TOWN COUNCIL MEETING

FEBRUARY 23, 1999

<u>6:30 P.M.</u>

ADDENDUM TO AGENDA

- 15. Consider and Approve the Settlement of the Matter of Michael Cain v. Town of Wallingford
- 16. Executive Session Pursuant to Section 1-18a(6)(A) of the CT. General Statutes Pertaining to the Appointment, Employment, Performance, Evaluation of a Public Officer or Employee

TOWN COUNCIL MEETING

FEBRUARY 23, 1999

<u>6:30 P.M.</u>

SUMMARY

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Agenda Item

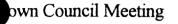
- 2. Correspondence No items presented
- 3. Consent Agenda Items #3a-d
- 4. Withdrawn

5.	PUBLIC QUESTION AND ANSWER PERIOD - Questions Re: Reason Special Town Council Meeting on Proposed Power Plant was not televised: Complaint Re: Speeding traffic in town; Town-owned Land in Durham update; Status report on Wooding/Caplan Property; Comments Re: Lack of Television Coverage for Special Mtg. Of 2/16/99 on the Proposed Power Plant; Request for update on Progress of Community Pool Project/Linear Trail; Comments re: Community	
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PUBLIC QUESTION AND ANSWER PERIOD

Pasquale Melillo, 15 Haller Place, Yalesville asked, why wasn't the last special meeting on the proposed power plant televised?

Mr. Parisi replied, it was not a public hearing but a report out and those are not normally televised.

Mr. Melillo stated, PP&L has numerous acquisitions and have extended themselves by borrowing money to finance quite a few of these acquisitions. If they go bankrupt how is that going to effect us?

Mr. Parisi was of the opinion that PP&L was a financially-stable company and would not be going bankrupt. Reportedly, PP&L have only spent \$100,000 on this project to date.

Ir. Melillo stated that a good number of people see him on television at these Town Council meetings and have asked him to bring the issue of speeding to the Town Council's attention. He states that they are concerned with the number of cars speeding in and around the town.

Mr. Rys stated, there is a selective enforcement program being conducted by the Accident Investigation Unit of the police department whereby they designate particular schools on certain days at which a radar unit will be placed.

Mr. Parisi stated, I have seen a lot of cars pulled over but I think it may be seatbelts.

Mr. Melillo next asked about the status of the town-owned land in Durham.

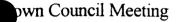
Mr. Parisi reminded Mr. Melillo that the question was asked at the last meeting and the response given at that time by the Mayor was that we have not yet heard from Durham. When the Mayor arrives at the meeting tonight we can ask if there is any new information but I don't believe we have heard anything since the last meeting.

r. Melillo stated, as I understand it, Durham has exclusive rights to buy the land as of now.

Mr. Parisi disagreed. We have to offer it to them, there is no exclusive rights.

Mr. Melillo stated, then that means that any individual can come and make an offer on the property.

Mr. Parisi replied, we have to talk to them (Durham) first.



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Mr. Melillo stated, then they do have exclusive rights.

Mr. Parisi replied, they have to be offered the land; it is not an exclusive right, they have to have the land offered to them. If they decide they want to buy it, that's one thing and if the don't want to buy it then I believe it goes on the market. They have the right of first refusal if you want to call it that. It is not exclusive.

Mr. Melillo asked, what if another party comes in and makes an offer?

Mr. Parisi answered, we are not taking offers right now.

Mr. Melillo stated, then doesn't it figure that Durham has exclusive rights?

Mr. Parisi answered, if it makes you feel better to call it exclusive, then do that; you call it that. We doing what we have to do.

Mr. Melillo stated, it would be in the best interest of Wallingford to have open competition on the property, allowing any party to buy it. It seems that we are working more for the Town of Durham and not Wallingford. That should be changed.

Philip Wright, Sr., 160 Cedar Street asked, is there any action on the Wooding/Caplan Property?

Mr. Parisi stated, I can't officially tell you that there is; I think there is some discussions going on over it. I cannot officially tell you where it is at.

Mr. Wright asked, you (the Council) have responsibility for that land, right?

Mr. Parisi answered, yes we do.

Mr. Wright stated, it seems that someone on this Council should keep themselves apprised of the situation so that you can answer questions that are asked.

r. Parisi answered, I said there is movement on it but I cannot officially say that what stage it is at.

Mr. Wright stated, I know there is a landowner whose land is crucial to this and he has never been approached. I don't understand how it can be moving and this individual would not be a part of it. He has never been approached.

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Mr. Parisi asked, who is that individual.

Mr. Farrell asked off microphone for Mr. Wright to state the landowner's name.

Mr. Parisi stated, either say the name or tell us after the meeting.

Mr. Wright responded, Steve Slaker; the package store. I talked to him the night before last and he said that no one has ever approached him.

Mr. Farrell stated, that is not true.

Mr. Parisi stated, perhaps he doesn't want to

Mr. Wright stated, the relationship I have with him, I do believe it is a fact. I will check on that, Jerry (Mr. Farrell) and you know that that is not true?

Mr. Farrell replied, I have spoken with him personally Phil.

Mr. Wright asked, therefore you have made some kind of an.....

Mr. Farrell answered, I have not said anything about price. We know he is possibly interested. I have communicated that back. We don't have to get into forty questions. You are saying that he has never been approached. He talked to me and I have passed his comments on.

