
APPENDIX F – OPERATION AND MAINTENANCE PLAN

Operations and Maintenance Plan

Wallingford Renewable Energy LLC (WRE) will be responsible for maintaining and servicing the solar energy generating system once construction is completed. Maintenance and service work will be performed through a combination of WRE personnel, approved subcontractors, or authorized vendor representatives.

The area where the solar photovoltaic (PV) panels will be located will be secured by a 7-foot high fence (in accordance with applicable federal codes) and accessible only by authorized personnel. Emergency responders will have access to the property via their own security credentials in case of emergency. Otherwise, site access will need to be arranged by contacting the site owner or operator.

Operations at the solar facility site will be minimal. The PV panels are static, and are monitored remotely. The owner/operator will be responsible for monitoring alerts from the automated alert system regarding potential system malfunction. It is not anticipated that any personnel will be permanently stationed at the Project site. Rather, such personnel will visit the site on an as-needed basis.

Typical equipment and site maintenance activities are described in the following sections.

Equipment Maintenance

WRE and/or its authorized subcontractors will inspect and maintain Project equipment as required by manufacturers' specifications to ensure maintenance and proper operation of the solar PV equipment. During inspection, a visual review of the equipment, including subassemblies, wiring harnesses, contacts and major components will occur, and ambient operating temperature will be recorded.

Air filter elements of the Project will be inspected and cleaned or replaced, if required. Installation or performance of any recommended Engineering Field Modifications will occur, including any software upgrades. The inverter modules will be inspected and reviewed for the following conditions:

- Discoloration of the inverter boards;
- Signs of damage on the power capacitors;
- Appearance and cleanliness of the cabinet, ventilation system and insulated surfaces;
- Corrosion on terminals and cables;
- Torque terminals, connectors and bolts, as needed;
- Signs of heating on the fuses; and
- Signs of damage or wear of both the alternating current and direct current surge suppressors.

In addition, the operation of all safety devices will be reviewed, such as the E-stop and door switches. All deficiencies detected will be corrected to ensure safety and proper equipment function.

Site Maintenance

WRE and/or its authorized subcontractors will perform site maintenance activities to ensure safety and maintain site aesthetics. Grassed areas between the rows of module racks will be mowed a minimum of twice a year, or more often if required. The height of the grass will be maintained at a level to reduce the risk of grass fires.

The site will be visited monthly for Project inspection and to perform maintenance as needed. During this time the site will be visually inspected, and any potential debris (such as fallen trees) near Project equipment or access areas will be removed. The condition of signage and proper functioning of access gates will also be inspected during the monthly site visits.

Array Cleaning Procedure

If the solar PV collection system is outputting a noticeably lower wattage or there is an accumulation of dirt of the modules, WRE and/or its authorized subcontractors will clean the PV panels. Maintaining module cleanliness is crucial to maximizing system performance. In New England, it is typical that seasonal rains are sufficient to keep the panels clean. In the event that panel cleaning is required, no harmful chemicals will be used during the cleaning of the solar panels. Cleaning will be performed with water and a soft-bristled broom, if needed. Water will be trucked in from outside of the Project area and applied from the back of a truck. The solar PV system will not need to be turned off during cleaning.

Snow Maintenance

WRE and/or its authorized subcontractors will plow the access roads in order to maintain access to the electrical equipment pads. Snow will be plowed in a manner such that access to the turnaround areas is not impeded. If necessary, excess snow will be moved to a different location on site to ensure the access roads are clear. WRE does not proposed provisions for removal of snow from panels.

Landfill Areas

There are three primary areas of focus for operation and maintenance of landfill areas where solar arrays are sited. First, WRE will ensure that no trees are growing in landfill area. Second, WRE will ensure that a grass cover is maintained on the landfill areas and be responsible for seasonal mowing in the areas with panels. Third, WRE will ensure that CTDEEP retains on-going access to the portions of the landfill that involve water quality monitoring.

APPENDIX G – DECOMMISSIONING AND RESTORATION PLAN

Decommissioning and Restoration Plan

Wallingford Renewable Energy LLC (WRE) and/or its successor in interest will be responsible for decommissioning of the Project once it has reached the end of its operational lifespan. The Project is designed for an expected operational life of 35 to 40 years. As the Project approaches the end of its operation life, it is anticipated that technological advances will produce more efficient and cost-effective solar arrays which will economically drive the replacement of the Project.

Decommissioning of the Project is described as the removal of all system components and the rehabilitation of the site to conditions similar to pre-construction. Deconstruction procedures are designed to ensure public health and safety, environmental protection, and compliance with applicable regulations. The Project owner will be responsible for:

- All decommissioning costs;
- Obtaining any additional permits required for the decommissioning, removal, and legal disposal of Project components prior to commencement of decommissioning activities; and
- Complete decommissioning, including component removal and disposal, re-vegetation in accordance with applicable permits and in compliance with all applicable rules and regulations in effect governing the disposal thereof.

The following sections outline the plan for decommissioning of the Project and site reclamation.

Decommissioning

Estimated Cost and Financial Security

Given the expected overall cost of the Project components today, and the estimated salvage value of the panels, racking system, inverters, and transformers, it is customary to expect that the salvage value of the system will exceed decommissioning costs for the first 10 to 15 years of the Project's life. The estimated cost of decommissioning and respective salvage value can be more specifically estimated once the Project achieves commercial operation. The Project currently has agreements in place with landowners that, beginning in Year 10 of the Project's life, will provide greater certainty around decommissioning costs. To accomplish this, it has been agreed that an outside estimate will be prepared by an independent Connecticut-licensed Professional Engineer that will ascertain Project decommissioning costs as well as the anticipated salvage value associated with the Project's components. These estimates will be used to determine the amount of financial security required to secure decommissioning of the Project, which could be in the form of cash, parental guarantee, letter of credit, or performance bond. The estimate for decommissioning and restoration will be re-estimated no more than every two years.

Preparation

Prior to start of decommissioning work, the site will be assessed for existing conditions. Decommissioning and removal of Project structure from the site is anticipated to occur within one year following discontinuation of operations on the Project site. Decommissioning and equipment removal can take up to six months to complete; therefore, assessment of site conditions is needed to ensure proper planning and management of the movement of materials and to protect surrounding natural resources. Erosion and sediment controls will be installed on the site during this time. Access roads and fencing will temporarily remain in place for use by the decommissioning and site restoration workers until decommissioning activities are completed. Demolition debris will be placed in temporary on-site storage areas until final transportation and disposal/recycling. Erosion and sedimentation Best Management Practices will be installed prior to the commencement of any decommissioning activities with notification provided to the appropriate state and municipal agencies.

Photovoltaic Equipment Removal

The Project will be de-energized through disconnection from the utility power grid. All aboveground wirings, cables, and electrical interconnections will be disconnected. Equipment removal will include all aboveground facilities, including wiring, photovoltaic (PV) modules, module racking, string inverters, and panel boards. PV modules will be shipped to a recycling center for recycling and material reuse.

Concrete ballasts foundations used on the municipal landfill areas will be removed and care will be taken to not disturb the integrity of the geomembrane cover on the landfill area. Any holes and/or depressions will be filled. Steel pilings which supported the module racking not on landfill areas will be mechanically removed and any resulting holes will be backfilled with locally imported soil to match existing site soil conditions. The concrete transformer and interconnection equipment pads will be broken up and removed.

The direct current/alternative current power collection system will be dismantled and removed. All underground cables and conduits and cabling that is removed will be recycled. The overhead interconnection to the utility power grid will be removed unless the landowner determines that the electrical service line will be beneficial for future use of the site, in which case the line may remain after decommissioning.

The demolition debris and removed equipment may be cut or dismantled into smaller pieces that can be safely lifted or carried by the deconstruction equipment being used. The majority of glass and steel and aluminum will be processed for transportation and delivery to an off-site recycling center. Minimal non-recyclable materials are anticipated; these will be properly disposed of at a qualified disposal facility.

Access Road and Security Fencing Removal

The on-site access roads servicing the Project and the security fencing around the Project will remain in place during decommissioning activities to support the removal of equipment. Once removal activities are completed, discussion with the landowners will occur to determine if the roads or security fencing will be beneficial for future use of site. If the access roads or security

fencing is determined to be beneficial for future use of site, these facilities may remain in place. Access roads that will not be utilized to support future use of the site will be restored to pre-construction conditions. Areas being returned to prior use will be reseeded to match existing onsite groundcover. If the security fencing is not to be used, it will be removed and transported to the nearest recycling facility.

Site Reclamation

Once all Project equipment has been removed, additional activities will occur to return the property back to conditions similar to pre-construction. Reclamation will restore vegetative cover and hydrological function after the closure of the facility.

Any excavated areas remaining after the removal of equipment pads, access road based material, or fence posts will be backfilled with locally imported soil to match existing onsite soils.

Given the Project's construction plans, which call for minimal disturbance of the earth surface, it is unlikely that any significant earthwork will be required. Efforts will be made to not disturb the natural drainages and existing natural vegetation that remain post-decommissioning.

Once landform features and soils are restored, a seed mix will be applied to match the existing onsite groundcover.

Following site restoration activities, the site will be monitored to confirm that revegetation and any earthwork is lasting permanently. The site will be periodically inspected to check for eroded earthwork or failed revegetation. Any identified deficiencies will be corrected.

Health and Safety Concerns

Site decommissioning will entail the use of heavy equipment, transportation of materials and site restoration. A detailed site-specific Health and Safety Plan will be developed to assess the risks posed by the proposed activities. The plan will detail the stop work triggers, emergency procedures and reporting requirements. Additionally, training and personal protective equipment will be discussed. A Health and Safety tailgate meeting will occur prior to the commencement of each day's activities where the potential hazards and mitigation methods for the day's proposed activities will be discussed.

