and they spilt all of that contaminated oil. The State came down and took a test of our water, my well was one of them; clear; everything was perfect. Right after the roads were reconstructed there; they tore up the roads with that big machine up there grinding up the roads, we started having problems. Not every house on the street had it at once, it is gradual; here and there and everywhere else, that's what happened. Those laterals that you are trying to say that are no good were all inspected by Walter Tencza (?). I made that a fact last time. He is a very thorough inspector. Now you have about 40' of lateral that was put in by the sewer people. Now these transit pipes do not come like any other pipe where you have a "T" and an elbow and all that. They come out and you have to make a whole in the pipe, you have to put the pipe into it and then they do what they call "chimneying" up the pipe, because I did one and it is all cemented and everything else. With these trucks going over there, there's 40' of pipe that nobody knows what is going on in there. They could be all smashed, we don't know. They could be the culprit right there but we'll never know. Remember, before they stated, a possible contaminator is the sewer, am I right?

Ms. Hudd replied, it is listed as one of the potential sources, that is correct.

Mr. Lawrence stated, now the I talked to the man, he says, well up on _____ Avenue, (change of audiotapes)...and all of a sudden, that water is contaminated in our sewers, our wells, rather? I don't get it. This report is \$16,000 worth of paper, that's all it is. New sewer lines leak. We have been assured by our P.U.C. that the sewer line does not leak. Roger Dann has emphasized that many times; "They are gravity filled; they do not leak." I think mine leaks. Has anybody ever looked at the videotapes of the sewer lines? Each one of the videotapes has a worksheet with it stating, manhole one to manhole two, a crack, leak in joint, busted pipe, it is all listed in there, not done by us but by the Town. That is what you've got to look at before you go and make any decisions. We have yet to be offered one

cent to say yes, we will help you get water up there. They have spent thousands of dollars to keep us from getting water. When that road was dug up, I was suggesting to Roger Dann, "the road is dug up, put the water pipes in now, it will be less expensive, the road is going to be all torn up again if we did put water in there." We've wanted city water for years up there. Gaylord Hospital had a whole new line sent up there, who paid for that? Does anyone on the Council know? The Water & Sewer Division; you and I in our water bills.

Chairman Parisi answered, they put up a water tower on their property that helped to stabilize the water pressure for that whole section of town. The townspeople up there benefited from that.

Mr. Lawrence replied, definitely, but that didn't cost them any money. They got a whole new line up there.

Chairman Parisi answered, the line was there also to benefit the public, it didn't benefit Gaylord any.

Mr. Lawrence stated, with the upgraded line put in there, they didn't pay one cent for it. Mr. Centner who sat right there was one of the people who said he couldn't take a shower on his second floor.

Chairman Parisi stated, Gaylord is not getting any benefit from that line, they have not tapped into that line.

Mr. Lawrence asked, how come every time there was a fire, we had to send every tanked truck and every piece of fire equipment up there?

Chairman Parisi answered, they put that up there to help stabilize the water pressure for that area of town.

Mr. Lawrence replied, but no one paid for that. We paid it; you paid for it; that's what I'm trying to get across to you. Not one cent was offered to us or Seiter Hill. In fact, down on Clintonville Road, the Town paid 45% and the residents paid 55%; they got partial payment. What are we? Nobody? That is all we want, you tell us the sewer does not leak and cause our wells to go bad and I'll pay the full price. That's all we want. But they can't tell us and they'll never tell us. The Mayor is the one who wants, "let's get it over with, c'mon, here, sign this petition. Sign this blank check, petition here for you to sign to get water up there." That's all he wants is closure. Like he wants closure over here at this building. That building can stand here another hundred years, it's bothering nobody over there. But do something for the people that pay their taxes in this town and that's not what is happening. Have you read that Tighe & Bond study? Have you read it?

Chairman Parisi replied, yes.

Mr. Lawrence asked, what did you get out of it?

Chairman Parisi answered, I got out what everyone is saying. There is nothing conclusive either way.

Mr. Lawrence replied, but it is a potential source of contamination. Now that we have a letter from the Health Department stating, do you have that letter with you?

Ms. Hudd replied, yes I do.

Mr. Lawrence asked, would you like to read the middle paragraph?

