

MINUTES OF A REGULAR MEETING OF THE MIDDLETOWN REDEVELOPMENT AGENCY HELD  
ON DECEMBER 2, 1975.

PRESENT: Messrs.: Achenbach, Chairman  
Reier, Vice-Chairman  
Cartelli  
Kelsey  
Misenti  
Novicki  
Passanisi  
Schmidt  
Mayor Marino (6:11 P.M.)

ALSO

PRESENT: Haze  
Guy  
Champagne  
Cienava  
Dunn  
LaBella  
Snow, Legal Counsel (6:11 P.M.)  
Daley, Mayor's Administrative Asst. (6:11 P.M.)  
Cubeta, Council (6:30 P.M.)  
Loffredo  
Matteo  
DeRing, Chamber  
Weitzman, Pelton's  
Spinetta, Alco  
Millstein, Courant  
Beinhorn, Press  
Hartford Times Representative

ABSENT: Davis  
Dawson

The meeting of the Middletown Redevelopment Agency was called to order by the Chairman at 6:00 P.M. whereby a quorum was declared present and new member Joseph Cartelli was introduced.

Mr. Passanisi called a point of order stating that the rules of the Agency, the City and the Federal Government are all there to be followed. He officially charged that Mayor Marino acted illegally, as did the Common Council, in removing Frank Gionfriddo from the Agency Commission and replacing him with another member.

Mr. Passanisi quoted from an updated copy of the State Law and he requested that Attorney Snow submit a legal ruling on the action taken.

He further stated that the City Charter revision was illegal and that the Mayor steamrolled Gionfriddo out and bulldozed his replacement in by authority of the charter revision.

He asked by what authority did the Executive Director of the Agency recommend the removal? There was no direction by the Agency and Mr. Cartelli was sitting as a member illegally.

Mr. Passanisi requested Corporation Counsel opinion on the matter and further requested opinion of the State Attorney General's office.

He stated that he had also brought the question to Mr. Cutting of the State

Bureau of Internal Affairs.

Motion made by Mr. Reier to turn the question over to Agency Counsel, Town Counsel, and State Attorney General for opinion. Motion seconded by Mr. Passanisi.

Mr. Cartelli was requested to abstain from voting on issues until the matter could be clarified.

Mr. Passanisi then stated that a question had been brought up previously by Mr. Misenti as to why meetings were called "special meetings" when they were in fact postponed regular meetings. He stated that only business in the "call of the meeting" can be taken up at special meetings.

Mr. Achenbach stated that the letter sent to the Mayor concerning Mr. Gionfriddo's attendance was submitted with his knowledge and approval.

Mr. Achenbach requested that the Agency vote upon the previous motion before any further items are brought up.

Mayor Marino and Mr. Daley entered the meeting at 6:11 P.M.

Mr. Passanisi then requested a judicial opinion on the removal of Mr. Gionfriddo.

Attorney Snow entered the meeting at 6:12 P.M. and Mr. Passanisi stated that it was 6:12 P.M. and then reiterated to Attorney Snow his previous statements and requests concerning Mr. Gionfriddo's replacement.

Mr. Daley stated that he had called Mr. Gionfriddo to discuss his replacement and requested that he call back when he could not be reached. He stated that he had received no return call.

The Motion on the floor was then called and approved by all members present with Mr. Cartelli abstaining.

Mr. Passanisi then requoted Mr. Misenti's statement concerning the meetings and stated that some of the actions taken at these meetings may be invalid. The legality should be researched.

Mr. Reier made a motion that the title of all postponed regular meetings that were entitled special meetings be changed to reflect Postponed Regular Meetings of the Middletown Redevelopment Agency.

The motion was seconded by Mr. Kelsey and approved by all present. Mr. Cartelli abstained.

Attorney Snow stated that under the new Right-to-Know law, all agencies must be careful with their procedures.

Mr. Passanisi then stated that the Agency By-laws call for 7:30 meetings and that subsequent amendments have changed the day of the meeting but never changed the time.

He requested that Agency Counsel and Corporation Counsel check the validity of the present meeting time.

Mr. Passanisi at this time stated that it's going to be a hot two years and Mr. Achenbach asked what he meant. Mr. Passanisi did not explain his statement.

Mr. Achenbach explained that the Agency meeting time was changed to 5:30 and then 6:00 P.M. at the request of members so that they could attend other meetings and he also requested that Attorney Snow check for validity.

Mr. Passanisi stated that the By-laws of the Agency call for submission of a monthly report to the Common Council and if we are not doing this, we are in violation of the By-laws.