Mr. Wright answered, O.K., it just seems the thing is languishing still.

With regards to the meeting on the generation plant, Mr. Wright sated, the Mayor two weeks ago stated that the reason we could not have the camera crew here was because things could not be arranged and the like. The camera crew was scheduled to be here in Council Chambers that night to record the Zoning Board of Appeals meeting. They were available. Maybe what you said, Mr. Parisi, was closer to it ; you didn't want to do it, is that correct? You are the one that said no televising?

The Parisi answered, we have tried to maintain a consistent approach to this. Our policy has been that these meetings have not been televised.

Mr. Wright answered, that policy ought to be reviewed when you have an important thing as that.

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Mr. Parisi stated, all it was was a report. Quite frankly, there was not much that was new in it. It was not very different from the one we had previously.

Mr. Wright stated, I got something out of it.

Mr. Parisi answered, I didn't.

Mr. Wright stated, I think a lot of people out there in the viewing audience would have too.

Mr. Parisi stated, it wasn't any different from the first presentation.

Mr. Wright answered, and that should have been televised too. This is an important thing for all the people out there to know and they ought to know whether they are going to be subjected to a lot of noise and the like.

Ir. Parisi answered, I am sure at that point down the line when it has to be on television it will be. This is very premature where we are at right now.

Mr. Wright responded, that is a matter of opinion.

Robert Sheehan, 11 Cooper Avenue stated, Spring is fast approaching; how are we doing on Community Pool?

Mr. Parisi stated, I had a conversation with Mr. Dooley and I was told that we are on schedule.

Mr. Knight stated, during the Fall we had a discussion about the pool at which time it was stated that it was necessary to put off the paving until the Spring which might possibly push off the opening of the pool until July. The hope is that, with such a mild winter, that won't happen. We had no idea back then what it was going to be. It sounds to me, from talking to many people, that we are very much on schedule. The completion of the project seems to center around the paving. That is the part that is essential and we don't know at this point, Winter is not over, exactly when that is going to take place. We have not run into any snags.

r. Sheehan stated, good, I hope it continues that way and it opens in June rather than July.

Mr. Melillo stated, I have not heard much about the Linear Trail; would anyone like to report out on the latest developments?

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Mr. Centner stated, there is a very important meeting scheduled for Thursday, March 4th which will be a public information meeting. We are going to have our vision and design engineers in attendance along with Town Engineer, John Thompson to give a status report to the public as to what the vision plans are for the trail and the design of Phase I. The public will ask questions during a public question and answer period and it will probably be one of our most important meetings.

Mr. Melillo next asked about Community Lake. He asked if some thought should be given to changing the name of Community Lake since it really cannot be referred to as a lake anymore.

Mr. Parisi responded, we have a long way to go before we have to worry about the name. I know what you are saying; it may be Community Pond or something. That is probably a good idea at some point.

Mr. Melillo next discussed the issue of what height the reconstructed dam should be built to. The lake was deeded to the town and several lawyers have different interpretations of the deed strictions with regards to the height of the dam.

Mr. Parisi explained, the State is not interested in reconstructing the dam to a height of twelve feet.

Mr. Melillo stated, we should do our best to get that ironed out legally.

Mr. Parisi answered, the (Community Lake Study) Committee has worked long and hard to attempt that but I don't believe it is in the cards.

Mr. Melillo was concerned that the taxpayers would have to bear the cost of a lawsuit if the dam is not reconstructed to its original height.

At this time the Chair declared the Public Question and Answer Period closed.

ITEM #6 Consider and Approve Seven (7) Appointments/Re-Appointments to the Board of Ethics - Mayor

Motion was made by Mr. Rys to Re-Appoint the Following Individuals to the Board: Mary Conant hose term expires, 3/01/2000; Rev. Brendon McCormick, term expiring 3/01/2001; James Kendall, term expiring 3/01/2001; Laurie Manke, term expiring 3/01/2002; G. Randolph Erskine, term expiring 3/01/2002 and alternates Willard Burghoff, term expiring 3/01/2001 and Jack Winkleman, term expiring 3/01/2002, seconded by Mr. Farrell.

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Mr. Zappala stated, I will vote against this action because I do not see a balance (of representation) of democrats against the republicans. I don't know if there should be any or not but we have five republicans against one democrat. I know the committee is not a very active one but I would have thought that there would have been more of a balance between the two parties.

Mr. Parisi responded, throughout the history of this town it has more or less been the policy but on occasions it hasn't. If you look through, you will find it very interesting.

Mayor Dickinson asked, did you check those registrations out?

Mr. Zappala replied, yes I did. We have five republicans, one democrat and one unaffiliated.

Mayor Dickinson stated, one must have changed their registration.

Mr. Zandri asked, is there a requirement pertaining to the make up of a board?

Mr. Parisi replied, no, as long as there is one minority member.

fayor Dickinson answered, I think there is a requirement. Adam (Mantzaris) will check into it.

Mr. Parisi stated, on the Housing Authority there wasn't. The Housing Authority had three democrats; four democrats and one republican or something like that.

Mayor Dickinson asked, did you (Mr. Zappala) just check those registrations?

Mr. Zappala answered, yes, I just checked them this week. Mary Conant is unaffiliated; Rev. Brendon McCormick to my surprise is a democrat and the rest are republicans.