Ms. Hudd stated, this was a letter that was sent to the residents dated July 22, 2002. The second paragraph states, "In summary, several potential sources of groundwater contamination were identified. The most likely source being surface water runoff. Based on questions from those in attendance it was noted that additional rule out testing would cost approximately \$80,000 and potentially yield inconclusive results."

Mr. Lawrence pointed out the word, "identified" in the first sentence. He asked, where did they identify anything?

Ms. Hudd answered, it lists potential sources not definitive sources.

Mr. Lawrence asked, when you use the word, "identified"?

Ms. Hudd answered, when they named the potential sources, therefore they identified the potential sources.

Mr. Lawrence asked, where does it come from. To get e-coli in groundwater, you have to add human waste or animal waste. That is where you have to identify where it is coming from. Sewer has plenty of waste in it, human waste, which has e-coli in it. I can't see where the water runoff here where it picks up e-coli from. How do you explain that to me?

Ms. Hudd replied, there are a lot of contaminants from the surface ground, from normal human activity that occurs on the ground, whether it be from animals, people, pollution. It does infiltrate down into the groundwater.

Mr. Lawrence asked, from people? What do they do, mess, do their business all over the Town of Wallingford in their lots and stuff like that where it gets into the sewer?

Ms. Hudd answered, it is not an extreme problem, but I am sure there are some individuals who do urinate outside.

Mr. Lawrence answered, that's all we got to do, just go around urinating all over the town. Sure we do, just like the grasshoppers and crickets.

Chairman Parisi asked that Mr. Lawrence treat Ms. Hudd with respect.

Mr. Lawrence stated, we were told that grasshoppers and crickets were polluting our wells. Dogs and cats were messing up the whole area and polluting our wells. Nobody else was polluting our wells. How many dogs and cats do you see in any area of Town here? You don't. Birds? The birds aren't around anymore. We used to feed 50-60 birds a day, now if we feed 10 birds a day, you've got a lot of birds. But they are the ones that have been doing all of this, dumping into the groundwater and it is coming into our wells. We want closure, definitely. I am tired of four years of this. When I went to the Mayor's Office, when he said to us that they were videotaping the sewer lines, I asked if I could look at the videotapes and the Mayor's first thing was, "you would have to be an X-ray technician to look at those to understand them." There is no problem with looking at them, it is just like you see this tape here, tomorrow when it's shown on TV., it is the same tape. And they gave me the work sheet to go along with it, which they made a big mistake. So I don't know why there is any problem of why they can't come up and give us some kind of relief. That is all we want or prove to us that the sewer doesn't leak or we will pay 100% of it, that's all we want.

Robert Sheehan, 11 Cooper Avenue stated, this has been going on for a long time. This is the second area in town that has complained about well contamination. I am saying that anyone who has been watching what has been going on here, tonight, will be thoroughly amazed that we are willing to spend \$50,000 to tear down the building next door and spend another \$90,000 to build a band shell and gazebo and our taxes have gone up so much that we can't afford to spend any money on that building and guess what, for that money we will spend that \$90,000 for a gazebo but to help people out with a test that might prove the Town isn't liable, God forbid, we should spend that money helping the citizen of that town that got burdened with excessive taxes this time. That is out of your own mouth. You could hide your head and get a thousand reasons but just listening to tonight, how do you deny someone whose taxes were tremendously raised this time and justify not giving that taxpayer a modicum of services he is entitled to. Your job, the Mayor's job and the job of every elected official in this town is the welfare of its citizens and taxpayers, no other thing is more important than the welfare of the people you represent; nothing. Here in your town is a segment of people that are not worth that consideration. You ought to be ashamed of yourself. Thank you.

Chairman Parisi replied, I just want to clarify something for you. I don't think the gazebo or band shell is going to be built.

Mr. Sheehan stated, you passed a resolution here that, put them together. You are going to knock it down and erect a band shell.

Chairman Parisi replied, I am just telling you that it isn't going to be, o.k.?

Mr. Sheehan answered, you had money for that.

Chairman Parisi replied, no, we didn't have money, that's why we are not doing it.

Mr. Sheehan answered, well, it depends on what day you are speaking.

Geno Zandri, 9 Balsam Ridge Circle asked, will someone explain why the dye testing would be inconclusive?

