

MINUTES OF A REGULAR MEETING OF THE MIDDLETOWN REDEVELOPMENT AGENCY HELD  
ON OCTOBER 7, 1975.

PRESENT: Messrs.: Achenbach  
Reier  
Dawson  
Davis  
Kelsey  
Misenti  
Novicki  
Passanisi  
Schmidt

ALSO

PRESENT: Haze  
Guy  
Champagne  
Cienava  
Dunn  
Lowry, Planning Commission  
Garafalo, Council  
Beinhorn, Press  
Millstein, Courant  
Matteo  
Weitzman, Peltons  
Reynolds, Developer  
DeRing, Chamber

ABSENT: Gionfriddo

The regular meeting of the Middletown Redevelopment Agency was called to order by the chairman at 6:00 P.M. A quorum was declared present.

Upon motion by Mr. Novicki, seconded by Mr. Passanisi, the minutes of the previous meeting were approved as remitted.

Mr. Haze distributed development progress reports to all present and expanded upon any parcels in question. See book of original minutes for report as distributed.

Mr. Reier reported upon a meeting held with his committee, staff, and Cahn Engineers to discuss scheduling of SI-Contracts 2 and 3.

The committee recommended advertising of both contracts in their entirety for complete scheduling of activities.

SI-3 Contract is the extension of DeKoven Drive from College to Union Streets, meeting relocated Sumner Street to Sumner Creek.

The committee felt that advertising the total contract would save money and the City Tire parcel could be removed by change order if necessary to await their relocation.

The lettering of the contract will allow scheduling of construction for City Tire, Taylor Rental, and Zion Baptist Church, south of Union Street.

A motion to advertise the SI-3 contract in its entirety was made by Mr. Reier, seconded by Mr. Passanisi and passed by all present.

The SI-2 contract concerns relocation of Church Street to realign with Union Street and the relocation of South Main Street to realign with Broad Street, which will enlarge and enhance the South Green area.

The contract must be let quite soon in order to assure Dr. Lublin that his facility could tie into the new utility lines. His sewer line will be below the present level of the street utilities when his construction is complete.

Mr. Haze stated that the structures on Church Street are scheduled to be acquired and cleared by 3/15/76 to maintain a road construction schedule.

Mr. Achenbach read a legal opinion from Agency Counsel regarding the affect of the "South Green" nomination on the National Register of Historic Places on the U.R. Plan for Metro South.

Attorney Snow's opinion is that the City of Middletown by virtue of contracts entered into as a result of a duly approved Urban Renewal Plan in 1969, has every legal right to implement said Urban Renewal Plan. See Book of Original Minutes for opinion.

Mrs. Matteo questioned the saving of trees and Mr. Haze replied that every effort would be made to save trees and there would also be substantial replanting.

A motion was made by Mr. Reier to advertise SI-2 in total and to make every effort possible to save trees in the area. The motion was seconded by Mr. Passanisi and approved by all present.

Mr. Reynolds asked whether the developer of Parcel A-10 was considering use of the Mather House in his plans and Mr. Haze replied that use of the structure was being studied by Errichetti.

Councilman Garafalo stated that he had requested an answer from Mr. Spinetta on whether he would continue with the D-1 development if the rink is defeated.

He would like an answer and has not as yet received one.

Mr. Achenbach agreed that ALCO should be going both roads at the same time.

Mrs. Matteo stated that the Agency was reported in favor of the twin ice skating rink concept. She asked whether the Agency would support the single rink plan favored by the Common Council. In discussion, the consensus of the Agency members was in favor of the single rink.

Mr. Achenbach then announced that a group of local people were interested in the theater block. The group was exploring a limited partnership as a financing technique for rehabilitation of the block. It was just a beginning and more information would be forthcoming.

Mr. Achenbach stated the open house being planned should be timed with this new interest and the rink effort.

Mr. Passanisi asked for information on the Middletown Press schedule which was not shown on the update sheet.

Mr. Reier replied that there were no timing changes as yet for the Press. They will not start until the site is cleared and we will be acting on this facet shortly.

Mr. Achenbach then gave a report from Attorney Snow concerning the addition of a prevailing wage payment clause in all disposition contracts.

Mr. Misenti had asked for an opinion concerning the legality of requiring developers to pay prevailing wages in their construction work in the renewal area.

Attorney Snow's opinion concerning areas already advertised and designated was that the Agency should not make this requirement because it was not in the original advertising and the developers could institute suit.

Attorney Snow had contacted HUD and HUD would not prohibit prevailing wages but suggested that the disposition contracts should not contain this restriction. It was noted that Section 8 Housing using Federal subsidies would require the prevailing wage clause.

Mr. Haze suggested that the Agency could go on record as favoring local employment in development work as per the Common Council action of November, 1972.

Mr. Misenti asked whether inclusion of a clause in contracts was against the law?

Mr. Achenbach replied no, but legal counsel recommends against it due to the possibility of suit. Our advertisement for developers was based upon the standard HUD contract which contains no such clause.

Mr. Misenti stated that the Agency land was being sold cheap and builders are making large profits and can use cheap labor.

Mr. Misenti made a motion to insert a clause in disposition contracts requiring developers to pay prevailing wages on any development land sold by the Agency.

The motion was seconded by Mr. Passanisi.

Mr. Dawson felt that this motion was a very serious one and could really restrict small developers such as John Reynolds and others.

This should have been discussed at the time of advertising and designations were made. Mr. Davis agreed that small operations would be hindered and Mr. Schmidt could see only dilemma arising.

Mr. Novicki explained that Mr. Misenti wanted to have local labor used and to forestall cheap out-of-town labor from coming in. Mr. DeRing felt that contractors usually have their own crews available. He stated that local unemployment was high and this provision would not help the employment situation.

Following due discussion, the following vote on the motion was recorded.

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Messrs.: Misenti Passanisi	Messrs.: Achenbach Reier Dawson Kelsey Novicki Davis	Mr. Schmidt

The motion was defeated.

Mr. Achenbach reported that there was no further action at this time on the Carabetta suit.

Mr. Misenti left the meeting at 7:15 P.M.

Mr. Haze then requested authorization to advertise for a new demolition contract for 180 days with an option to extend another 90 days.

The contract will contain all vacant structures plus any building required to be vacated in accordance with our schedule of activities.

The contract specifications will also include all work necessary at our disposal site to satisfy DEP.

A motion was made by Mr. Dawson, seconded by Mr. Kelsey and passed by all present to allow staff to advertise a demolition contract as necessary.

Mr. Haze then reported upon the new Freedom of Information Act stating that the new Act hadn't changed much from the old except for a few items.

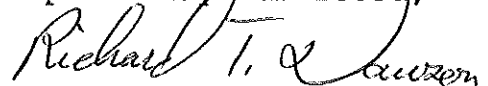
One item concerned the fact that Agency committee meetings are now open for public attendance if so requested.

A second item concerns the area of fees to be charged for meeting notifications and minutes requested by the public.

Following due discussion, it was decided that actual costs for items requested by the public be charged as necessary.

There being no further business to come before the regular session and upon motion by Mr. Reier, seconded by Mr. Dawson, and approved by all present, the meeting was adjourned to executive session at 7:22 P.M. to discuss relocation claims and property acquisition.

Respectfully submitted,



Richard T. Dawson, Secretary