Mayor Dickinson stated, Atty. Mantzaris has gone to his office to get a copy of the State Statute which relates to whether or not the committee make up conforms to the statute or not.

Mr. Parisi called for a motion to table the item for the time being.

Motion was made by Mr. Farrell to Table the Item, seconded by Mr. Knight.

VOTE TO TABLE: All ayes; motion duly carried.

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ITEM #7 Consider and Approve a Lease Agreement Between the Town of Wallingford and the Committee on Aging, Inc. For the Use of Premises Known as 284 Washington Street for a Term of One (1) Year Beginning September 1, 1998 - Mayor

Motion was made by Mr. Rys to Approve the Lease and to Append a Copy of it to the Minutes of the Meeting, seconded by Mr. Knight.

Pasquale Melillo, 15 Haller Place, Yalesville asked about the term of the lease starting in September of the year 1998.

Corporation Counselor Adam Mantzaris stated, we neglected to pick it up with the lease actually expired but there is no problem in backdating a lease as long as both parties agree.

Mr. Melillo asked, the date of 1998 is correct?

Atty. Mantzaris answered, yes it is.

Mr. Melillo asked for a detailed explanation of what the lease is all about.

Mr. Rys explained, it is to provide services for the elderly residents for a term of one year for a rental fee of one dollar per year.

Mr. Parisi offered Mr. Melillo a copy of the lease so that he could review the details himself.

Mr. Melillo stated that he wanted it explained into the record so that the residents viewing the meeting will have more information on the subject. It is very vague.

Mr. Parisi stated, I don't think there is any question here, on the Council.

VOTE: All ayes; motion duly carried.

ITEM #6 Motion was made by Mr. Rys to Remove Agenda Item #6 From the Table, seconded by Mr. Farrell.

VOTE: All ayes; motion duly carried.

ITEM #6 Consider and Approve Seven (7) Appointments/Re-Appointments to the Board of Ethics - Mayor

Motion was made by Mr. Rys to Re-Appoint the Following Individuals to the Board: Mary Conant whose term expires, 3/01/2000; Rev. Brendon McCormick, term expiring 3/01/2001; James Kendall, term expiring 3/01/2001; Laurie Manke, term expiring 3/01/2002; G. Randolph Erskine, term expiring 3/01/2002 and alternates Willard Burghoff, term expiring 3/01/2001 and Jack Winkleman, term expiring 3/01/2002, seconded by Mr. Farrell.

Mayor Dickinson stated, the State Statute would apply, however on a five member board the maximum from one party would be four. We would comply but we comply more than that; the Board has five regular members which are three republicans, one independent (unaffiliated) and one democrat. There are two alternates and I believe that one position is open that had been filled by a registered democrat and that is open at this point. On the Board, itself, there are three republicans, one unaffiliated and one democrat.

Mr. Parisi asked, are you saying that there is one additional alternate position that is open?

Mayor Dickinson answered, yes.

Mr. Parisi noted that it was not listed in the Mayor's correspondence.

Mayor Dickinson stated, there isn't someone to appoint to the position at this time.

Mr. Zappala asked, if by any chance the one democrat and unaffiliated cannot attend a Board of Ethics Meeting, would there be five republicans holding the meeting?

Mayor Dickinson answered, that could happen on any board. That would be true for Planning & Zoning or anywhere if you had certain people not able to attend and filled by vacancies on the other side of the party registration; that could happen.

Mr. Parisi stated, as I said, I believe that happened on the Housing Authority years ago because my dad was the one lone republican; that is how I remember it.

Robert Sheehan, 11 Cooper Avenue stated, by Town Charter, so long as there is no business happening with a board, the members can still sit but everyone on this board, their term has expired. I am led to believe that the only reason for re-appointing them is, there must be work they have to do a sinst someone, usually that is the way it works, am I correct?

Mayor Dickinson stated, I was contacted by the Chairperson who indicated that the terms had expired and there is need to re-appoint. Beyond that, it would be up to the members of the Board to

idicate whether they have business or not. I was contacted regarding the expiration of the terms and the need to re-appoint.

Mr. Sheehan asked, is it a five year term?

Mayor Dickinson answered, it is a staggered term; three years.

Mr. Sheehan stated, most of them have been expired since 1998.

Mr. Parisi stated, the terms do not expire until someone is appointed or re-appointed. They stay in their positions until they are re-appointed or there is another appointment to the position.

Mr. Sheehan stated, if they don't have anything to do then they stay on the Board. To be reappointed, there is work for them now.

Ms. Papale stated, if there was work for them tomorrow; if something came up and it was an emergency, the people who are there now would just automatically discuss it and vote on it, without this re-appointment. I really believe this re-appointment is being done because there may be a hairman, Chairperson or Vice-Chairperson who does not want to be doing that anymore so they want to vote for different people to head the committee.

VOTE: Papale, Zandri and Zappala, no; all others, aye; motion duly carried.

At this time Mr. Parisi asked if any members of the Board of Ethics were present at the meeting to be sworn in.

Laurie Manke and Mary Conant came forward at this time and were officially sworn in by Town Clerk Rosemary A. Rascati.