Ms. Hudd answered, part of their recommendation was to do rule outs and they are saying that if you had an aquifer contamination from run off and just because you are doing the tracer study, you have to rule out the contamination coming in with it from the groundwater table that is already there. So they are saying that you need to rule out all of those things versus just doing the tracer study.

Mr. Zandri asked, why would you say, if they only did the dye testing that that would be inconclusive as far as whether the sewer is leaking or not?

Ms. Hudd answered, part of the thing that they recommended doing was doing testing of the groundwater, itself, and looking for background of already fluoride or whatever product that it is that you are using as the tracer study. In other words, to do additional water sampling coinciding with the tracer study, to rule out that what ever it is that you are using, isn't already in the ground.

Mr. Zandri stated, so what ever dye or chemical they are using, they have to do that testing first.

Ms. Hudd answered, correct.

Mr. Zandri continued, then they could do the dye testing. If they did the dye testing, it would definitely be conclusive whether the sewer lines leak or not.

Ms. Hudd answered, not as a stand alone test because if you are using a tracer study which is what they are recommending based on fluoride, because you can get a count versus an absence or presence, which is the problem with using dye, which is why they recommended fluoride. Fluoride is already in our drinking water so that if it is coming, it is already there so it's potentially already in the groundwater so you need to do them simultaneously to rule them out.

Mr. Zandri asked, that is the only test that can be done? That's the only chemical that can be used?

Ms. Hudd answered, that is the chemical that they recommended using. I have also heard that you can use a radio nuclear type of tracer but I don't think we want to go there.

Mr. Zandri asked, if they did both of the tests, then you could definitely prove whether or not the sewers are leaking or not leaking?

Ms. Hudd answered, based on their report, you have to do four rule out tests in conjunction with the tracer study.

Mayor Dickinson stated, I think Geno is asking, if all of those were done, would it be a conclusive determination as to whether or not the sanitary sewers were contaminating the aquifer? My understanding is, they said it may not be conclusive. You can spend all of it and they may not have any more to tell you than what they did in the report that we have before us.

Mr. Zandri replied, but Mayor, if they do the preliminary tests to find out if the chemical they are going to use for the test is not present, that is the reason for the preliminary test and if they do that test and that chemical is not present, that would be the first step. Now you do your dye test through the sewers and it is present after you do that, to me, that would be conclusive. Because, where else would it come from?

Ms. Hudd answered, what it does is, it doesn't rule out those other potential sources including the most likely source, which is runoff. So just, in other words, there may be more than one source of contamination.

Mr. Zandri replied, that's possible, there may be but you can prove whether or not you're getting contamination from the sewer line.

Ms. Hudd answered, not according to this study, the way it is written up; it is saying that it would still be inconclusive.

Mr. Zandri stated, I am going to run by this one more time. The reason for the preliminary test is to prove that the dye that they are using for the sewer test is not in the area; it is not there; it is not in the groundwater. If they can prove that it is not there and then they use the dye in the sewer test, and now all of a sudden it is there, that's not conclusive?

Ms. Hudd answered, I will read the sentence...

Mr. Zandri replied, I don't care what they said, I'm just talking about common sense, here. Common sense says, if you don't have a chemical now, you put this chemical in the sewer line and now it appears, common sense says, it is the sewer line that is leaking.

Mayor Dickinson stated, I think one of the problems, Geno, is they have four different things that they are saying have to be done before you do tracer testing. So it is not just one,

it is four different. Then they said that would cost \$40,000. Then the tracer testing would be another \$40,000. and then an answer to a question, "would that give us a conclusive determination?" they said, it may or it may not.

Mr. Zandri answered, that's puzzling to me. Let me ask this; are we trying to find out whether or not the sewers are leaking or not leaking or has that already been determined?

Mayor Dickinson answered, the purpose of the study was to determine what sanitary sewer among other potential causes, what was the cause of the contamination of the groundwater? They did that overall analysis, using geology and records and everything else. Their conclusion was, the most likely cause of the contamination was surface water, going through cracks in the bedrock and reaching the aquifer. That is the most likely given what they have looked at. If you want to go further, they are saying that additional tests are necessary but their mission was to give us an idea of what was the cause or causes for the aquifer contamination. We didn't say that we had concluded it was one thing or another; we wanted an overall view which they gave us.

Mr. Zandri replied, the way for the Town to get out of the liability of helping the residents with the cost of running the water line is to prove to them that the sewers are not the cause.