APPENDIX H – CARBON DEBT ANALYSIS

**Wallingford Renewable Energy Project
Carbon Debt Analysis****Introduction**

The Wallingford Renewable Energy project (the Project) is a proposed 19.99 megawatt (MW) ground mounted photovoltaic (PV) project located in Wallingford, Connecticut. The development area for the Project includes approximately 49 acres of land, which includes capped landfill as well as land that is currently used for active and passive control of historic contamination. The Project is expected to generate 24,000 megawatt hours (MWh) of electricity each year of operation. This is based on an assumption that development of the site could result in the removal of approximately 23 acres of trees.

The following carbon debt analysis was prepared in accordance with Section II, B, 3, k. of the Connecticut Siting Council's Petition for a Declaratory Ruling for a Renewable Energy Facility guidelines (August 2016). In accordance with these guidelines the following analysis primarily draws upon the U.S. Environmental Protection Agency's (USEPA's) Greenhouse Gases Equivalencies Calculator.

Electricity Generation

The USEPA's Greenhouse Gases Equivalencies Calculator estimated that the anticipated annual generation of the Project (24,000 MWh) would be equivalent to 17,861 metric tons of carbon dioxide (CO₂) (USEPA 2017a). The Greenhouse Gas Equivalencies Calculator converts estimated kilowatt-hours into avoided units of carbon dioxide emissions using the U.S. national weighted average CO₂ marginal emission rate. This resulting estimate represents the amount of fossil-fired generation and emissions of CO₂ that would be displaced by the proposed Project (USEPA 2017b).

According to the USEPA, among other things, the estimated reduction associated with the proposed Project would be equivalent to approximately:

- 3,825 passenger vehicles driven for one year (for an estimated total of approximately 44 million miles);
- 2,010,000 gallons of gasoline consumed; or
- 1,929 homes' energy use for one year.

Additional greenhouse gas equivalencies estimated by the USEPA are presented in Attachment A. This estimate does not include any greenhouse gases other than CO₂ (USEPA 2017b). In addition, the estimate does not account for greenhouse gases that would be associated with the Project. Review of life-cycle emissions from PV facilities indicates that the majority (60 to 70 percent) of greenhouse gas emissions occur upstream of facility operation in module materials and manufacturing, with a smaller share associated with power generation and facility operation and maintenance (U.S. Department of Energy, National Renewable Energy Laboratory [NREL] 2012).

Forest Removal

Using data developed by the United States Department of Agriculture (USDA) Forest Service for the Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990–2015 (USEPA 2017c), the USEPA (2017b) estimated that U.S. forests had an average carbon stock density of 76 metric tons of carbon per acre, with an annual net change of 0.23 metric tons of carbon sequestered per acre per year in 2015. The average carbon stock density consists of five forest pools: aboveground biomass (21 metric tons carbon/acre), belowground biomass (4 metric tons carbon/acre), dead wood (4 metric tons carbon/acre), litter (4 metric tons carbon/acre), and soil organic carbon (42 metric tons carbon/acre) (USEPA 2017b).

Converting carbon to carbon dioxide by multiplying the average carbon values per acre by the ratio of the molecular weight of carbon dioxide to that of carbon (44/12) (USEPA 2017b), results in average carbon

dioxide storage of 279 metric tons CO₂/acre, with an annual estimated net change of 0.84 metric tons CO₂/acre. Applying these values to the assumed acreage of forest that could be cleared for the Project (approximately 23 acres), suggests that there would be an initial reduction of storage of approximately 6,485 metric tons of CO₂, with a subsequent annual reduction equivalent to 20 metric tons of CO₂ based on the annual net change in carbon sequestered that would otherwise have occurred.

Summary

Table 1 compares the estimated amount of fossil-fired generation and emissions of CO₂ that would be displaced by the proposed Project with the estimated reduction in CO₂ storage that would result from potential Project-related forest removal. The initial reduction in carbon stock density from tree removal would occur in Year 1. Estimates for Years 2 to 35 represent the annual change that would occur following Year 1. This comparison indicates that the proposed Project would result in a net increase of 11,376 metric tons of CO₂ storage during Year 1, with a net annual increase of 17,841 metric tons of CO₂ storage for the remaining operating life of the Project (represented as 35 years in Table 1 for the purposes of discussion).

Table 1. Estimated Net Change in CO₂ Storage

Electricity generated per year (MWh)	24,000
Estimated Change in CO ₂ storage (metric tons)	
Year 1	17,861
Years 2 to 35	17,861
Acres of forest removed	~23
Estimated Change in CO ₂ storage (metric tons)	
Year 1	-6,485
Years 2 to 35	-20
Estimated Net Change in CO₂ storage (metric tons)	
Year 1	11,376
Year 2 to 35	17,841

References

Department of Energy, National Renewable Energy Laboratory. 2012. Life Cycle Greenhouse Gas Emissions from Solar Photovoltaics. Available online at: <https://www.nrel.gov/docs/fy13osti/56487.pdf>

U.S. Environmental Protection Agency. 2017a. Greenhouse Gases Equivalencies Calculator. Available online at: <https://www.epa.gov/energy/greenhouse-gas-equivalencies-calculator>

U.S. Environmental Protection Agency. 2017b. Greenhouse Gases Equivalencies Calculator – Calculations and References. Available online at: <https://www.epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references>

U.S. Environmental Protection Agency. 2017c. Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990–2015. Available online at: <https://www.epa.gov/ghgemissions/inventory-us-greenhouse-gas-emissions-and-sinks-1990-2015>



TETRA TECH

Attachment A
Greenhouse Gas Equivalencies Calculator
Equivalency Results

Equivalency Results

[How are they calculated?](#)

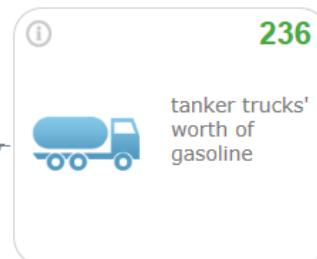
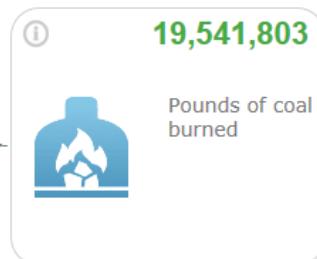
The sum of the greenhouse gas emissions you entered above is of Carbon Dioxide Equivalent. This is equivalent to:

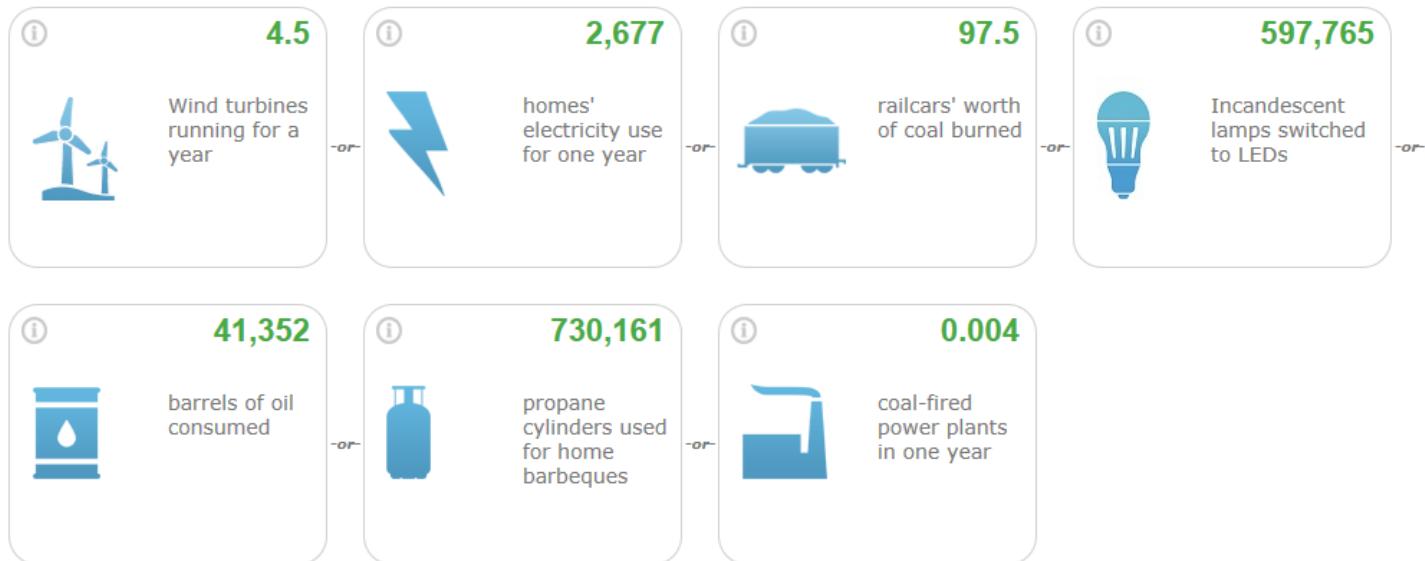
17,861 Metric Tons

Greenhouse gas emissions from



CO₂ emissions from





Carbon sequestered by



Source: <https://www.epa.gov/energy/greenhouse-gas-equivalencies-calculator>
 December 29, 2017

APPENDIX I – OUTREACH AND KEY PROJECT MEETINGS

Wallingford Renewable Energy Outreach and Key Project Meetings

Date	Entity Name	Attendees	Summary
Apr-12-2016	Wallingford Town Council	See I.1	<p>Public hearing with Town Council on the process for leasing Town of Wallingford municipal landfill for solar. Development Manager presented to Town Council proposal for leasing the Town of Wallingford landfill for solar installation. Questions were posed by Councilors about the facility related to potential size, power purchase agreement, electric interconnection, and other potential uses the Town has for the landfill.</p>
Apr-26-2016	MIRA Board of Directors	See I.2	<p>Board meeting to approve entry into option agreement for study and development of solar facility on MIRA property adjacent to Town of Wallingford landfill.</p>
May-16-2017	CTDEEP	See I.3	<p>Meeting with representatives from key offices within CTDEEP related to Project review including Office of Planning and Program Development / Permit Assistance, Site Operations, Solid Waste Permitting, Environmental Review, Stormwater, and Brownfield Coordination. Meeting was wide ranging. Key take-aways for Project design and permitting approach include the following:</p> <ul style="list-style-type: none"> • Summary of Project and location. • Siting of collection system above ground using cable trays. • Conducting wildlife and habitat studies near-term and submitting to NDDB. • Interaction of Connecticut Siting Council review with stormwater review. • Process for applying for an Authorization for Disruption of a Solid Waste Disposal Area with CTDEEP and coordination with Solid Waste Permitting. • Discussion of steps necessary for an Indemnification Agreement with CTDEEP for work on Town of Wallingford landfill. • Process for estimating compression and loading that solar installation will generate as a result of being sited on landfill. • Need to identify where racking system will be driven versus where it will be ballasted in all engineering plan sets. • Need to clearly identify construction phasing approach in permit application for stormwater management during construction. • Need to clearly identify in permit application any seasonal considerations for clearing and grubbing of trees during construction. • Plan for project decommissioning in permit application. Discussion of decommissioning plan currently in place with project landowners. • Location of environmental justice communities relative to Project.