ITEM #8 Consider and Approve a Transfer of Funds in the Amount of \$15,000 from Contingency General Purposes Acct. #8050-800-3190 to Professional Services - Specialists Acct. #001-1320-901-9003 - Town Attorney

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

This transfer is being requested due to the fact that a lengthy tax appeal case consumed a good portion of the funds in the Law Department's line item. The office is about to commence several foreclosure actions and additional funds are needed to cover the appraisal expenses associated with these actions. Also, additional funds will be needed for pending tax appeals which are presently

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moving along quickly through the court system. A major tax appeal trial is scheduled for April. Finally, if the town has any interest in the purchase of new property, funds will be needed to cover those appraisals.

Mr. Knight asked Atty. Mantzaris if he could provide the Council with a little more detail regarding the foreclosure matters?

Atty. Mantzaris could not. He stated that the Omnipoint peer review placed a large drain on the budget. The Town was reimbursed the cost of the review however it went back into the general fund and did not come back to the department's budget. That is the main reason the account dropped as quickly as it did. In addition, there is a lot more work this year than the department has seen earlier. He apologized for not being more specific.

VOTE: All ayes; motion duly carried.

ITEM #9 Executive Session Pursuant to Section 1-18a(6)(B) of the CT. General Statutes Pertaining Pending Litigation Involving Worker's Compensation

- Michael Cain v. Town of Wallingford
- Robert Kohl v. Town of Wallingford
- Thomas Kuntz v. Town of Wallingford
- Concetta Parete v. Town of Wallingford

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

Mr. Farrell stated that he would excuse himself from the Executive Session Pertaining to the Matter of Robert Kohl v. Town of Wallingford due to the fact that Mr. Kohl has an ongoing vendor relationship with Mr. Farrell's Law Office.

VOTE: All ayes; motion duly carried.

The Council entered executive session at 7:16 P.M.

Present in Executive Session with the Town Council was Mayor Dickinson, Atty. Mantzaris, Mark ilson, Risk Manager, Atty. David Weil of the Law Firm of Nuzzo & Roberts, LLC and Terence Sullivan, Personnel Director.

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

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OTE: All ayes; motion duly carried.

The Council exited executive session at 7:48 P.M.

ITEM #10 Consider and Approve the Settlement of the Matter of Robert Kohl v. Town of Wallingford

Motion was made by Mr. Rys to Approve the Settlement of the Matter of Robert Kohl v. The Town of Wallingford, seconded by Mr. Zappala.

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

ITEM #11 Consider and Approve the Settlement of the Matter of Thomas Kuntz v. Town of Wallingford

Motion was made by Mr. Rys to Approve the Settlement of the Matter of Thomas Kuntz v. Town of Wallingford as Discussed in Executive Session, seconded by Mr. Farrell.

OTE: All ayes; motion duly carried.

ITEM #12 Consider and Approve the Settlement of the Matter of Concetta Parete v. Town of Wallingford

Motion was made by Mr. Rys to Approve the Settlement of the Matter of Concetta Parete v. Town of Wallingford as Discussed in Executive Session, seconded by Mr. Farrell.

VOTE: All ayes; motion duly carried.

 $\underline{\text{ITEM #15}}$ Consider and Approve the Settlement of the Matter of Michael Cain v. Town of Wallingford

Motion was made by Mr. Rys, seconded by Mr. Farrell to Settle the Matter of Michael Cain v. Town of Wallingford as Discussed in Executive Session.

VOTE: All ayes; motion duly carried.

<u>EM #13</u> PUBLIC HEARING on an Ordinance Appropriating \$230,000 for the Acquisition of Real Property Consisting of 41 Silk Street, Wallingford and Authorizing the Issuance of \$230,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary

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Borrowings for Such Purpose (the ordinance authorizes the property to be utilized for a senior center or other purposes as determined by the town).

Motion was made by Mr. Farrell to Read the Title and Section 1 of the Proposed Bond Ordinance in their Entirety Into the Record and to Waive the Reading of the Remainder of the Ordinance and Incorporating Its Full Text into the Minutes of this Meeting, seconded by Mr. Centner.

VOTE: All ayes; motion duly carried.

AN ORDINANCE APPROPRIATING \$230,000 FOR THE ACQUISITION OF REAL PROPERTY CONSISTING OF 41 SILK STREET, WALLINGFORD, AND AUTHORIZING THE ISSUANCE OF \$230,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Section 1. The sum of \$230,000 is appropriated for the acquisition of approximately one-half acre of land and improvements thereon known as 41 Silk Street in Wallingford, for a senior center or other Town purposes as the Town may from time to time determine, and for demolition of structures thereon, tenant relocation expenses, appraisal, testing, environmental remediation, surveying, title insurance and such other expenses necessary or appropriate for such acquisition, and including administrative, advertising, printing, legal and financing costs related thereto. The Mayor is authorized to negotiate the terms and purchase price for the purchase of the parcel and to sign purchase contracts and documents necessary to transfer title to the Town of Wallingford.