Mr. Haze replied that we supply a copy of minutes to the Mayor's office every month as the report.

Mr. Passanisi stated that Council does not see the minutes.

Mr. Achenbach stated that the copies of the minutes can constitute a report and that staff should be sure to continue to issue them.

The Chairman then requested action upon the minutes as mailed.

Mr. Schmidt stated that he had been going through the minutes and that they should be legally accurate. He felt that this was difficult when recorded in longhand.

He requested complete accuracy in the minutes of meetings.

Mr. Schmidt requested corrections to the minutes as follows:

1. Page 3 - Regular Minutes: Paragraph 3, Mr. Schmidt felt, should not relate "generally" but should be accurate statements.
2. Page 3, Item 4: It should be stated that Alco was not in attendance at Agency meetings for 5 months.
3. Page 4: Reference to weeks in Mrs. Matteo's theater block question should read months.
4. Page 3, Item 10: Add: in Square feet and dollars.

Mr. Reier stated that statements referring to Housing on the east side of Main Street should have been the west side and should be so stated in the minutes.

Mr. Reier noted that the Carabetta proposal for reduced parking had been reviewed by the Agency and the recommendations for a zoning change were denied by Planning and Zoning. That is why Alco's proposal did not include housing in the east side of Main Street because of the parking restrictions.

Mr. Reier made a motion to approve the minutes as corrected. The motion was seconded by Mr. Passanisi and approved by all present with Mr. Cartelli abstaining.

Mr. Schmidt suggested that a tape recorder be used at all Agency meetings as an aid in writing minutes.

Mr. Achenbach was opposed to the idea as taking up too much time in reviewing and rehashing conversations. He felt that the minutes need not be exact and technical on most comments.

Mr. Haze stated that public hearings are transcribed, and in taping these meetings, speakers must identify themselves. It is difficult to transcribe due to conversation overlaps. The meetings would have to be handled differently.

Mr. Kelsey stated that at the rate we are going, we will need four-hour tapes.

Mr. Passanisi stated that the tapes would serve as a check on any past meetings. Mr. Achenbach felt that the Agency should use its energies in constructive pursuits at meetings and not destructive.

A vote was called on the suggestion to record meetings upon motion made by Mr. Schmidt, duly seconded and recorded as follows:

<u>Ayes</u>	<u>Nays</u>	<u>Abstain</u>
Schmidt	Achenbach	Cartelli
Passanisi	Novicki	
Reier		
Misenti		
Kelsey		

Mr. Guy then presented the snow removal and sanding bids to the Agency for approval as follows:

Frank Tine:	\$14.00/hr.
P&K Construction	\$15.00/hr.

Upon motion by Mr. Reier, seconded by Mr. Schmidt, and passed by all present with Mr. Cartelli abstaining, Frank Tine was awarded the contract.

Mr. Kelsey then presented the following businesses for consideration for rent reductions:

<u>Name</u>	<u>Present Rent</u>
1. Odd Fellows	\$100/mo.
2. Modern Barber Shop	\$100/mo.
3. Midtown Photo	\$320/mo.
4. State Lunch	\$175/mo.
5. Karate Studio	\$125/mo.

He stated that the Odd Fellows rent was one agreed upon in negotiations and recommends that it remains as is.

The balance were recommended as follows:

1. Modern Barber Shop: Paying a minimal amount of \$100 on Main Street and should remain the same.
2. Midtown Photo should be reduced by 20% to \$256 per month.
3. State Lunch should be reduced by 20% to \$140 per month.
4. Middletown Karate was questionable on loss of business activity due to

renewal but suggested a reduction of 10% to \$113 per month.

A motion was made by Mr. Kelsey to accept the recommendations, seconded by Mr. Passanisi and passed by all present with Mr. Cartelli abstaining.

Mr. Reier then reported upon the last meeting held by the Development Committee. See Book of Original Minutes for complete copy of committee minutes.

Concerning Hartford National Bank and Trust Company, Mr. Passanisi stated that the South Main Street site was most favorable for the bank because of exposure and that Mr. Haze was going to discuss a change of Hospital driveways with Middlesex Memorial Hospital personnel.

Mr. Haze stated that he had transmitted requested information to the bank, and that they should make a choice of area before the Agency takes any further steps.

With an alternate bank site being Parcel B-1, Mr. Reier asked the Mayor whether the Council has taken any action on the LHA request for funds.

The Mayor replied no, but any other uses for the site should be reviewed by City Plan. He asked if the site was marketable if refused by LHA.

Mr. Achenbach stated that we had checked the zoning and it was R-4 and a good site that is marketable.