Date	Entity Name	Attendees	Summary
May-25-2017	Town of Wallingford Economic Development Commission	WRE Development Director and Town of Wallingford Economic Development Specialist	Discussion of location of Project and public support for siting the Project on the landfill and property adjacent to landfill. Project benefits to the Town of Wallingford as well as background of Lendlease.
Jun-13-2017	Wallingford Town Council	See I.4	Public hearing with Town Council on lease agreement for Town of Wallingford municipal landfill for solar. Presentation of final lease agreement negotiated with Town of Wallingford and Town of Wallingford outside counsel. Questions answered about security required for removal of equipment in the event of an early termination of the lease agreement in addition to status of negotiation of a tax agreement.
Jun-27-2017	Wallingford Town Council	See I.5	Public hearing with Town Council on final lease agreement for Town of Wallingford municipal landfill for solar. Meeting included a vote in favor of giving the Mayor of Wallingford the authority to enter into the finalized lease agreement. Detailed discussion of project tax agreement and timing for determining amount contained in tax agreement.
Aug-3-2017	MIRA Board of Directors	See I.6	Board meeting to approve final lease agreement for solar facility on MIRA property that is adjacent to Town of Wallingford landfill.
Aug-9-2017	Town of Wallingford	WRE Development Director and Town of Wallingford Environmental and Natural Resources Planner	Discussion of Project and Project location. Discussion of Connecticut Siting Council review process and stormwater management during construction. Agreement that WRE will provide site plan and Erosion and Sediment Control plan to Town of Wallingford for review and comment after submitting application to Connecticut Siting Council.

Date	Entity Name	Attendees	Summary
Aug-9-2017	Town of Wallingford	WRE Development Director and Town of Wallingford Planner	Discussion of Project and Project location. Confirmation of zoning of Project location and Connecticut Siting Council review process. Agreement that WRE will provide site plan and Erosion and Sediment Control plan to Town of Wallingford for review and comment after submitting application to Connecticut Siting Council.
Oct-12-2017	CTDEEP	WRE Development Director, WRE legal counsel, WRE permitting consultant, representatives from key CTDEEP offices	<p>Meeting with representatives from key offices within CTDEEP related to Project review including Site Operations, Solid Waste Permitting, Brownfield Coordination, and Office of Legal Counsel. Key items discussed include:</p> <ul style="list-style-type: none"> • Review of Project progress since meeting in May. • Placing a meteorological station on the landfill to measure solar resource and associated Indemnification Agreement required. • Authorization for Disruption of a Solid Waste Disposal Area and need to conduct geotechnical evaluation of landfill in order to better inform design of solar facility and conduct loading and compaction analysis to submit application package to CTDEEP for review.
Oct-19-2017	Covanta Projects of Wallingford Partnership (Project neighbor)	WRE Project representative, Covanta Transfer Station Manager	Transfer station manager doubted that there would be an issue with the Project given location; site supervisor was out of the country. Project information was emailed to transfer station manager.
Oct-20-2017	Allegheny Ludlum Steel Corp. (Project neighbor)	WRE Project representative, Allegheny Ludlum Steel Representative	Allegheny Ludlum Steel representative requested that Project information be emailed for review.
Oct-20-2017	Wallingford Realty LLC Trustee (Project neighbor)	WRE Project representative, Wallingford Realty Branch Manager	Wallingford Realty representative reviewed Project information and shared with home office.

Date	Entity Name	Attendees	Summary
Oct-20-2017	Nucor Steel Connecticut Inc. (Project neighbor)	WRE Development Director, Nucor Steel Connecticut General Manager	Nucor Steel Connecticut General Manager had no issues with the Project, was interested in how Nucor could supply project with steel required to construct the Project. WRE Development Director agreed to keep Nucor apprised of Project progress and provide contact information of Project construction manager once Project initiates major equipment procurement.
Oct-20-2017	DFP Enterprises (Project neighbor)	WRE Development Director, DFP Enterprises Owner	Discussed Project plan with landowner. No issues with Project. Discussed potential for Project to use warehouse facility as indoor storage for equipment during construction in winter months.
Oct-26-2017	St. Casimir Polish National Catholic Church Cemetery (Project neighbor)	WRE Project representative, presiding Father	Representative from cemetery did not have an issue with the Project.
Oct-26-2017	Ametek Inc. (Project neighbor)	WRE Project representative, plant engineer	Spoke with Ametek branch manager. Follow-up was to email Project information to plant engineer for review and comments or questions. No comments or questions about Project were received.
Oct-27-2017	Rucol LLC (Project neighbor)	WRE Project representative, Rucol representative	Email with Project information sent to Rucol representative for review.
Oct-30-2017	State Representative – District 85	WRE Development Director	Email introduction sent with request for meeting and to answer any questions or concerns related to the Project or proposed location of Project.

Date	Entity Name	Attendees	Summary
Various	Allnex USA Inc. (Project neighbor)	WRE Development Director, Allnex Site Manager	Multiple conversations about the Project and build plan. Local Allnex representative is in support of the Project.
Nov-16-2017	WRE Open House – Wallingford Town Hall	See I.7 and I.8 WRE Development and Engineering Directors, WRE Permitting consultant	Two members of the public attended the Open House event. One individual was curious about the Project and the other individual voiced support in favor of the Project.
Nov-16-2017	Town of North Haven	WRE Legal Counsel, North Haven First Selectman	No issues identified about Project location.
Nov-17-2017	Town of Hamden	WRE Development Director, Hamden Town Planner	Discussed Project plan and location with Town Planner. No issues with Project or location of Project were identified during the conversation.

Date	Entity Name	Attendees	Summary
Dec-20-2017	CTDEEP	WRE Development Director, WRE permitting consultant, WRE Legal Counsel, Representatives from Key CTDEEP Offices	<p>Meeting with representatives from key offices within CTDEEP related to Project review including Office of Planning and Program Development / Permit Assistance, Site Operations and Solid Waste Permitting. Key take-aways for Project design and permitting approach include the following:</p> <ul style="list-style-type: none"> • Need to leave 10' of clearance on northern boundary for Site Operations to access back area of Town Landfill property. • Discussion of ballasted fencing for solar panels on landfill property. • Discussion of a cell phone notification system for remote monitoring of facility. • Discussion of existing industrial SWPPP on property and coordination of WRE stormwater management plan with existing SWPPP. • Detailed discussion of geotechnical study, how it will be implemented, Health and Safety, and required Indemnification Agreement. Need to return to site during growing season to ensure vegetated cover on landfill is replaced following any test pits or borings. • Agreement to provide CTDEEP Site Operations with the detailed ALTA Survey conducted on their site with locations of all improvements.

I-1 – TOWN COUNCIL MINUTES

34,

TOWN OF WALLINGFORD, CONNECTICUT
TOWN COUNCIL MEETING
Town Council Chambers

April 12, 2016

RECORD OF VOTES & MINUTES

The Meeting of the Wallingford Town Council on Tuesday, April 12, 2016 was called to order at 6:36 P.M. The opening Prayer was given by Deacon Eugene Riote, Holy Trinity Church . Councilors in attendance were: Chairman Vincent Cervoni, Craig Fishbein, Thomas Laffin, John LeTourneau, Joseph Marrone, III, Christopher K. Shortell, John J. Sullivan ,Vincent F. Testa, Jr., and Jason Zandri arrived at 6:46 P.M. Mayor William W. Dickinson, Jr., Town Attorney, Gerald E. Farrell, Sr. and Comptroller, James Bowes, were also present at the meeting.

- 3. Consent Agenda
- 3a. Consider and Approve Tax Refunds totaling \$8,242.16 (#623 -# 644)
Acct. #1001001-41020 – Tax Collector
- 3b. Acceptance of Donations from Evonik Cyro LLC in the amount of \$3,500 and Consider and Approve Appropriation to the following:

Consider and Approve Appropriation of funds in the amount of \$1,500 to Evonik – MRC 2016 - Revenue, Acct. #2504002-47152 and to Evonik –MRC 2016 - Expenditures, Acct. #25040050-Health Medical Reserve Corp.