Mayor Dickinson replied, we are not liable. It is not a question of proving a negative. There has to be evidence that we do contaminate, not that we don't contaminate. You will never prove a negative. You will never prove that we didn't contaminate. If there should be evidence that we do, now the initial testing of the wells indicated that the chemical testing indicating it was not sanitary sewer and that is consistent, those findings are consistent with this study now that says it is most probably surface water. Again, we do not have evidence that it is the Town's sanitary sewers. It is not a question of having evidence that it is the Town's sanitary sewers, we don't have evidence of it, but we keep spending money looking for evidence of it.

Mr. Zandri commented, but the thing is, that definitely could be one of the causes. I think it is right in the report that that's a possible cause.

Ms. Hudd answered, correct, including laterals could be also a potential source.

Mr. Zandri replied, that's right. I am not saying whether it is in the road or whether it is in somebody's front lawn, but that is a possible cause and, to me, the only way you are going to prove whether it is or it isn't, is to prove whether or not they are leaking or not leaking.

Ms. Hudd commented, one of the things that they looked at in the study is when the water testing was done on the wells, they looked at the chemistry of the water and the analytical results and some of the parameters that are normally found in effluent consistent in coming from the sewer line were not noted such as apparent color, chlorides and sodium. In the

study they were using it as additional proof as to why a more likely source is the storm water.

Mr. Zandri replied, I understand all of that but nothing is ever going to get resolved here unless you prove that the sewer lines are not leaking and, to me, the only way you can do is through this study. I agree with Bob Sheehan, I think we owe it to the residents there to prove that it is not the sewer lines that is causing the problem. I will leave it at that.

Jack Agosta, 505 Church Street, Yalesville stated, Mayor, you said in the paper that you have to have a majority of people who want to have water there or else you water won't go in there, is that a fact?

Mayor Dickinson replied, no, that is not a fact? I was asked, what would be the general procedure? The issue becomes one for the Public Utilities Commission and ultimately the Council. If twenty residents out of eighty-four or eighty-six indicate they want water and the others don't, then the P.U.C. has to say, "yes, we think we should put water in there, even though the majority, the vast majority don't want the water." That, then, would go to the Council and then the Council is in the position of saying, "yes, we are going to oppose the cost of this project against 80 sum people when only 20 want it." Could that happen? That could happen. I am not saying that couldn't happen but, as a general rule, people look for a majority will as far as what is desired for something of this nature where water or sewers or these utility improvements are being requested. If 1 out of 80 wanted it and there was will on the P.U.C. and the Council to say, "well, yes, we should do it", it could happen. But then all 80 will be paying for it even though 1 wanted it. That's what was being requested. There is not a rule that says it has to be a majority or any given number. It is a matter of practicality. What people feel comfortable in deciding when the result is an assessment of costs against property.

Mr. Agosta answered, it looks to me like this is never going to be resolved if the Town is at fault. It is has been going on so long. It is never going to be proven that the Town is at fault. I have a relative who has a home up there, he doesn't have polluted water but I am just waiting for the time that he does. He has a couple of young children. I am waiting for the time that it does happen. If we have polluted water up there, it is going to hit every one of those wells up there before we get through. It is just a matter of time. If you have to put the lines through there, help the people with the money. People have the impression that these people who have wells get their water for nothing. They paid extra money for sewers because when we got new water bills it shows that they were overcharged on the sewers. They dropped the sewer cost down. They were paying much more for sewers. They weren't getting something completely for nothing. I think those people deserve a break. We are never going to find out going through the way you are doing it, it's not going to be found out that the Town is at fault. That is the intention, not to find the Town at fault.

Vincent Avallone, 1 Ashford Court asked, is it the cost of the testing that is stopping you from doing this testing or is it a philosophical problem in that you don't feel the Town has

to disprove that they are causing a problem? Let me follow that up with an example; if this testing cost \$50., would the Town do it?

Mayor Dickinson replied, if it cost another \$50., I don't think that would be a major problem, presuming, I mean there are a number of things. You would have to have participation from all of the properties up there. There are other factors involved. Certainly, the price tag on this and the potential, given the price tag that it will not give us any more information than what we have, it really certainly makes me feel, and maybe others, that it is not money well spent.