Mr. Passanisi stated that there were not many sites left and that the bank was generating a good business and would like to relocate without missing any time. Use of the Errichetti site, A-10, would cause a timing problem.

Mayor Marino stated that Council was looking for a housing site for the Housing Authority.

It was suggested by Mr. Reier that Planning and Zoning might give us a problem planning housing on the site due to its size.

Mr. Haze suggested that perhaps Hartford National Bank & Trust Company, with its drive-in facility on B-1, might help finance units of elderly housing.

The Mayor stated that the LHA was planning 40 units and he would like to see 40 units, public or private.

Mr. Reier suggested approaching HNB&T on a combination development for the bank and with perhaps fewer than the 40 units planned.

Mr. Achenbach stated that if the LHA will release the parcel, the Agency can negotiate with developers.

The question arose as to whether fewer units would cut costs and negate the MHA need for additional funds and Councilman Cubeta stated that the funding was based upon a unit cost which would reduce the total grant if the number of units was reduced.

Moving the bank structure back was also discussed, but construction would interfere with use. Also, the site is assigned to Errichetti and it would

be necessary for the bank to work through him.

Mr. Achenbach stated that options are open for us to work with the bank.

Concerning John Reynolds, Mr. Reier recommended and moved that Mr. Reynolds be allowed to purchase the Cookson House on South Main Street as a replacement for the Union Street structure that burned.

The motion was seconded by Mr. Passanisi and approved by all present except Mr. Cartelli, who abstained.

Mr. Misenti asked what had been done concerning Mr. Reynolds' request to protect the structures.

Mr. Haze replied that letters have been sent to the Police and Fire Departments for surveillance. Installation and costs for timers and lights have been ascertained at \$40.00 installation and \$6-7 per month electricity. This is a per-structure cost.

Mr. Kelsey stated that these costs should be Mr. Reynolds' and not the Agency's.

Mr. Reier made a motion that the Agency approve Mr. Reynolds' site plan as verbally described, subject to approval of his parking plan.

The motion was seconded by Mr. Passanisi and passed by all present with Mr. Cartelli abstaining.

The lighting information and the action will be remitted to Mr. Reynolds.

Concerning Mr. Errichetti, Mrs. Matteo asked whether Errichetti was going to make use of Section 8 housing.

Mr. Achenbach replied that he would use Section 8 or perhaps 221d4.

Mr. Haze stated that he had spoken to the developer and that he is to meet with him later in the week on zoning and other areas. He further stated that Mr. Kuehn had remitted a proposed amendment to the Housing Assistance Plan to HUD to allow for further Section 8 for the area.

Mr. Achenbach stated that the 235 program was opening again but that Errichetti will probably not be able to start until summer.

Mayor Marino stated that 200 elderly applications for housing were sitting and waiting in Sbona Towers.

Concerning Alco, Mr. Spinetta read a reply to Mr. Passanisi's questions at previous meetings and stated that the A&P lease has been in the hands of A&P for 6 months. They have closed 1,250 stores, but still have managed an 8% increase in sales.

He stated that he has a letter dated either October or November, he couldn't recall, reiterating A&P's interest in Middletown. He said that the lease should be signed this month.

Mr. Spinetta was asked to submit his comments in writing. The full report

by Mr. Spinetta will be available in the Book of Original Minutes.

Mr. Spinetta stated that he had no answer as yet as to whether the motel can be started first in the project.

He also stated, in response to the question as to whether the Agency has lived up to the conditions stated on the Alco attorney's letter, that many of the problems have been worked out but the question of the William Street exit is still a problem even though the State says any change is at least 10 years away.

Mayor Marino stated that he had met with the DOT Commissioner today and was shown Route 9 plans. The State wants the two lights at the bridge and Washington Street out but we must have access to the bridge and the City. They would also like to close the William Street exit.

The Mayor stated that some plans retain the exit. The Commissioner has asked his staff to work on an exit design for the future closing of Washington Street.

There is no money at this time for any work to be carried out, but he did commit himself to work with the City.

Mr. Spinetta stated that he had held many meetings with DOT and that they had been very receptive and cooperative and were trying to work with the City in all respects. He further stated that he feels better about the William Street situation now than he has before.

Mr. Achenbach felt that a letter from the Agency and the City to fully support leaving the exit open would be needed to satisfy the lending institutions for financing.

Mr. Passanisi stated that his letter has requested a list of concessions, waivers, etc. in zoning, site plan approval, etc. which might be needed.

Mr. Spinetta replied that he will have these problems listed when his drawings and site plans are complete.