Section 2. To meet said appropriation \$230,000 bonds of the Town or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the twentieth year after their date. The total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the Town by the manual or facsimile signatures of the Mayor, the Comptroller, and the Town Treasurer, or any two of them, bear the Town seal or a facsimile thereof, be certified by a bank or trust company designated by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, and be approved as to their legality by Murtha, Cullina, Richter and Pinney LLP, Attorneys-At-Law, of Hartford. Thev shall bear such rate or rates of interest as shall be determined by the Mayor, the Comptroller, and the Town Treasurer, or any two +ham The bonds shall be general obligations of the Town

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

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

The Mayor, the Comptroller, and the Section 4. Town Treasurer, or any two of them, are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, have the seal of the Town affixed, be payable at a bank or trust company designated by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, be approved as to their legality by Murtha, Cullina, Richter and Pinney LLP, Attorneys-At-Law, of Hartford, and be certified by a bank or trust company designated by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, pursuant to Section 7-373 of the General Statutes of Connecticut, as amended. They shall be issued with maturity dates which comply with the provisions of the General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of

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the Town are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the project. Upon the sale of said bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Resolution of Official Intent to Reimburse Section 5. Expenditures with Borrowings. The Town (the "Issuer") hereby expresses its official intent pursuant to §1.150-2 of the Federal Tax Regulations, Title 26 Income (the "Regulations"), to reimburse expenditures paid sixty days prior to and after the date of passage of this ordinance in the maximum amount and for the capital project defined in Section 1 with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the Issuer. The Bonds shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the project, or such later date the Regulations may authorize. The Issuer hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Comptroller or his designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration.

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

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The Chairman opened the hearing to the public at this time.

Robert Sheehan, 11 Cooper Avenue asked, what does the \$230,000 cover besides appraisal of the property?

Mr. Parisi added, demolition of the buildings.....they (the associated costs) were all read into the record.

Mr. Sheehan asked, have we entered into a contract with the owner of the property?

Mayor Dickinson answered, the contract has been approved, we are not sure.....we have the seller's signature but I have not signed it yet. The Town Attorney may just have gotten it back and it has not yet been presented to me for signature.

Mr. Sheehan stated, I don't know if you should do it now or wait until after the election; I think you nould set a price or dollar amount on what you are going to bond whether it is \$230,000 or \$500,000. Anything under that figure should not go to bond. If we have the money, we should pay it, never mind stretching out that kind of amount over a fifteen year period. It does not make any sense. You will double the amount you have bonded for by the time you get done with interest and everything. I can't see how you can justify going to bond for \$230,000 or \$148,000.

Mr. Knight responded, my impression is that public hearings are just that; an opportunity for the public to voice their opinion about any particular project or expenditure of this size. We may very well not borrow money but I am a little surprised that you would be one to advocate limiting the number of these hearings and therefore shutting the public off to one avenue of discussion which is these public hearings. I am not sure where you are coming from.

Mr. Sheehan replied, that is not it; that is far from it. For every expenditure you make there has got to be some form of hearing, that will not die with anything that I said. That will not preclude the public from getting up here and making any remark that they want to. I am just saying, I realize the argument for this is that it gives us the option to go to bonding but I am just saying, we don't have to go to bond for every item that comes up here. You could approve \$230,000 tonight to buy that property, you don't have to go to bonding. If we have the cash, you have the vote to say, "to hell ith bonding, buy it cash, do it, we don't have to go through this process; do it and get it over with." That is all I am saying. If we can't afford something for \$148,000 then we are in worse shape than what is reported in the paper. I will never advocate cutting the public off from voicing their opinion on anything. I have stayed in this chambers and you have yourself, until 1:00 A.M. in the morning with previous Councils and there was a lot of conversation going back and forth and frankly, I liked it better than what is happening now. There was more conversation between people up there (on the

Council) that kept me in my seat and I said this, I was in my seat for two years before I got up to speak because most of my questions got answered by the Council. That has not happened for quite a while now. I take the opportunity to get up to talk and I am definitely not going to deny or try to imply that I am going to deny someone else getting up and talking. That is one of the great things about this country; you can get up and voice your opinion.

Mr. Parisi stated, no one is against that, either.

John Marriot, 33 Grieb Road stated, as a member of the Committee on Aging, I urge the Councilmembers to approve the ordinance, it is long overdue.

The Chairman declared the public hearing closed at this time.

Motion was made by Mr. Rys to Approve an Ordinance Appropriating \$230,000 for the Acquisition of Real Property Consisting of 41 Silk Street, Wallingford and Authorizing the Issuance of \$230,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of emporary Borrowings for Such Purpose be Adopted, seconded by Mr. Farrell.

Mr. Rys asked, I know when we go into school projects and other projects there is always an initiative to pay some cash down, would you explain to us whether we are going to be bonding everything or is there going to be any cash paid down?

Mayor Dickinson answered, the person to answer that would be Comptroller Thomas Myers. It comes down to when it is opportune to sell bonds. Typically, we do try to use cash whenever and wherever possible.

Comptroller Thomas Myers explained, there are certain bonds on the market that are more attractive than others. An open space bond would be more attractive to a bondholder than a Garden Road bond where we would be buying property because it is in a direct flood plain even though it is real land. In looking at constructing what a bond for the Town of Wallingford would be, there are considerations other than just the issuance of bonds but the type of project that the bond could be fully or partially funded. As a general rule we look to apply a certain amount of available town funds against any project that we might bond. You cannot just make a hard and fast rule because we thorize projects of varying types. There may be a trade-off, we might decide in constructing a cond issue that we want to put land acquisition such as 41 Silk Street or 66 Barnes Road, we might want to apply little cash against those projects and apply more cash towards some other projects. It is very difficult to try and make those analyses up front. It becomes easier to do so when you see what is happening with the bond market and the types of projects that the Town has authorized. For a number of years, the Town has not fully bonded every project. Some local funds or state grants or a

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combination of both have been applied to almost every major facilities project or purchase that the town has made.