Consider and Approve Appropriation of funds in the amount of \$1,000 to Donations – Revenue, Acct. No. 2502002-47152 and to Program Expenditures – Fire, Acct. #25020150-58830 – Fire Department

Consider and Approve Appropriation of funds in the amount of \$1,000 to Revenue Donations – Police, Acct. #2502002-47152 and to Expense Donations – Police, Acct. #25020050-58830-TBD-Police

- 3c. Consider and Approve a Transfer in the amount of \$3,300 from Regular Salaries and Wages, Acct. #10010401-51000 to Printer/Copier, Acct. # TBD and Currency Counter, Acct. #TBD-Comptroller
- 3d. Consider and Approve a Transfer in the amount of \$3,600 from Contingency General Purpose, Acct. #10019000-58820 to Social Service Contributions -Committee on Aging-Busses, Acct. #TBD– Mayor
- 3e. Consider and Approve a Transfer in the amount of \$863 from Operating Expenses, Acct. #10020100-58735 to Capital Expenses-Computer, Acct. #TBD – Animal Control
- 3f. Consider and Approve Appropriation of funds in the amount of \$190 to Donations, Acct. #2134002-47152 and to Expenditures, Acct. #21340100-58830 – Y&SS

- 3g. Acceptance of Grant from the Clorox Foundation in the amount of \$2,000 and a Donation from the Wallingford Public Library in the amount of \$300 and Consider and Approve Appropriation of funds to Revenue- Donations, Acct. #2264002-47152 and to Expenditures, Acct. #22640150-58830 – Y&SS
- 3h. Consider and Approve Appropriation of funds in the amount of \$750 to Revenue-Regular Fees, Acct #2264002-47152 and to Expenditures, Acct. #22640150-58830-Y&SS
- 3i. Acceptance of Donations and Consider and Approve Appropriation of funds in the amount of \$400 to Donations, Acct. #2134002-47152 and to Expenditures, Acct. #21340100-58830 –Y&SS
- 3j. Consider and Approve Appropriation of funds in the amount of \$20 to Donations, Acct. #2134002-47152 and to Expenditures, Acct. #21340100-58830 –Y&SS
- 3k. Consider and Approve a Transfer in the amount of \$4,261 from Contingency General Purpose, Acct. #10019000-58820 to Mayor-Copier, Acct. #TBD - Mayor
- 3l. Consider and Approve Appropriation of funds in the amount of \$15,900 to Program Revenue, Acct. #TBD and to Expenditures – Feasibility Study, Acct. #TBD -Comptroller
- 3m. Consider and Approve a Transfer in the amount of \$960 from Unemployment Insurance, Acct. #10012100-52970 to Personnel Computer, Acct. #TBD - Personnel
- 3n. Consider and Approve reappointment of Daryll Porto as an Alternate to the IWWC for a three year term effective immediately and expiring March 1, 2019 – Chairman Vincent Cervoni
- 3o. Consider and Approve reappointment of William Austin as an Alternate to the Historic Properties Commission effective immediately and expiring March 27, 2021 –Chairman Vincent Cervoni
- 3p. Approve Town Council Minutes of March 22, 2016
- 3q. Approve Special Town Council Workshop Minutes of March 30, 2016
- 3r. Consider and Approve Appointment of Kimberly Pisani to the Public Celebrations Committee for a two year term effective immediately and expiring February 1, 2018 – Councilor Craig Fishbein
- 3s. Consider and Approve Appointment of Lisa Chuba to Public Celebrations Committee for a two year term effective immediately and expiring February 1, 2018 – Councilor Craig Fishbein
- 3t. Consider and Approve Appointment of Holly Lafond to the Public Celebrations Committee to fill a two year term – Councilor Craig Fishbein

MOTION WAS MADE TO APPROVE CONSENT AGENDA ITEMS 3a.-3t.

MADE BY:	LAFFIN
SECONDED BY:	FISHBEIN
VOTE:	9-AYE
MOTION:	PASSED

4. Items Removed from the Consent Agenda: *None*

5. PUBLIC QUESTION AND ANSWER PERIOD

Don Kennedy, Bull Avenue, stated that he is in the process of getting financials from Jim Bowes. He commented that FOI clause states that if information is on the computer, then it should be available to the public electronically. He said that he does not want to pay \$0.50 per page.

Bob Gross, Long Hill Road, made a comment to the Mayor that if the information is on the computer, you must provide a disk according to FOI rules.

Bob Gross, Long Hill Road, spoke about the Town going over to self- insurance over the years. He commented that we have been with the same agent for many years and we also do a third party administrator and we do not go out to bid. He feels that a lot of money can be saved and that we should go out to bid.

Closed Public Question and Answer Period at 6:52 P.M.

6. Proposal by Lendlease Company regarding Installing Solar Panels at Landfill Site

In attendance: Kris Pitney, Development Manager, Lendlease

Kris Pitney, Development Manager, Lendlease Company, spoke about Lendlease being an Australian, multi national company which focuses on energy development, energy construction and energy efficiency projects, mostly focusing on renewable projects. He provided a handout to the Councilors - Wallingford Site Proposal. Mr. Pitney then pointed out that the area they are looking at is an old landfill located at Pent Road that was capped in 1986. He then gave his presentation and pointed out some benefits to the Town.

Chairman Cervoni stated that we cannot act on this until it is put on the Agenda. Councilor Zandri referred to Page 8 of the Proposal and asked if that is where they would put the panels. He stated that is a 10-40 megawatt facility and asked if that is normal for such a widespread range and if this went through, where is the power going. Mr. Pitney replied that the reason for the range has to do with energy storage and then he went on to state that the major utilities are required to buy a certain percent of clean energy so Eversource and UI will buy the power that is required for them to purchase. He also stated that solar projects go up quickly. Mayor Dickinson stated that the power cannot run into our sub-station.

Councilor Fishbein inquired about Page 9 of the Proposal where it states Potential to Provide Wallingford Municipal Electric with Renewable Energy and he asked if that is a government regulatory requirement. Mr. Pitney responded that is far down the road if Connecticut Government changed its mind. Councilor Fishbein asked the Mayor if we have potential use for this property and Mayor Dickinson replied not that he is aware of because it's capped and can't be disturbed and is affected by ethanol. Councilor Fishbein asked about solar arms and reflections. Mr. Pitney stated we find the site attractive and it is not near any neighborhoods and said that we would select non reflective material. Councilor Fishbein asked if the State has some benefit to this company.

Mr. Pitney responded that the State has some initiatives with proposals and adds points to companies who use landfills in their bid process.

Councilor LeTourneau asked if the company was connected with North Haven and Mr. Pitney's response was no. He also asked if there were any tax restrictions from the Town or special rate. Mr. Pitney replied that he is not a tax expert and that the value of land & improvements will be taxed. Councilor Sullivan asked if they would be making any changes to the property and Mr. Pitney responded no, not on the landfill.

Councilor Zandri asked if it was more attractive to do the landfill and the MIRA property at the same time and Mr. Pitney replied yes.

Councilor Sullivan asked if this would have to be approved by P&Z and Mayor Dickinson responded yes but right now they need a letter of intent to apply and follow regular procedures for approval. Mr. Pitney stated that they install their own panels. Councilor Testa said that this was a great idea and he was optimistic. He also asked about payments made during the option period. Mr. Pitney responded that there is an option to lease. You would enter into the option agreement development phase and we would also agree on lease agreement. Option payments are small compared to lease payments with developed property. Councilor Marrone asked if any liability would fall on Lendlease and he also asked what the lifespan was. Mr. Pitney explained that liability was something that would need to be discussed and said that panels are good for 35 years. Councilor Fishbein asked when the terms of the option would go into place and Mr. Pitney stated that would be negotiated and it would be June or July of 2016 and noted that a one-time payment comes with the letter of intent.

Bob Gross, Long Hill Road, asked what the total investment would be. Mr. Pitney replied that the investment would be substantial but that was not something that would be discussed now.

Mayor Dickinson stated that this has to be a merchant plant.

Candice Brashears, 90 North Airline Road, asked if this is considered open space and Mayor Dickinson responded that he didn't think so.

Tom Corrigan, Mountain View Road, made a comment about maximum capacity and asked about how much time can we expect to have full discharge.

Mayor Dickinson stated this is an introductory presentation and there are a lot of unknowns. We need to see a letter of intent.

Chairman Vincent Cervoni thanked Mr. Pitney for his presentation. (Presentation Attached)

7. Discussion and Possible Action with Respect to Removal of the Affordable Housing Restriction Imposed by the Council on Simpson Village.

In Attendance: Bob LaRosa, Atty. Jerry Martorelli and their Realtor

**MOTION WAS MADE TO APPROVE REMOVAL OF THE AFFORDABLE
HOUSING RESTRICTION IMPOSED BY THE COUNCIL ON SIMPSON
VILLAGE.**

MADE BY: LAFFIN
SECONDED BY: LETORNEAU

Attorney Jerry Martorelli presented an overview of the project. He spoke about restrictions put on the property when it was first purchased by the Town. He mentioned that density was reduced from 30 to 25 units. The price range is \$300,000.00 - \$380,000.00. He also stated that there are seven affordable units and only one has sold so far at \$250,000.00. The affordable income requirement has been a major impediment to sales. He commented that Council has been supportive over years and since 2007 the market has changed dramatically. Chairman Cervoni asked for some specific examples of failed sales because of affordability requirement. The Realtor, Karen, replied that no one qualified for the yearly income requirement and one example is that somebody was over qualified by \$25.00. Mr. LaRosa stated that it is hard to judge how many people have walked away from the units because of being over qualified. He stated that we have been marketing for over 18 months and this is the dilemma we've been having. Chairman Cervoni asked if the affordable requirement is lifted will that change how you price the unit and Mr. LaRosa responded no. The price of the property won't change but then income qualifications won't come into play. Councilor Fishbein asked when the property was acquired and Mr. LaRosa responded in 2007. Councilor Fishbein stated that you made the choice not to build affordable right away and Mr. LaRosa replied that there was a banking crisis that hit in 2008 and no one would finance. He said that \$250,000.00 is the baseline price and then there are options. Councilor Fishbein stated that as long as the base price doesn't rise, he would be in favor. Councilor Laffin stated that he is in favor and Councilor Sullivan stated that he is not in favor of this and goes on to state that 30% of these units are supposed to be affordable. Mr. LaRosa stated that we are \$46,000.00 below the affordable price formula and can't sell them. Councilor Testa stated that he was on the Council when we originally sold the property we used generally accepted State formula for what constitutes affordable housing. Association is self-governing for two years and has raised condo fees. Councilor Marrone stated that units are not in demand and we shouldn't saddle owners and associations with extra costs. Councilor Zandri said 18 units were sold at full price and we sold you the property for \$100,000.00. We should have put it out to bid. Councilor Fishbein said that he is willing to impose a different formula for affordability. We could get out of 80% range and go to 90% of income.