Mr. Spinetta reported that the H.J. Hotel and Restaurant requested 100 on-site parking spaces for the restaurant and wants permission to use the parking garage for the hotel.

At one point, they wanted reserved parking for 200 on the upper level but he believes that they can be talked into other arrangements, including use of the lower garage, monthly parker's area, for their needs in the evening.

Mr. Reier asked why the need for 200 units of parking for 100 rooms. Mr. Spinetta replied that it was necessary for the banquet facilities.

Mr. DeRing asked whether this was considering a third deck and Mr. Reier replied no, existing space.

Mr. Passanisi inquired as to when we will find out the exact needs, and Mr. Spinetta replied that they were in final negotiations with H.J. and should know by the next meeting.

Mrs. Matteo asked if the rink will be replaced by a store if the rink is not

forthcoming and Mr. Spinetta replied that he would try but cannot work on that aspect at this time until the rink answer is resolved.

Mr. Passanisi suggested that a private rink operation might be feasible, and Mr. Spinetta replied he cannot institute inquiries in that direction until local issue is settled.

Mr. Passanisi stated that if the rink is so important and since Mrs. Matteo long ago suggested alternate routes if the rink didn't succeed, perhaps making connections now for independent operators out of state might be wise. Feel them out now.

Mr. Spinetta replied that rinks operated for business purposes and community rinks were different. Timing, programs, charges, etc. were just not the same. He suggested that we must wait for the referendum, then look for alternatives if necessary.

Mrs. Matteo asked if Alco would still be the developer if the rink proposition fails.

Mr. Spinetta replied yes, but will have to take alternative looks at financing.

Mr. Reier asked what the lease status was and Mayor Marino replied that the lease has been given to the City Attorney for study. The lease will then go to Council in January at the earliest, but most likely in February, followed by referendum in March or April.

Mr. Passanisi stated that he had asked the naming of an architect and Mr. Spinetta replied that the architect is in hand.

Mr. Passanisi stated that he had asked for a financial status report.

Mr. Achenbach asked if he meant a financial statement and he replied no, financial status.

Mr. Reier stated that the requirement is for a financial statement and Mr. Spinetta stated that he has one available which may be reviewed by authorized people in executive session. It is not public information.

He further stated that he had previously submitted a statement and that it had been reviewed and approved. He said that Alco's finances are in better condition now than in the original submission.

Mr. Kelsey asked if the Pelton area would be the first under construction and Mr. Spinetta assured Mr. Kelsey and Mr. Weitzman that it would be.

Mr. Spinetta stated that he will open his files to any authorized persons at any time and will be glad to discuss any of his problems.

Mr. Misenti stated that development was supposed to bring people into town and wouldn't housing retain their presence in town. The program, he stated, has displaced many from the area.

Mr. Spinetta replied that it is his feelings that housing should go into parcel D-3, but Mr. Reier felt that parking would be a problem there.

Mr. Spinetta noted that in Hartford, businesses are moving around the Civic Center in areas that couldn't previously be rented for over 6 years.

Mr. Passanisi stated that he was impressed with the report, but that the report had to cover 15-16 months. He would like to see and hear from Alco every month.

Mr. Spinetta stated that he had been keeping in touch with Mr. Haze regularly.

Mr. Passanisi stated that Mr. Spinetta discussed the work that had been done and asked what % of tenants were committed.

Mr. Spinetta replied that letters had been sent to all stores that had moved into the New England area in the past couple of years. He received 100 responses of which 20-25 look good with the desire to come into Middletown but they want to see final plans for the area like everyone else.

Mr. Spinetta stated that he has 50% of tenants excluding the hotel.

Mr. Passanisi agreed that no developer can do an instantaneous job and that one to two years will be needed to get into the ground which means that Alco should be in by August.

Mr. Spinetta replied that he hopes to be in before August and Mr. Passanisi stated that this really keys on the rink.

Mr. Spinetta stated that he had spoken to lending institutions and received a commitment, but they want to see leases.

Mr. Reier asked the Mayor the status of City Tire's request for a fire code zone change south of Union Street and the Mayor replied that the request has gone to the Fire Commission for consideration. It will then be returned to the Common Council and there will probably be an answer in January.

Mr. Passanisi asked what effect a January reply would have on the SI-3 contract and Mr. Haze replied that if City Tire is out by October, it would be O.K.

Mr. Kelsey asked the Mayor how he reads the reaction to the request and the Mayor replied that he did not know.

Mr. Achenbach asked if someone from the Agency should be present at the Fire Commission meeting and the Mayor replied that someone certainly should be there. The meeting is scheduled for December 18.