Mr. Rys asked, you have an attractive-type of bond and then you have a bond that is not as attractive; would the interest rates be different on those two?

Mr. Myers answered, they could be depending on market conditions, yes. The interest from the financial marketplace could be different.

Mr. Knight stated, I am confident that I can speak on behalf of the Senior Center Expansion Advisory Committee and just say, thank you to the owners of 41 Silk Street, the Pimentel family for their cooperative dealings that the Town was able to have with them and the cooperative nature of the way they conducted this entire transaction; not always under the most pleasant of circumstances for them was it necessary that this sale become possible. It is important to recognize that there are people in this town that are very cooperative in their dealings with us and I thank them for that.

VOTE: All ayes; motion duly carried.

ITEM #14 PUBLIC HEARING on an Ordinance Appropriating \$148,000 for the Acquisition of Real Property Consisting of 66 Barnes Industrial Road North, Wallingford, and Authorizing the Issuance of \$148,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose (the ordinance authorizes the property to be utilized for open space or other purposes as determined by the town).

Motion was made by Mr. Farrell to Read the Title and Section 1 of the Ordinance in their Entirety and to Waive the Reading of the Remainder of the Ordinance into the Record, Incorporating its Full Text into the Minutes of This Meeting, seconded by Mr. Centner.

VOTE: All ayes; motion duly carried.

AN ORDINANCE APPROPRIATING \$148,000 FOR THE ACQUISITION OF REAL PROPERTY CONSISTING OF 66 BARNES INDUSTRIAL ROAD NORTH, WALLINGFORD, AND AUTHORIZING THE ISSUANCE OF \$148,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

The sum of \$148,000 is appropriated for the Section 1. of approximately 19.44 acres of land and acquisition improvements thereon known as 66 Barnes Industrial Road North in Wallingford, for open space or other Town purposes as the Town may from time to time determine, and for appraisal, testing, environmental remediation, surveying, title insurance and such other expenses necessary or appropriate for such acquisition, and including administrative, advertising, printing, legal and financing costs related thereto. The Mayor is authorized to negotiate the terms and purchase price for the purchase of the parcel and to sign purchase contracts and documents necessary to transfer title to the Town of Wallingford.

To meet said appropriation \$148,000 bonds of Section 2. the Town or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the twentieth year after their date. The total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the Town by the manual or facsimile signatures of the Mayor, the Comptroller, and the Town Treasurer, or any two of them, bear the Town seal or a facsimile thereof, be certified by a bank or trust company designated by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, and be approved as to their legality by Murtha, Cullina, Richter and Pinney LLP, Attorneys-At-Law, of Hartford. They shall bear such rate or rates of interest as shall be determined by the Mayor, the Comptroller, and the Town Treasurer, or any two of them.

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

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

Section 4. The Mayor, the Comptroller, and the Town Treasurer, or any two of them, are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, have the seal of the Town affixed, be payable at a bank or trust company designated by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, be approved as to their legality by Murtha, Cullina, Richter and Pinney LLP, Attorneys-At-Law, of Hartford, and be certified by a bank or trust company designated by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, pursuant to Section 7-373 of the General Statutes of Connecticut, as amended. They shall be issued with maturity dates which comply with the provisions of the General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has

been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the project. Upon the sale of said bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. Resolution of Official Intent to Reimburse Expenditures with Borrowings. es with Borrowings. The Town (the "Issuer") hereby its official intent pursuant to §1.150-2 of the expresses Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and after the date of passage of this ordinance in the maximum amount and for the capital project defined in Section 1 with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the Issuer. The Bonds shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the project, or such later date the Regulations may authorize. The Issuer hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Comptroller or his designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration.

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

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he Chairman declared the hearing open to the public at this time.

Jeff Borne, Chairman of the Conservation Commission stated, I support you in your vote, it is the right thing to do.

John Marriot, 33 Grieb Road asked, is this property contiguous to the Spruce Glenn area?

Mr. Parisi replied, yes.

Mr. Marriot stated, this would make a good area for wildlife management, good for conservation and good for birdwatching which we enjoy so I highly endorse it.

The Chairman declared the public portion of the hearing closed at this time.

Motion was made by Mr. Farrell that the Ordinance entitled, "An Ordinance Appropriating \$148,000 for the Acquisition of Real Property Consisting of 66 Barnes Industrial Road North, Wallingford, and Authorizing the Issuance of \$148,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose be adopted, seconded Mr. Knight.

VOTE: All ayes; motion duly carried.

WAIVER OF RULE V Motion was made by Mr. Rys to Waive Rule V of the Town Council Meeting Procedures for the Purpose of Considering a Transfer for the Engineering Department, seconded by Mr. Farrell.

VOTE: All ayes; motion duly carried.

Consider and Approve a Transfer of Funds in the Amount of \$4,800 from Salary Acct. #5010-101-1000 to Purchase Services - Engineering Consultant Acct. #5010-901-9040 - Engineering Dept.

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

Correspondence from Town Engineer John Thompson explains, relative to the strategy for conducting traffic reviews for various Planning & Zoning applications, I have based on the number of opplications that we already have and what we might expect to receive over the next five months, ased on discussions with private traffic engineering consultants, it is estimated that we might need approximately \$4,800 for the required reviews.

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Mr. Zandri asked, I am assuming that the need for this is predicated on Rick Doll's retirement?