Gina Morgenstein, South Main Street, asked what the sample unit looks like and if it is a \$250,000.00 unit or if it had been upgraded.

Don Kennedy, Bull Avenue, stated that as a senior, Simpson Village was out of his price range and that he bought elsewhere. He indicated they should cut their price in order to sell.

Bob Gross, Long Hill Road, stated that we should not change the deal.

Mr. LaRosa addressed sales price. He states that for the first RFP there were zero responses and the second RFP there were two responses, one being ours. It was an unknown of removing the building, as to any contaminants.

James Hime, 5 Elm Street, has an issue with removing affordable housing stipulation. He believes they should reduce the asking price.

Councilor Testa made the following Amendment:

AMENDMENT TO THE ORIGINAL MOTION WAS MADE TO REMOVE AFFORDABILITY REQUIREMENT FOR INCOME CALCULATION BUT KEEP AFFORDABILITY CALCULATION FOR SALES PRICE.

**MADE BY: TESTA
SECONDED BY: ZANDRI**

ROLL CALL VOTE:	SHORTELL: NO
FISHBEIN: YES	SULLIVAN: NO
LAFFIN: NO	TESTA: YES
LETOURNEAU: YES	ZANDRI: NO
MARRONE: NO	CHAIRMAN CERVONI: YES
4-AYE	
MOTION FAILED	

VOTE ON MOTION AS IT STANDS WITHOUT AMENDMENT:

ROLL CALL VOTE:	SHORTELL: YES
FISHBEIN: YES	SULLIVAN: NO
LAFFIN: YES	TESTA: NO
LETOURNEAU: YES	ZANDRI: NO
MARRONE: YES	CHAIRMAN CERVONI: YES
MOTION: PASSED	

8. Discussion and Action to:

- Revote to revise Charter
- Confirmation of appointments to Charter Commission;
- Setting the charge of the Charter Revision Commission 2016;
- Specifying deadline for the Commission to submit its draft report -- Chairman
Vincent Cervoni

MOTION TO REAFFIRM THE ESTABLISHMENT OF A CHARTER REVISION COMMISSION TO REVIEW AND PROPOSE POSSIBLE REVISIONS TO THE TOWN CHARTER THAT IS TO CONSIST OF:

Robert Swick	Jim Seichter
Christina Tatta	Stephen knight
Tom Corrigan	Mark Gingras
Jonathan Chappell	Samuel Carmody
Gina Morgenstein	Patricia Kohl
James Pyskaty	

**MADE BY: LAFFIN
SECONDED BY: FISHBEIN**

Move to charge Charter Revision Commissions in accordance with documents filed.

Gina Morgenstein, South Main Street, confirmed that we are not limiting ourselves to discuss these, but these are the Council's recommendations.

Christina Tatta, 7051 North Farms Road, asked if Charter can be put online.

ROLL CALL VOTE:	SHORTELL: YES
FISHBEIN: YES	SULLIVAN: YES
LAFFIN: YES	TESTA: YES
LETOURNEAU: YES	ZANDRI: YES
MARRONE: YES	CHAIRMAN CERVONI: YES
ALL-AYE	
MOTION PASSED	

MOTION WAS MADE TO SET JUNE 30, 2017 AS THE DEADLINE FOR THE COMMISSION TO SUBMIT DRAFT REPORT.

MADE BY: FISHBEIN
SECONDED BY: LAFFIN

Jonathan Chappell, 90 East Dayton Hill Road, stated that the deadline for a draft report should be a little more aggressive than 16 months.

ROLL CALL VOTE:	SHORTELL: NO
FISHBEIN: YES	SULLIVAN: YES
LAFFIN: YES	TESTA: YES
LETOURNEAU: YES	ZANDRI: YES
MARRONE: YES	CHAIRMAN CERVONI: YES
8-AYE	
MOTION PASSED	

9. Discussion and Possible Action with regard to the 2015 Comprehensive Annual Financial Report.

Councilor Fishbein commented on the Summary of Audit, Paragraph 5. Mayor Dickinson stated that the figures as presented are accurate but are they a summary of the audit.

Councilor Fishbein asked Mr. Bowes what the definition of surplus is. Mr. Bowes replied that surplus is revenue subtracted from expenditures. Mr. Bowes goes on to explain the total fund balance grew by approximately \$2,000,000.00. He stated that 1% of funds, the schools carry forward and that last year Board of Education was less than \$800,000.00. Committed funds went up 1,000,000.00. We cannot use appropriations in force, they are locked.

Councilor Fishbein asked if you spend less than what you budgeted for and what you expected as revenues went up, would that be a surplus? Mr. Bowes responded no. Councilor Fishbein stated that on Page 19 of the audit there is not mention of a surplus.

Mayor Dickinson stated that we have to be accurate. The major point is what money is available.

Councilor Shortell stated that Mr. Bowes met with Councilor Marrone and himself and helped them understand the budget process. Councilor Marrone and Councilor Shortell thanked Mr. Bowes for his time.

Councilor Testa stated that the argument is about budget process, not about final numbers in audit. He also talked about different ways to present the report in the future.

10. Discussion and Possible Action regarding Appointment to the Historic Properties Commission for a five year term effective immediately and expiring March 27, 2021.

WITHDRAWN

11. Executive Session pursuant to CGS Sec. 1-225(f) and Sec.1-200(6)(B) regarding strategy and negotiations with respect to the pending litigation matter of the *Town of Wallingford v. Hart - Law*

MOTION TO GO INTO EXECUTIVE SESSION PURSUANT TO Section 1-225(f) and Section 1-200(6)(B) of the Connecticut General Statutes regarding strategy and negotiations with respect to the pending litigation matter of the *Town of Wallingford v. Hart*

MADE BY: LAFFIN

SECONDED: FISHBEIN

VOTE: ALL-AYE

MOTION PASSED

MOTION TO COME OUT OF EXECUTIVE SESSION AT 10:44 P.M.

MADE BY: LAFFIN

SECONDED: SHORTELL

VOTE: ALL-AYE

MOTION PASSED

Time of Executive Session: 10:38 P.M. to 10:44 P.M.

Attendance at the Executive Session: 9 Councilors, Mayor Dickinson and Town Attorney Gerald E. Farrell, Sr.

12. Motion to consider and approve a settlement regarding the pending litigation matter of the *Town of Wallingford v. Hart* as discussed in Executive Session – Law

MOTION TO APPROVE THE SETTLEMENT AS DISCUSSED IN EXECUTIVE SESSION IN THE PENDING LITIGATION MATTER OF THE *TOWN OF WALLINGFORD V. HART*.

MADE BY: LAFFIN
SECONDED BY: FISHBEIN
VOTE: ALL-AYE
MOTION PASSED

13. Executive Session pursuant to Section 1-200(D) of the Connecticut General Statutes with respect to the purchase, sale and/or leasing of property – Mayor

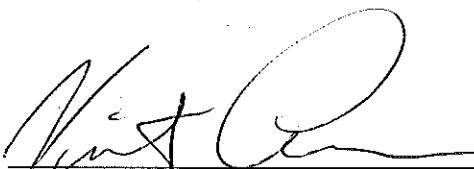
WITHDRAWN

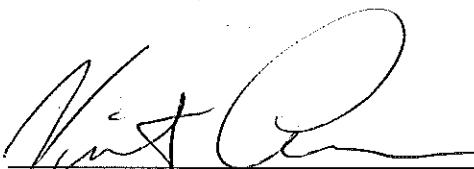
MOTION TO ADJOURN
MADE BY: SHORTELL
SECONDED BY: LETOURNEAU
VOTE: ALL-AYE
MOTION PASSED

The Council adjourned the meeting at 10:45 P.M.

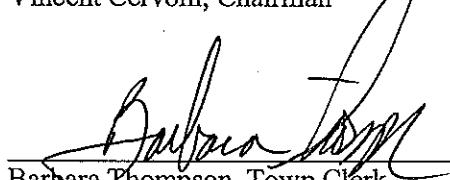
Respectfully submitted,

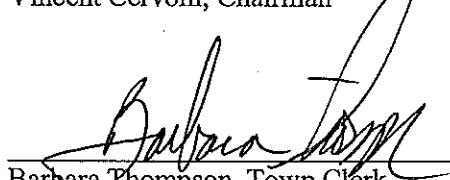
Lisa Moss
Council Staff
Meeting digitally recorded


Vincent Cervoni, Chairman


26 APRIL 2016

Date


Barbara Thompson, Town Clerk


4/26/16

Date

RECEIVED FOR RECORD 4-27-16
AT 9:00 AND RECEIVED BY
Barbara Thompson TOWN CLERK

I-2 – MIRA BOARD OF DIRECTORS' MEETING (APRIL 2016)

MATERIALS INNOVATION AND RECYCLING AUTHORITY

FOUR HUNDRED AND SIXTY THIRD

APRIL 26, 2016

A special telephonic meeting of the Materials Innovation and Recycling Authority Board of Directors was held on Thurs. April 26, 2016, in the Board Room at 200 Corporate Place, Suite 202, Rocky Hill, CT 06067. Those present by telephone were:

Directors: Chairman Don Stein
Vice-Chairman Dick Barlow
John Adams
Ralph Eno
Jim Hayden
Andy Nunn
Bob Painter
Patricia Wildlitz

Present from MIRA in Rocky Hill:

Tom Kirk, President
Mark Daley, Chief Financial Officer
Dave Bodendorf, Senior Environmental Engineer
Peter Egan, Director of Operations and Environmental Affairs
Laurie Hunt, Director of Legal Services
Moira Kenney, Assistant HR Manager/Board Administrator

Chairman Stein called the meeting to order at 2:00 p.m. and said a quorum was present.