Mr. Novicki then presented a total financing report to the Agency. Copies were distributed to all members present. See Book of original minutes.

Following the presentation, Mr. Achenbach stated that being very realistic, the Agency has had nothing but problems with changes and policies over the years, and there was no reason to expect anything different in the future.

He felt that we should still be proud about the small deficit reflected and that State funding is compounding the problem further.

The report had been prepared for HUD. It was carried out nationally for the purpose of studying the national fiscal problems of Renewal Agencies in an

effort to ascertain further funding in the Urgent Needs categories.

The information has been reported to HUD and Mr. Achenbach suggested that the Agency study and digest the information, await Federal guidelines on solving the problems. We must also watch the State activities to check our local financing requirements.

Mr. Achenbach stated that a financing workshop will be held in 30-60 days.

Mr. Guy then explained that at one time HUD requested that the Agency submit a budget revision for further interest monies on private market financing and after making the submission at HUD's request, the Agency was turned down for lack of Federal funds.

Mr. Passanisi asked how much City cash was involved and the Mayor replied that City cash was never required.

Mr. Achenbach added that there was never any intention to ask the City for any money. He further stated that the economic climate was favorable for more funding from Washington due to the recession, and state of the economy and employment in the country.

The Mayor stated that although no monies were required by the City in Metro South, project periphery work in conjunction with site improvements have been supplied by the City, and the City will cooperate with the Agency as much as possible.

Mr. Haze stated that the budget estimates reflect completion of the Metro South Project as planned in the 1973 amendatory.

Mr. Kelsey then reported on acquisition and relocation activities, stating that the Agency has moved a greater number of families and businesses in a shorter time than other agencies in the area and he was satisfied with the job done.

Mr. Kelsey stated that his committee had reviewed 41 acquisitions and 144 relocation claims in the past 2 years with 31 and 102 respectively during his tenure.

He further stated that the staff had done well and he was fully aware of the staff problems in dealing with HUD rules and the public.

Mr. Passanisi asked how many claims had been appealed and Mr. Haze replied no more than 5 or 6 although there have been many complaints from people stating that they were not receiving adequate payment. Others were denied by the Agency and by HUD.

Mr. Passanisi asked who approves claims and Mr. Haze replied, the Agency does at this time. Prior to this, any claims in excess of \$10,000 had to be approved by HUD.

Mr. Misenti asked the status of the G.U. Reed Sir + claim and Mr. Haze replied that HUD had approved it some time ago.

Mayor Marino stated that the theater was discussed at the MDC meeting and he asked if the Agency was about to have another study.

Mr. Achenbach replied that it was not a study but rather a part of the open house program planned for public information to coincide with the rink program. He stated that the theater was in bad shape physically.

Mayor Marino stated that he would prefer no open house on the theater at rink referendum time and requested that a letter be sent to MDC informing them that no open house is planned for the theater. If anyone wants to see it, show it on an individual basis.

Mr. Reier stated that the Agency was willing to show the theater to any interested parties and Mr. Achenbach further stated that the Agency and staff should consider a general open house excluding the theater.

Mr. Reier made a motion that the theater be closed to the public except for interest which may be shown by individual developers.

The motion was seconded by Mr. Schmidt and passed by all present with Mr. Cartelli abstaining.

Mr. Weitzman thanked the Agency for recognizing his presence and stated that he was reassured that development will proceed and that he will be a part of it.

Mayor Marino reported that prior to implementation of the Harbor Improvement Plan, Metro South development contracts must be executed. He stated that the City cannot go to bid without having the Metro South contracts in hand to show the economic benefits to the City.

Mr. Reier asked if this meant all contracts or would the Reynolds contract for Sale of Land for Historic Preservation suffice.

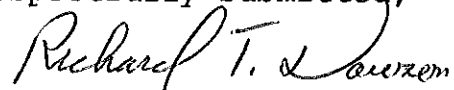
Mayor Marino was not sure on which contracts would satisfy EDA. He mentioned that a vote on the Harbor Improvement Program is expected around January 20, 1976, with 6 months estimated for engineering plans, and the start of construction in September, 1976.

It was felt that additional contracts would be signed by the Agency before the start of construction.

Mr. Achenbach informed the Mayor that the City now has the responsibility to plan accordingly in order to meet the deadline to start development of the various programs.

There being no further business to come before the regular session and upon motion made by Mr. Schmidt, seconded by Mr. Misenti and passed by all present with Mr. Cartelli abstaining, the meeting was moved to executive session to consider Acquisition, Relocation items.

Respectfully submitted,



Richard T. Dawson, Secretary