Mr. Parisi answered, exactly.

Mr. Zandri asked, what is the game plan for hiring a permanent person for this position?

Mayor Dickinson answered, we are in the midst of discussions. Nothing has been finalized but the overall view will be most probably the additional position in Engineering with enhanced engineering capability. It would not be just traffic but a civil engineering background as well and other aspects that Mr. Doll dealt with would stay with the Police Department. The Engineering Department needs additional engineering capability there, given their workload. As you recall there was a project manager there that was dropped out of the budget years ago and since then the work load has increased and that is what we are looking to accomplish.

Mr. Zandri asked, when Mr. Thompson was hired, wasn't one of the qualifications he had was a traffic engineering capability?

layor Dickinson answered, that is correct. He does have those capabilities and anything done by the consultant, he would have to sign off on as the department head. It is the volume of work and what is happening is, because of the time frame for P&Z applications he is not able to do other things. All of his time gets absorbed by P&Z and that is not in our interest as a community to have all of his time spent on P&Z when there are a lot of other projects that have to be dealt with as well.

Mr. Farrell stated, I think it is important for the P&Z Commission to have someone who is in-house with the Town as quickly as possible. So many of the issues that they are dealing with have tremendous traffic impact implications like our auto auction. I urge you (Mayor) to move as quickly as possible to fill the position because it really is essential to the Town.

VOTE: All ayes; motion duly carried.

WAIVER OF RULE V Motion was made by Mr. Knight to Waive Rule V of the Town Council Meeting Procedures at the Direction of the Town Council Chairman for the Purpose of Asking the Town Council to Direct the Golf Committee to Review the Cooke Property for Use as a Golf Course and Report Back to the Council with the Findings and Request any Money Necessary for Such a Study, seconded by Mr. Centner.

VOTE: All ayes; motion duly carried.

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Motion was made by Mr. Knight to Direct the Golf Course Study Committee to Review the Cooke Property for Possible Use as a Golf Course and After Having Done So Report Back to the Council with Their Findings and to Request Any Money Necessary For a Study, seconded by Mr. Centner.

Mr. Zappala stated, I happened to be holding a meeting on March 1st for the Golf Committee but I do have a question with regards to the Cooke Property deal which I wasn't able to be present for that night due to my wife's illness. I could not be present to vote on purchasing the land but I believe that Mr. Cooke has five year's use of the property if I am correct.

Mr. Parisi answered, that is right but we can terminate that lease as long as we interrupt the crop year.

Mr. Zappala asked, can we legally terminate the lease?

Mayor Dickinson stated, the parties can terminate at any time as long as if there is a crop in the ground, there is an ability to harvest. There is nothing permanent as far as there being five year inability for the Town to use the property.

Mr. Zappala stated, that is great news because I have been trying, as you all know very, very hard....I was just in Hartford a couple of weeks ago with the Town Engineer and also with the Water Division General Manager trying to find a piece of land in Wallingford for that purpose and I am happy to hear that and I will discuss it on Monday night. The Golf Committee will be happy to work with it and we will report back to you. The meeting is scheduled for Monday night at 7:00 P.M. in the Council Office because there is no other room available. I called the meeting because there was another piece of land, through the Town Engineer's help that came to my attention and I thought it would be a good thing to explore. But certainly Mr. Cooke's property, although it is a little bit out of the way from what some people were discussing, it should be taken into consideration. The week after next I have a meeting with the golf consultant who will be able to advise me as to which land would be the most useful and from which we will benefit the most from. There has to be easy access to the location from the highway, of course. I will have his advice off the record and I will report back to the Council.

Reginald Knight, 21 Audette Drive stated, a few weeks ago when the Council was appropriating funds for this land, there was talk about how the citizens could have a place to go out and recreate d we also heard a discussion as to how the Town employees will keep the open parts open so that all the little animals...the Mayor seemed very concerned about the little animals having the proper structure for going back and forth between the wooded areas and all the rest. If you turn it into a golf course you are going to have a "caddyshack" situation here with the little animals. All of a sudden there is no concern for the greenery, it has got to be a golf course. I would like to see the land stay as it would be so people can go out there and walk paths and what not; for the whole town, not just for

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golfers. If you are taking the taxpayer's money from all the people then that land should be open to all the people to go out and do those things, whether it is cycling or what have you. That was the big boost when you were talking about buying the land, that you were going to keep it as a nature reserve. Now all of a sudden it is a golf course.

Mr. Parisi stated, it is not going to be a golf course yet, it is only the authorization for a study. It is a long way from a golf course. I understand what you are saying.

Reginald Knight stated, the whole concept that was given to the public was that we were going to have a green area; a natural area to keep some of the brush back. I remember the Mayor going into great detail about all that kind of stuff; to keep the animal habitat the way it was. That was the concept which the public conceived the buying and selling of this land to be. I think that is the way it should be kept.

Mr. Rys stated, if it ever does come to fruition that the golf committee does, in fact, find this land asible for a golf course and we move forward, I would hope that we can incorporate walking trails, areas where you can bike and make this what you call a public municipal golf course that is used by everyone in town not just golfers. The trees, most golf courses, you do see habitat out there; most of the ones that I go to. Even Meriden's municipal course which abuts the mountains; there are trails and animals out there. They may not be there when you are walking there but they are out there. We can make this attractive and for use by everybody.