EXECUTIVE SESSION

Chairman Stein requested a motion to enter into Executive Session to discuss trade secrets, pending RFP's, and feasibility estimates and evaluations. The motion was made by Director Adams and seconded by Director Eno and was approved unanimously.

Chairman Stein asked the following people to join the Directors in the Executive Session:

Tom Kirk
Mark Daley
Peter Egan
Laurie Hunt

The motion was approved unanimously by roll call. Chairman Stein, Vice-Chairman Barlow, Director Adams, Director Eno, Director Hayden, Director Nunn, and Director Wildlitz voted yes.

Directors	Aye	Nay	Abstain

Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Ralph Eno	X		
Jim Hayden	X		
Andy Nunn	X		
Patricia Wildlitz	X		

The Executive Session began at 2:00 p.m. and concluded at 2:18 p.m. Chairman Stein noted that no votes were taken in Executive Session.

The meeting was reconvened at 2:18 p.m. The door was opened, and the Board Secretary and all members of the public were invited back in for the continuation of public session.

RESOLUTION REGARDING OPTION AGREEMENTS AND ACCESS AND USE AGREEMENTS FOR DEVELOPMENT OF CLEAN ENERGY WITH GREENSKIES RENEWABLE ENERGY LLC

Chairman Stein requested a motion on the above referenced item. Vice-Chairman Barlow made the motion which was seconded by Director Eno.

WHEREAS, on March 9, 2016, the Connecticut Department of Energy and Environmental Protection (“DEEP”) issued a Notice Of Request For Proposals From Developers of Clean Energy (“DEEP RFP”); and

WHEREAS, on March 17, MIRA issued a Request for Proposals For Private Developers To Access And Use MIRA Properties For The Development Of Clean Energy, for the purpose of identifying one or more Developers, to propose into the DEEP RFP, Clean Energy projects on MIRA properties; and

WHEREAS, MIRA has received a proposal to access and use its Wallingford Property for the development of a Clean Energy project, and negotiated the terms of such access and use with Lend Lease Energy Development, LLC (“Lend Lease”); and

WHEREAS, in order for Lend Lease to submit a project into the DEEP RFP for development on MIRA’s Wallingford Property, Lend Lease must demonstrate site control through an Access and Use Option Agreement with MIRA; and

WHEREAS, in the event Lend Lease’s project submitted into the DEEP RFP for development on MIRA’s Wallingford Property is selected by DEEP, Lend Lease and MIRA will execute the Agreement to Access and Use MIRA Property for Development of Clean Energy, as such Agreement will define MIRA’s and Lend Lease’s respective rights and responsibilities (including lease payments to MIRA) regarding the development, operation, and decommissioning of the selected project;

NOW, THEREFORE, BE IT:

RESOLVED: That the Board of Directors authorizes the President to enter into an Access and Use Option Agreement with Lend Lease to enable Lend Lease to demonstrate site control of the Wallingford Landfill Property for the purposes of proposing into the DEEP RFP; and

FURTHER RESOLVED: That the Board of Directors authorizes the President to enter into an Agreement to Access and Use MIRA Property for Development of Clean Energy, for the Wallingford Property, substantially as presented and discussed at this meeting, in the event Lend Lease's project submitted into the DEEP RFP for development on MIRA property is selected by DEEP.

The motion previously made and seconded was approved unanimously by roll call. Chairman Stein, Vice-Chairman Barlow, Director Adams, Director Eno, Director Hayden, Director Nunn, Director Painter, and Director Wildlitz voted yes.

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Ralph Eno	X		
Jim Hayden	X		
Andy Nunn	X		
Bob Painter	X		
Patricia Wildlitz	X		

RESOLUTION REGARDING AN OPTION AGREEMENT AN ACCESS AND USE AGREEMENT FOR DEVELOPMENT OF CLEAN ENERGY WITH LEND LEASE ENERGY DEVELOPMENT, LLC

Chairman Stein requested a motion on the above referenced item. Vice-Chairman Barlow made the motion which was seconded by Director Hayden.

WHEREAS, on March 9, 2016, the Connecticut Department of Energy and Environmental Protection (“DEEP”) issued a Notice Of Request For Proposals From Developers of Clean Energy (“DEEP RFP”); and

WHEREAS, on March 17, MIRA issued a Request for Proposals For Private Developers To Access And Use MIRA Properties For The Development Of Clean Energy, for the purpose of identifying one or more Developers, to propose into the DEEP RFP, Clean Energy projects on MIRA properties; and

WHEREAS, MIRA has received proposals to access and use its Ellington and Waterbury landfill properties for the development of Clean Energy projects, and negotiated the terms of such access and use with Greenskies Renewable Energy, LLC (“Greenskies”); and

WHEREAS, in order for Greenskies to submit projects into the DEEP RFP for development on MIRA properties, Greenskies must demonstrate site control through an Access and Use Option Agreement with MIRA; and

WHEREAS, in the event Greenskies' projects submitted into the DEEP RFP for development on MIRA properties are selected by DEEP, Greenskies and MIRA will execute the Agreement(s) to Access and Use MIRA Property(s) for Development of Clean Energy, as such Agreement will define MIRA's and Greenskies' respective rights and responsibilities (including lease payments to MIRA) regarding the development, operation, and decommissioning of the selected project(s);

NOW, THEREFORE, BE IT:

RESOLVED: That the Board of Directors authorizes the President to enter into Access and Use Option Agreements with Greenskies to enable Greenskies to demonstrate site control of the Ellington and Waterbury landfill properties for the purposes of proposing into the DEEP RFP; and

FURTHER RESOLVED: That the Board of Directors authorizes the President to enter into Agreement(s) to Access and Use MIRA Property(s) for Development of Clean Energy, for the Ellington and Waterbury landfill properties, substantially as presented and discussed at this meeting, in the event Greenskies' projects submitted into the DEEP RFP for development on MIRA properties are selected by DEEP.

The motion previously made and seconded was approved unanimously by roll call. Chairman Stein, Vice-Chairman Barlow, Director Adams, Director Eno, Director Hayden, Director Nunn, Director Painter, Director Shanley and Director Wildlitz voted yes.

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Ralph Eno	X		
Jim Hayden	X		
Andy Nunn	X		
Bob Painter	X		
Patricia Wildlitz	X		

ADJOURNMENT

Chairman Stein requested a motion to adjourn the meeting. The motion to adjourn was made by Director Adams seconded by Director Eno and was approved unanimously

The motion previously made and seconded was approved unanimously by roll call. Chairman Stein, Vice-Chairman Barlow, Director Adams, Director Eno, Director Hayden, Director Nunn, Director Painter, Director Shanley and Director Wildlitz voted yes.

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Ralph Eno	X		
Jim Hayden	X		
Andy Nunn	X		
Bob Painter	X		
Patricia Wildlitz	X		

There being no other business to discuss, the meeting adjourned at 2:20 p.m.

Respectfully Submitted,

Moira Kenney
Assistant HR Manager/Board Administrator

I-3 – CTDEEP MEETING (MAY 2017)

NAME	COMPANY/PROGRAM	EMAIL ADDRESS	TELEPHONE
Robert Hannon	DEEP - Office of Planning and Program Development / Permit Assistance Office	robert.hannon@ct.gov	(860) 424-3245
Ray Frigon	DEEP - Site Operations	raymond.frigon@ct.gov	860-424-3797
Al Smith	Murtha Collina	asmith@murchlaw.com	203-772-7722
Kris Pitney	Lend Lease	kris.pitney@lendlease.com	857-331-0007
Briony Angus	Tishet Bond	briony.angus@tishetbond.com	413/875-1302
Gabrielle Frigon	CT DEEP Solid Waste Party	gabrielle.frigon@ct.gov	860-424-3795
FREDERIC RIESE	DEEP- Environmental Review	frederick.riese@ct.gov	860-424-4110
SHARON YURASEVECZ	DEEP - STORMWATER (Construction)	sharon.yurasevecz@ct.gov	860-424-3861
Mark Lewis	DEEP Brownfields Coordinator	mark.lewis@ct.gov	(860) 424-3768
Graham Stevens	DEEP	graham.stevens@ct.gov	860-424-4166
Joe Jordan	Lend Lease	joseph.jordan@lendlease.com	214/662-5857

Organization: LEND LEASE

Meeting Date: 16 MAY 2017

Comments: WALLINGFORD 19.99 MW SOLAR PROJECT.

I-4 – TOWN COUNCIL MINUTES (JUNE 13, 2017)

TOWN OF WALLINGFORD, CONNECTICUT
TOWN COUNCIL MEETING
Town Council Chambers
June 13, 2017
RECORD OF VOTES & MINUTES

The Meeting of the Wallingford Town Council on Tuesday, June 13, 2017 was called to order at 6:30P.M. There was a moment of silence and the Pledge of Allegiance was said. Councilors in attendance were: Chairman Vincent Cervoni, Craig Fishbein, Thomas Laffin, John LeTourneau (arrived at 6:45 p.m.), Joseph A. Marrone, III, Christopher K. Shortell, John J. Sullivan, Vincent F. Testa (arrived at 6:32 p.m.) and Jason Zandri. Mayor William W. Dickinson, Jr, Corporation Counsel Janis Small and James Bowes, Comptroller were also present at the meeting.