Mr. Avallone stated, I guess that is the answer and who knows at what dollar amount you say, it's too much money to invest. At a certain cost, with full participation and all the other factors that you mentioned, at a certain cost the Town would go ahead and do this, but when you get over a certain cost, then we are not going to do it, is that an accurate statement?

Mayor Dickinson replied, not by itself, it is not accurate, because there is also the issue of what information you are likely to get from this. Again, we have no assurance that this is going to result in anything more than what we have now. That, certainly, plays an important role here. There's no assurance that this is a test that will determine once and for all without a doubt, conclusively, with great fanfare, exactly what the condition is out there. No one is representing that. That plays a very large role as well in determining whether it is an appropriate course.

Mr. Avallone responded, assurances aside, my initial question was, at \$50 or \$100 or whatever, it's worth it? You are going to get some valuable information. When you get to a certain plateau, then these other factors come in, whether or not it is conclusive or not, or whatever, whatever beneficial information you might obtain by performing this test. I don't know what is conclusive or not in this life other than what they say, taxes and death is definitely going to happen. I don't think you can definitely prove or disprove something 100%. But you are talking about a preponderance of the evidence; something that would make you feel more inclined to believe that this was causing a serious problem; we are talking about the health of these people. We are not talking insignificant injury here. I just get the feeling that you don't feel that the Town has the obligation to disprove something.

Mayor Dickinson replied, disprove what? There is no evidence at this point that supports the contention that the sanitary sewers are causing the problem. We are searching for information to tell us that but there is no evidence that I am aware of that supports the contention that it is the sanitary sewer.

Mr. Avallone answered, it may be circumstantial, Mr. Mayor, but there is something to indicate there is a likelihood, there is a possibility. When you say there is no evidence, I don't think you can say that.

Mayor Dickinson countered, a possibility is not evidence. We have evidence. We have the testing of the wells with no determination of chemicals or the presence of sanitary sewer in the wells, that's evidence. It has been consistent. We have also paid for a study and the study cost \$16,000 for a study to try and determine what was the cost of the contamination. That study comes back and says it's most likely surface water runoff. Again, there's no evidence, there might be a possibility, but that's not evidence. There's no evidence supporting the contention that its sanitary sewers.

Mr. Avallone asked, well then why are they saying there is a possibility that it is...

Mayor Dickinson replied, a possibility is not evidence.

Mr. Avallone stated, well, they came to that conclusion after they did this testing. They did some tests, as a result of these tests, this is a possibility. Why is that not evidence? It may not be the kind that you're looking for but don't say; in my opinion, that's some evidence. Don't say there's no evidence.

Mayor Dickinson replied, I'm sorry. I'm not going to debate it. That is not evidence.

Mr. Avallone stated, I don't want to debate, I just want to come to some conclusion here. At a certain price, the Town go forward with this and at a certain price, they wouldn't. Is that accurate?

Chairman Parisi replied, I don't agree with that, but if that's you're perspective.

Mr. Avallone replied, no, no, I asked the Mayor that. I think he said yes. I think he said yes.

Chairman Parisi replied, I don't think he did.

Mr. Avallone asked, you didn't say yes to that? You didn't say, "maybe for \$50 that we would do that"? I don't know, I just want to get an answer. I'm trying to get an answer and I think that's what the Mayor said; \$50, he would do it.

Chairman Parisi stated, No, I don't think he said that and I'm not going to debate that. Let it be where it is.

Mr. Lawrence asked, where did the money come from that paid for this testing? The P.U.C.? The Water Division? The general fund?

Mayor Dickinson answered, I think the money was transferred into the Health Department, I believe from the reserves, the general purpose reserve.

Mr. Lawrence stated, they must have a lot of money there, then.

Mayor Dickinson replied, they? It's the Town of Wallingford's budget. We move money from one place and moved into, and I believe that was the source of the funds. Ray (Smith), do you remember? Ray Smith is nodding his head yes. It did not come from the utilities so it came from tax collections and I believe it was from the general purpose reserve.

Mr. Lawrence answered, I think it should have come from Water & Sewer Division because it is their problem. They are the ones who have been fighting with us.