Reginald Knight stated, what I am talking about is the difference between the concept that went into the buying and selling of this land in the first place and then the gradual change. Of course, you always have that language at the tail end of the agreements that say something like, "or for some other such use". With that little phrase at the end.....the concept that was given to the public and the public agreed with...in this particular case was that it was going to be general open land for the animals and for people walking and trailing and biking or picnicking or what ever. The concept was not a golf course.

Mr. Parisi replied, that can still be; that can still be. This could be a year 'round facility very simply.

Reginald Knight replied, I know that if you start walking across a golf course people are going say, get out of the way."

Mr. Parisi explained, if you do it in the winter, nobody is going to bother you. We could have crosscountry skiing; there is a lot of things that can be done off-season.

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Reginald Knight reiterated that the concept that was presented to the people for the purchase of this property was not to make it into a golf course.

Mr. Centner stated, the Mayor called it open space and was talking about the wildlife and the animals. This motion comes from the Council and it does fit the other purposes. It is not the Mayor changing his mind, it is that the Council has made an initiative to make use of that parcel.

Reginald Knight stated, I understand that the Mayor is not changing his mind by the Council to change it or turn it around. I still don't think it is right to sell the public on a concept and with that little codicil at the end, turn it into something else afterwards. You give one impression to the public what the land is for and then later on you say, "because of these half a dozen words on the end, we can twist it around to suit what ever we want." I think the concept that the general public thought at the time was that it would be open land. I don't feel that the public got the impression that it was going to be for something else.

Mr. Parisi stated, I think there is a little difference of opinion and that is fine.

obert Sheehan, 11 Cooper Avenue stated, I commend you on your initiative. I think this is the first ume in a long, long time that a piece of property in the Town that is owned by the Town has been considered for a golf course. The last one was about thirty (30) years ago when we purchased the Satori property which is now a park for little league, soccer and you can walk on it. It may not come to be but I commend you for at least taking the first step and seeing what could happen. The surprising part is that the five year lease was not written in stone and can be changed. What is forgotten here is that the Cooke Property is three pieces of land and not all of them are connected. Not all of the purchase will be utilized as a golf course.

VOTE: All ayes; motion duly carried.

ITEM #16 Executive Session Pursuant to Section 1-18a(6)(A) of the CT. General Statutes Pertaining to the Appointment, Employment, Performance, Evaluation of a Public Officer or Employee.

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

VOTE: All ayes; motion duly carried.

he Council entered into executive session at 8:31 P.M.

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

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VOTE: All ayes; motion duly carried.

The Council exited the executive session at 9:04 P.M.

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

VOTE: All ayes; motion duly carried.

There being no further business, the meeting adjourned at 9:04 P.M.

Meeting recorded and transcribed by:

-dri

athryn F. Zandri Town Council Secretary

MAI λ

Approved:

ert F. Parisi, Chairman

3-15-99

Date

Xacate. Rosemary A. Rascati, Town Clerk

3-16- 99

Date

Appendix I

LEASE

THIS AGREEMENT made this day of , 1999, by and between the TOWN OF WALLINGFORD, a municipal corporation organized and existing under the laws of the State of Connecticut, hereinafter called "Town"; and WALLINGFORD COMMITTEE ON AGING, INC., a Connecticut corporation with its principal office located in the Town of Wallingford, County of New Haven and State of Connecticut, hereinafter called "WCA".

WITNESSETH:

1. For and in consideration of the mutual covenants and agreements contained herein and subject to the terms and conditions hereinafter stated, Town hereby leases to WCA and WCA hereby leases from Town the premises known as 284 Washington Street, Wallingford, Connecticut, for a term of ONE (1) YEAR commencing from the 1st day of September, 1998, at a rental of One and 00/100 Dollar (\$1.00) per year.

2. WCA shall use said premises to provide services for the elderly residents of Wallingford through the Wallingford Senior Citizen Center, to coordinate other services for the elderly provided by public and private agencies, and to study the conditions and

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needs of the elderly in relation to housing, health, economic conditions, employment and other matters.

3. Town agrees to provide and maintain the following services and utilities free of any charge:

a. Maintenance and repair of the buildings and equipment connected with the premises including the plumbing, electrical and heating systems; the fire alarm and other emergency warning systems; painting, snow plowing, grass cutting, tree removal, leaf raking, furniture moving, rubbish removal, and other similar services.

b. Janitorial service.

c. Water, sewer, gas and electricity.

4. Town will permit WCA to be named as an additional insured on Town's insurance policy or policies if such will result in lower premium cost to WCA for any insurance it must provide in connection with its tenancy of said premises.

5. Notwithstanding the term set forth in Paragraph 1 hereof, this Lease may be terminated by either party upon 180 days written notice to the other.

6. In the event the Town terminates this Lease for any reason, the Town agrees to use its best efforts to offer similar premises to the WCA.

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7. This Lease contains all the conditions agreed upon between the parties and any modification must be in writing, signed by both parties hereto.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals and to a duplicate of the same tenor and effect the day and year first above written.

Signed, Sealed and Delivered In Presence Of:

TOWN OF WALLINGFORD

BY:

WILLIAM W. DICKINSON, JR. Its Mayor, Duly Authorized

WALLINGFORD COMMITTEE ON AGING, INC.

BY:____

Its President, Duly Authorized

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