1. Pledge of Allegiance
2. Roll Call
3. Consent Agenda
 - 3a. Consider and Approve Tax Refunds totaling \$7,910.90 (#840-859)
Acct. #1001001-41020 – Tax Collector
 - 3b. Acceptance of Donations from Evonik Industries and consider and approve appropriation of funds in the amount of \$3,500 - Mayor

Health Department:

\$1,500	To MRC 2017 Grant Revenue	Acct. # 2502002-47152
\$1,500	To MRC 2017 Exps.	Acct. #TBD

Police:

\$1,000	To Revenue Donations –Police	Acct. #2502002-47152
\$1,000	To Expense Donations-Police	Acct. #25020050-58830-TBD

Fire:

\$1,000	To Donations – Revenue	Acct. #2502002-47152
\$1,000	To Program Expenditures-Fire	Acct. #25020150-58830-TBD

- 3c. Consider and Approve a Transfer in the amount of \$1,600 –P&Z

\$1,000	From Capital Expenditure-Server	Acct. #10010700-57000-00564
300	From Capital Expenditure-Server	Acct. #10010700-57000-00564
300	From Capital Expenditure-Server	Acct. #10010700-57000-00564

\$1,000	To Dues & Fees	Acct. #10010700-58810
300	To P.S. Secretarial	Acct. #10010700-56702
300	To Maint. of Equipment	Acct. #10010700-54325

- 3d. Consider and Approve a Transfer in the amount of \$800 from Contingency-Accrued, Acct. #10019000-58821 to Dog-Regular Wages, Acct. #10020100-51000 – Animal Control Officer
- 3e. Consider and Approve a Transfer in the amount \$8,000 from Comptroller's – Reg. Wages, Acct. #10010401-51000 to Comptroller's- Oper. Exp., Acct. #10010407-58735 - Comptroller
- 3f. Acceptance of Federal/State Highway Safety grant and consider and approve appropriation of funds in the amount of \$13,975.00 to Revenue Highway Safety, Acct. #1002001-45208 and to Police Overtime, Acct. #10020050-51400– Police Department
- 3g. Consider and Approve a Transfer in the amount of \$4,821from Gen. Purpose Contingency, Acct. #10019000-58820 to Professional Services, Acct. #TBD – Mayor
- 3h. Consider and Approve a Transfer in the amount of \$6,000 – Fire Dept.

\$6,000	From Replacement Pay	Acct. #50020155-51500
\$4,000	To Overtime	Acct. #50020155-51400
2,000	To Wage Differential	Acct. #50020155-51450

- 3i. Consider and Approve a Transfer in the amount of \$5,000 from General Purpose-Contingency, Acct. #10019000-58820 to Overtime, Acct. #10030000-51400 – Public Works
- 3j. Consider and Approve a Transfer in the amount of \$16,300 from Distribution Maintenance-Overhead Lines, Acct. #593 to Distribution Operations-Meter Expense, Acct. #586 – Electric Div.
- 3k. Consider and Approve a Transfer in the amount of \$38,600 from Employee Pension and Benefits, Acct. #926 to Injuries and Damages, Acct. #925– Electric Div.
- 3l. Consider and Approve a Transfer in the amount of \$25,000 from Misc. Expenses, Acct. #46100643 to Sludge Disposal, Acct. #46100645 – Sewer Div.
- 3m. Consider and Approve a Transfer in the amount of \$250,000 from Contingency-Accrued Expenses, Acct. #10019000-58821 to Pension – Employer Contributions, Acct. #10012050-52305 – Comptroller
- 3n. Consider and Approve a Transfer in the amount of \$8,500 from Professional Services-Specialists, Acct. #10010300-56714 to Professional Services – Lawyers, Acct. #10010300-56710 – Law Dept.
- 3o. Consider and Approve the reappointment of Sean Doherty to the Board of Ethics for a three year term effective immediately and expiring March 1, 2020 – Mayor

- 3p. Consider and Approve the reappointment of Mary Paquette to the Board of Ethics for a three year term effective immediately and expiring March 1, 2020 – Mayor
- 3q. Consider and Approve the reappointment of John Paul Venoit to the Board of Ethics for a three year term effective immediately and expiring March 1, 2020 – Mayor
- 3r. Consider and Approve the reappointment of Rev. Dean Warburton to the Board of Ethics for a three year term effective immediately and expiring March 1, 2020 – Mayor
- 3s. Approve Town Council Minutes of May 23, 2017

Addendum to Consent Agenda:

- 3t. Consider and Approve the appointment of Armand Menard to fill the alternate position to the Planning & Zoning Commission which will expire January 8, 2019 – Chairman Cervoni

MOTION WAS MADE TO APPROVE CONSENT AGENDA ITEMS 3a– 3d, 3f-3l and 3n-3t.

MADE BY: LAFFIN
SECONDED BY: FISHBEIN
VOTE: ALL AYE
MOTION: PASSED

4. Items Removed from Consent Agenda:

- 3e. Consider and Approve a Transfer in the amount \$8,000 from Comptroller's – Reg. Wages, Acct. #10010401-51000 to Comptroller's- Oper. Exp., Acct. #10010407-58735 - Comptroller

MOTION WAS MADE TO MOVE TO APPROVE A TRANSFER IN THE AMOUNT OF \$8,000 FROM COMPTROLLER'S – REG. WAGES, ACCT. #10010401-51000 TO COMPTROLLER'S – OPER. EXP., ACCT. #10010407-58735.

Councilor Fishbein asked what this is for and Mr. Bowes replied that the town had decided about 10 to 15 years ago to centralize the mail service and eliminated the personnel. He then explained that this money is for the cost of the three pieces of machinery in the central service area plus the increase in postage and certified mail. He then stated that this came up after the budget.

Councilor Fishbein remarked that in March this line item had expended \$72,000 and the line item was set at \$109,000 so you still need additional money? He then asked if that was an accurate number given in March. Mr. Bowes responded yes.

MADE BY: LAFFIN
SECONDED BY: SULLIVAN
VOTE: ALL AYE
MOTION: PASSED

3m. Consider and Approve a Transfer in the amount of \$250,000 from Contingency-Accrued Expenses, Acct. #10019000-58821 to Pension – Employer Contributions, Acct. #10012050-52305 – Comptroller

MOTION WAS MADE TO MOVE TO APPROVE A TRANSFER IN THE AMOUNT OF \$250,000 FROM CONTINGENCY-ACCRUED EXPENSES, ACCT. #10019000-58821 TO PENSION – EMPLOYER CONTRIBUTIONS, ACCT. #10012050-52305.

**MADE BY: LAFFIN
SECONDED BY: SULLIVAN**

Councilor Shortell stated that he has some questions on this item and asked where the pension fund is at.

Mr. Bowes stated there are two sides to the equation, retirees, and employees paying in.

Councilor Shortell asked what the balance is of the assets and Mr. Bowes responded \$192.6 million as of May 31, 2017. He then asked how we are doing and what the material effect is. Councilor Shortell also stated that he is struggling with why we are putting this into the pension and not doing something else with this money.

Mayor Dickson responded that there is a big caveat on this and explained that we are now at 22% of salary on pension payouts for us. He then went on to say that we need to bring down that percentage so putting money in helps us.

Chairman Cervoni addressed to the point that this is a lot of money to put on consent and he mentioned that we have put on other items like this before and he thought it was proper.

Councilor Testa stated there were contradictory statements made by both the Mayor and Mr. Bowes. He explained that it looks like \$200,000 is going into contingency and \$50,000 into the pension.

Mr. Bowes explained that the intent is to transfer \$250,000 to contingency pension and get a consensus of what you want him to do with it.

Councilor Zandri wanted confirmation that \$250,000 is in contingency and we are moving it into the pension fund.

Councilor Fishbein stated that it only makes sense to sweep the entire surplus into the pension and then noted that the surplus is made up of numerous accounts. He then asked if contingency is more than one line item and Mr. Bowes answered yes.

Councilor Fishben asked if we expect to expend all the money in that budget line and Mr. Bowes answered no. He then asked why not just spend it since it was authorized and deal

with the \$250,000 contingency differently. Mr. Bowes replied that he is uncomfortable with that and stated that it is not a clear trail.

Councilor Marrone wanted to confirm that we pay what the actuary requests we fund and Mr. Bowes responded yes. Councilor Marrone then confirmed that we were at 100% funded at one point and Mr. Bowes responded yes. Councilor Marrone then asked how we got to not being 100% funded and noted we are now only 72% funded. Mr. Bowes explained that people aren't working as long and a lot of people are coming in at max step so we haven't had the longevity of the employee. Mayor Dickinson remarked that because of the market decline in 2008 the investments just haven't kept up.

Councilor Marrone asked how we will catch up and noted it doesn't sound like we will.

Mayor Dickinson responded saying the more money invested , the more money we can make. Councilor Marrone then remarked that he's not sure it's the best place to use the money. Mayor Dickinson responded that he thinks it shows the public we are serious about funding pensions.

ROLL CALL VOTE:

FISHBEIN: NO

LAFFIN: YES

LETOURNEAU: NO

MARRONE: NO

4-AYE:

5 NAY: MOTION FAILED

SHORTELL: NO

SULLIVAN: YES

TESTA: NO

ZANDRI: YES

CERVONI: YES

5. PUBLIC QUESTION & ANSWER PERIOD

Opened Public Question and Answer Period at 8:10 p.m.

Gina Morgenstein, South Main Street, asked to please put this money into the pension fund and went on to say it's the employee's money and it deserves to go there.

Bob Gross, Long Hill Road, thanked the Councilors for taking this so seriously. He then asked if there are five positions not filled and Mr. Bowes answered yes. Mr. Gross questioned how many Board of Education members the pension covers and Mr. Bowes answered that he is not sure.

Larry Morgenstein, South Main Street, asked if there is a timeframe pending on this and Mr. Bowes answered that it should be done this month.