Mayor Dickinson replied, we didn't it wanted tainted by having Water & Sewer in control of the study or what it was going to do so the Health Department became the lead agency and they achieved their funding from the budget which is supported by taxation. Water/Sewer, we felt, would be viewed as having an interest in proving that they weren't involved so we really didn't want the Water/Sewer or the department to be in charge of the study.

Mr. Lawrence stated, they were the one who fought us all along. They were the ones who told us, "you can't do this and you can't do that." They have increased the sewer rate, then they brought it down. They increased the water rate. I think they are responsible for paying this bill. They have a big surplus down there. They should use some of that money. We are entitled to it. Tighe & Bond I don't think do dye testing.

Ms. Hudd replied, they submitted a quote on a tracer study, not a dye test.

Mr. Lawrence replied, they don't do it. As far as I was understanding, I met with them in the Library there, they don't do this kind of work. You have to go to another firm that specializes in this dye testing or what ever you want to call it. They do not do it. But you are basing all of your information on groundwater flow, right?

Ms. Hudd replied, on the hydraulics.

Mr. Lawrence stated, you say that you have no proof of what's in our wells. Our wells show e-coli testing, coliform.

Ms. Hudd answered, that's correct.

Mr. Lawrence asked, where does that come from?

Chairman Parisi stated, we have been over this territory several times.

Mr. Lawrence stated, the Mayor said there is nothing from the sewers in our wells. E-coli comes from the sewer

Ms. Hudd answered, it comes from the intestinal tract from humans and animals.

Mr. Lawrence added, and animals and it has to come down through the sewer line and it comes into our wells. That's all I have to say. The Mayor said there is no trace of sewage in our wells, but it is in there. E-coli only has two sources, animal or human and that is the only way it gets in there. How do we get groundwater? It has to get some kind of contamination; it has to go through a stable, a cow barn or somewhere to get this contamination and bring it into our wells or it can be running along side our sewer lines which are leaking. They never said that. They are going to tell you for \$16,000., they are going to make you feel good and that is just what they did. Thank you.

Mr. Vumbaco stated, I am not going to get into a major debate on this. I think this is something that we should be doing for the citizens so I am going to make a motion.

Motion was made by Mr. Vumbaco the Town Conduct a Tracer Test and Put the Services out to Bid, seconded by Mr. Brodinsky.

Mr. Brodinsky stated, I have a brief comment which is a clarification. This occurred during the discussion with Mr. Zandri as to what is conclusive and what is not conclusive. On page 8.4 of the Tighe & Bond report and also based upon the statements made by the engineers, the dye test or tracer test could be conclusive under the circumstances. You put the dye in the sewer and the dye then shows up in the well, that is conclusive evidence that there is leakage from the sewer to the well. That is what they said at the meeting and that is what they say on page 8.4. It may not be conclusive if the dye doesn't show up because the sewers could still be leaking into the well but the dye may not make it that far into the well and on that basis they say, well it may not be conclusive. But if that dye shows up, that's proof. That's what they said at the meeting, and that's what they said here. And they also said that the dye test, or tracer test or the fluoride test, is the best test that you can devise to make that connection or disprove that connection. In reading their report I don't see anywhere where it says you have to do these other preliminary tests to get to the heart of the matter and do the dye testing. Thank you, Mr. Chairman.

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

ITEM #12 Withdrawn – Mr. Brodinsky agreed to withdraw this item and will submit it for placement on the September meeting agenda.

ITEM #13 Withdrawn

ITEM #14 Report Out from the Chairman of the Golf Course Study Committee as Requested by Chairman Robert F. Parisi

Tom Zappala, Chairman of the Golf Course Study Committee introduced John Gilmore, an architect volunteering his service to the committee.

Mr. Zappala stated that Mr. Gilmore has experience designing golf courses and can answer any questions the Council may have with regards to the land use issues involved in designing and building a golf course.

He went on to say that the committee had been in attendance for most of the evening but left, due to the lateness of the hour. The golf course committer has been in existence for over twenty years, Mr. Zappala stated, but he has been involved for only the last eight years. There have been many disappointments over time, the last occurring when a piece of land was identified on which to build a course but it turned out to be mostly wet. There was not enough land to build an eighteen hole course as the committee had hoped. It has been very disappointing to the committee who have been dragging on for the past twenty years trying to achieve what the people of Wallingford would like to have, a municipal golf course.

Mr. Zappala stated, I know that some people have a different attitude towards another golf course in Wallingford. But I strongly believe that a golf course is not any different than a baseball or soccer field and provides recreation to a family that likes to play golf, as us golfers know, and is in great demand. We are pleased with the study that the National Golf Foundation made that shows that a good golf course in Wallingford would be able to not only exist but to pay for the expenses that it has to endure. The study was very positive. We felt encouraged that there was a possibility a course could be achieved at the location. I gave you a map of 140 acres of land owned by Mr. Gouveia...of which 100 acres he could easily do without. He said it would be an easy task to get the State Agriculture Department to release that to put a golf course on the land. There is a possibility it can be done. I'm sure not looking for any more work than I already have, I thought I was going to get out of this endeavor, but I don't leave anything undone until I find a stone wall that I can't do any longer. I believe there is a possibility that we will be able to, through our Law Department, be able to change that, to be able to have enough land to have a golf course in that area. As you remember, when we did soil testing on the Cooke property that the Town owns, with 109 acres of good land that you could build on it. There were 29 acres that were questionable, giving us a total of 138 acres. I think the land owned by Mr. Gouveia, should the Town decide to purchase it, added to what we already own, would give us the solution to, if it is the wish of the Town to do so, develop a golf course in that area. Mainly because the study was positive and mainly because I think it is the only other possibility that exists today, I feel that there would be no reason for the Golf Committee to continue to exist any longer if this cannot be achieved. The first study performed by NGF was positive and stated that the course would pay for the expenses and the running of the golf course. Owning the land and.....is going to go after the expenses. That is something which has to be decided and re-studied. Mr. Gouveia is willing to let any soil scientist go through his property to test his soil before anything is done. I think before we spend any money, let's find out if the soil is good enough to be able to use it.

Chairman Parisi asked, how much more land do we have to get? How much more do we need?

Mr. Zappala answered, it takes 140 acres to develop a golf course, roughly. We might have 138 questionable; 109 for sure.

Chairman Parisi asked, how much would we need from him do you think?

Mr. Zappala answered, I don't know, you would have to have it soil tested.

Chairman Parisi replied, let's just say that what we have is o.k.. How much land would we then have to get to fill in?

John Gilmore replied, it is difficult to say. We have a lot of wetlands on the 77 acre parcel which is on the east side of Cooke Road. In order to make the golf course effective, you have to have all the holes contiguous so that it plays well. I am not sure what to say at the present time, in terms of how many more acres we need without doing a layout of the whole course. Before we did that we would have to investigate the wetlands on the property as well.

Chairman Parisi asked, how much would the wetlands study cost?

Mr. Gilmore replied, I would suggest that the Town engage a soil scientist, magnitude of order, maybe \$1,000 to have him walk the site with a topographic map. I have used the Town's topographic maps in the past. They are somewhat dated but for this particular part of town they are pretty effective. I would have them schematically show the boundary of the wetlands on it. It would be cheaper than putting flags in the field and having it surveyed. It is probably a good thing to do initially. I would actually make four recommendations to the Town; one is that the Law Department first review the deed of this property to find out whether the use of a golf course is a compatible use, given the fact that the development rights have been purchased already by a state agency; second, that an environmental assessment of the property be done. By that I mean that it has been an agricultural use for a number of years and while most people think that is a pristine use, I have come across situations in the past where agricultural properties have actually caused contamination. The third thing would be to field identify the wetlands as we just talked about and the fourth would be to prepare a schematic layout of the 18-hole golf course, trying to utilize the two town parcels to the extent that we can, given the fact that there is wetlands there. I, as the rest of the Town, was somewhat surprised by the magnitude of wetlands on the property. But, for a number of years it was in agricultural use, which is a permitted use, of course, under statute.

Chairman Parisi asked, what are we talking for dollars here? That is always the bottom line for everything? Do you have any suggestions?

Atty. Small stated, soil scientists, to do the mappings, they are not an expensive proposition. There is a statutory process for undoing the development rights and the Council would have to endorse the proposal; there has to be a referendum; there has to be the approval of the

Commissioner of Agriculture. I can't remember which comes first, the referendum or the Commissioner's approval. It is a very involved process but it is a process available. Do you know if this land is Class I or Class II?

_____ replied, I don't know that it is.

Atty. Small answered, I think I would ask that question first because if it is Class I or Class II, the Health Department will say no. I hate to be bottom line about it, but we have this battle with the Public Health Department if it is Class I or Class II, unless you can get that land, after going through the other process, incorporated into the statute which exempted the Cooke property from the Health Department jurisdiction, they will claim jurisdiction and they do not approve of golf courses.

Chairman Parisi asked, who finds that out, you?

Atty. Small answered, we can find that out relatively easy from the Water Department.

Chairman Parisi stated, the reason I am trying to find out how much land is because, if they are not ready to spend the money, then what's the sense of going through all this jumping through hoops for another ten years. That's my opinion.

Mr. Zappala replied, I understand you perfectly. I talked to Mr. Gouveia. I am not in a position to negotiate any prices. I think, off the record, the price that he told me he would ask for is very, very reasonable, compared to what we purchased land. It is almost as cheap as the one we sold in Durham, where we gave it away. I think it can be negotiated easy and I think he is willing to deal with Janis or the Mayor.

Mayor Dickinson stated, disregarding price, the property was purchased with it having the restriction that it is only used for agriculture. If that should be lifted, there is a potential that the State of CT. would want to be paid back for the money that was used, the state funds, to purchase the development rights. I believe there would be one price to the current owner, but I believe there would also be an amount of money that would have to be paid to the state to recover the development rights.

Chairman Parisi asked, do you know that? Are you not sure?

Mayor Dickinson replied, I am fairly certain that is the case. It all has to be researched. I just didn't want to leave it that the purchase price would be what the current land owner wanted.

Mr. Zappala added, Mr. Gouveia told me about that and I am sure it wasn't that much money we talked about. He talked about how much the state would want and it wasn't that much; \$3,000. is what he told me; a couple of thousand dollars. That is what he told me.

Chairman Parisi asked, can't we find out?

Mayor Dickinson replied, it all has to be researched. I don't know what the development rights were worth when it was first purchased. This may have been farm property when the rights were purchased by the stated.

Chairman Parisi asked Atty. Small if she could look into the matter?

Atty. Small replied, yes, we could report back to you whether the property is Class I or Class II, get an estimate for the soil scientist, write out for the Council the statutory procedure for getting rid of the development right restriction and whether or not there is any financial penalty with that release. I can report back to you on that.

Chairman Parisi asked, is that alright, Mr. Zappala?

Mr. Zappala answered, that is fine. The committee has tried to proceed with the recommendation that the NGF has made for a high quality golf course facility on the property. They do not want to achieve anything less than that for anything less that that would fail to support itself.

Chairman Parisi stated, I have worked right along side of you and have never seen anyone so dedicated to a project as you have been to this. You really are to be commended. This has been walking through the valley of hell. Every time you turn around something explodes. Hopefully, we can resolve some of this and get to somewhere where we are going to get final answers.

No Action Taken

ITEM #15 Withdrawn

Addendum

ITEM #16 Executive Session Pursuant to Section 1-200(6)(B) of the CT. General Statutes With Respect to a Pending Claim

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

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

The Council entered executive session at 10:50 P.M.

Present in executive session were all councilors, Mayor Dickinson and Atty. Small.

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

VOTE: All ayes; motion duly carried.

The Council exited executive session at 10:59 P.M.

ITEM #17 Not addressed

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

VOTE: All ayes; motion duly carried.

There being no further business the meeting adjourned at 11:00 P.M.

Meeting recorded and transcribed by:

Kathryn F. Zandri
Kathryn F. Zandri
Town Council Secretary

Approved by:

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

1-28-03
Date

Rosemary A. Rascati
Rosemary A. Rascati, Town Clerk

1-28-03 Date
RECEIVED FOR RECORD 1-14-03
AT 10 M A AND RECORDED BY
Rosemary A. Rascati TOWN CLERK

Appendix I

**Cost Comparison for Voter Mailing
Registrar of Voters
August 20, 2002**

QUANTITY 25,600 VOTERS

POSTCARDS IN HOUSE

Postage	5,888 @.23 a piece
Contious form fed cards	587.52
Labels	162
TOTAL	6,637.52

LETTERS MAILED IN HOUSE

Postage	6,348.88 @ .248 a piece
Central Services Billing/Stuffing	1,000
Envelopes	552
Paper	150
Toner	300
TOTAL	8,350.88