Councilor Laffin stated that he understands that the pension figure is a direct calculation of the number of employees times percentage into fund.

Bob Gross asked, based on what just happened, does that money go into surplus and Mr. Bowes answered yes.

Closed Public Question and Answer Period at 8:12 pm.

6. 6:30 p.m. Public Hearing regarding Neighborhood Assistance Program

Chairman Cervoni opened the Public hearing at 8:12 p.m.

Chairman Cervoni opened the Public Hearing for Neighborhood Assistance and read a list of the agencies:

Columbus House, Wallingford Emergency Shelter Services
First Congregational Church of Wallingford, HVAC Green Retrofit
Gaylord Hospital, Inc., Patient Programs and Services
Habitat for Humanity of Greater New Haven, New Haven County Habitat Homebuilding
Ulbrich Boys & Girls Club, Youth Development

There was no public comment and Chairman Cervoni closed the Public Hearing at 8:13 p.m.

7. Resolution authorizing the Mayor to submit to the Dept. of Revenue Services the approved list of Neighborhood Assistance programs eligible for investment by business firms and to provide such additional information; to execute such other documents as may be required by the Department to accept on behalf of the Town any funds available for those municipal programs on the list; to execute any amendments, rescissions, and revisions thereto; and to act as the authorized representative of the Town of Wallingford – Mayor

MOTION WAS MADE TO MOVE RESOLUTION

MADE BY: LAFFIN
SECONDED BY: SULLIVAN
VOTE: ALL AYE
MOTION: PASSED

8. Consider and Approve Option Agreement for Solar Energy Facility Ground Lease with Form of Ground Lease – Law Dept.

*In Attendance: Joe Jordan, Project Development Director, Energy, LendLease
Kris Pitney, Development Manager, LendLease*

MOTION WAS MADE TO APPROVE THE FOLLOWING:

1. The Town agrees to provide an exclusive option to Wallingford Energy Renewable, LLC (“WRE”) to continue negotiations for an option to lease agreement for a solar energy project on the Town’s landfill.
2. The Town shall grant WRE access rights to the landfill for purposes of conducting feasibility studies.
3. The term of the exclusive option and access agreement shall be sixty days.

4. The Law Department shall approve an agreement for the exclusive option and access upon terms and conditions it deems appropriate.
5. The Mayor is authorized to sign the agreement.

MADE BY: LAFFIN
SECONDED BY: SULLIVAN

Chairman Cervoni stated that we will only discuss the lease tonight because we will hold a public hearing at the next meeting to vote on the lease.

Councilor Fishbein stated that he is okay with the exception of one part, ongoing negotiation, with the tax agreement.

Janis Small indicated that we are in negotiations concerning an agreement on taxes. She stated it is a taxable property and tonight's actions allow them to continue moving forward.

Councilor Testa asked if this is the agreement that will go forward and Janis Small answered yes and went on to say that they must do their due diligence and then the lease goes into effect. Councilor Testa then said that a citizen asked the question "If you went bankrupt, how would all this equipment get removed". Janis Small answered that there is a bond that must be posted on the 10th anniversary and if they were to go bankrupt it would become bank owned and the bank would become responsible.

ROLL CALL VOTE:

FISHBEIN: YES

LAFFIN: YES

LETOURNEAU: YES

MARRONE: YES

9-AYE:

SHORTELL: YES

SULLIVAN: YES

TESTA: YES

ZANDRI: YES

CERVONI: YES

9. Executive Session pursuant to Section 1-200(6)(D) of the Connecticut General Statutes with respect to the purchase, sale and/or leasing of property – Mayor - *Withdrawn*

Addendum to Regular Items:

10. Executive Session pursuant to Connecticut General Statutes Section 1-225(f) and Section 1-200(6)(B) regarding strategy and negotiations with respect to the following pending litigation: - Law Dept.
 - (a) *69 North Plains Wallingford LLC v. Board of Assessment Appeals*;
 - (b) *J. Gavin Properties LLC v. Board of Assessment Appeals*;
 - (c) *2 Fairfield Blvd. Properties LLC v. Board of Assessment Appeals*; and
 - (d) *Cariati Properties LLC v. Board of Assessment Appeals*.

MOTION WAS MADE TO MOVE INTO EXECUTIVE SESSION AT 8:35 P.M.

MADE BY: LAFFIN
SECONDED BY: LETOURNEAU
VOTE: 9 AYE
MOTION: PASSED

MOTION WAS MADE TO MOVE INTO EXECUTIVE SESSION pursuant to Connecticut General Statutes Section 1-225(f) and Section 1-200(6)(B) regarding strategy and negotiations with respect to the following pending litigation: - Law Dept.

- (a) 69 North Plains Wallingford LLC v. Board of Assessment Appeals;
- (b) J. Gavin Properties LLC v. Board of Assessment Appeals;
- (c) 2 Fairfield Blvd. Properties LLC v. Board of Assessment Appeals; and
- (d) Cariati Properties LLC v. Board of Assessment Appeals.

MADE BY: LAFFIN
SECONDED BY: LETOURNEAU
VOTE: 9 AYE
MOTION: PASSED

MOTION WAS MADE TO MOVE OUT OF EXECUTIVE SESSION AT 8:48 P.M.

MADE BY: LAFFIN
SECONDED: SULLIVAN
VOTE: ALL-AYE
MOTION PASSED

Time of Executive Session 9:35 p.m. to 8:48 p.m.

Attendance at Executive Session 10(a), (b) and (c):

FISHBEIN	MAYOR WILLIAM W. DICKINSON, JR.
LAFFIN	CORPORATION COUNSEL JANIS SMALL
LETOURNEAU	
MARRONE	
SHORTELL	
SULLIVAN	
TESTA	
ZANDRI	
CERVONI	

Attendance at Executive Session 10(d):

FISHBEIN (RECUSING)	MAYOR WILLIAM W. DICKINSON, JR.
LAFFIN	CORPORATION COUNSEL JANIS SMALL
LETOURNEAU	
MARRONE	
SHORTELL	
SULLIVAN	
TESTA	
ZANDRI	
CERVONI	

11. Motion to consider and authorize settlement in the pending tax appeal matter of *69 North Plains Wallingford LLC v. Board of Assessment Appeals* as discussed in Executive Session;

MOTION WAS MADE TO MOVE SETTLEMENT in the pending tax appeal matter of *69 North Plains Wallingford LLC v. Board of Assessment Appeals* as discussed in Executive Session.

MADE BY: LAFFIN
SECONDED: FISHBEIN
VOTE: ALL-AYE
MOTION PASSED

12. Motion to consider and authorize settlement in the pending tax appeal matter of *J. Gavin Properties LLC v. Board of Assessment Appeals* as discussed in Executive Session;

MOTION WAS MADE TO AUTHORIZE settlement in the pending tax appeal matter of *J. Gavin Properties LLC v. Board of Assessment Appeals* as discussed in Executive Session.

MADE BY: LAFFIN
SECONDED: FISHBEIN
VOTE: ALL-AYE
MOTION PASSED

13. Motion to consider and authorize settlement in the pending tax appeal matter of *2 Fairfield Blvd. Properties LLC v. Board of Assessment Appeals* as discussed in Executive Session.

MOTION WAS MADE TO AUTHORIZE settlement in the pending tax appeal matter of *2 Fairfield Blvd. Properties LLC v. Board of Assessment Appeals* as discussed in Executive Session.

MADE BY: LAFFIN
SECONDED: FISHBEIN

**VOTE: ALL-AYE
MOTION PASSED**

14. Motion to consider and authorize settlement in the pending tax appeal matter of *Cariati Properties LLC v. Board of Assessment Appeals* as discussed in Executive Session.

MOTION WAS MADE TO AUTHORIZE settlement in the pending tax appeal matter of *Cariati Properties LLC v. Board of Assessment Appeals* as discussed in Executive Session.

**MADE BY: LAFFIN
SECONDED: SULLIVAN**

ROLL CALL VOTE:
FISHBEIN: RECUSED SHORTELL: YES
LAFFIN: YES SULLIVAN: YES
LETOURNEAU: YES TESTA: YES
MARRONE: YES ZANDRI: YES
CERVONI: YES
8-AYE:
MOTION: PASSED

MOTION TO ADJOURN

MADE BY: FISHBEIN
SECONDED BY: LETOURNEAU
VOTE: ALL AYE
MOTION: PASSED

The Council adjourned the meeting at 8:55 P.M.

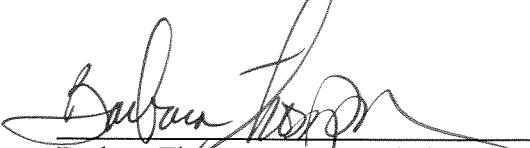
Respectfully submitted,

Lisa Moss
Council Staff
Meeting digitally recorded

RECEIVED FOR RECORD 6-16-17
AT 3:30 AND RECEIVED BY
Barbara Thompson TOWN CLERK


Vincent Cervoni, Chairman

6/27/17
Date


Barbara Thompson, Town Clerk

6-28-17
Date

I-5 – TOWN COUNCIL MINUTES (JUNE 27, 2017)

3P.

TOWN OF WALLINGFORD, CONNECTICUT
TOWN COUNCIL MEETING
Town Council Chambers
June 27, 2017

The Meeting of the Wallingford Town Council on Tuesday, June 27, 2017 was called to order at 6:32 P.M. There was a moment of silence and the Pledge of Allegiance was said. Councilors in attendance were: Chairman Vincent Cervoni, Craig Fishbein, Thomas Laffin, John LeTourneau, Joseph A. Marrone, III, Christopher K. Shortell, John J. Sullivan and Vincent F. Testa. Councilor Jason Zandri was absent. Mayor William W. Dickinson, Jr, Corporation Counsel Janis Small and James Bowes, Comptroller were also present at the meeting.

3. Consent Agenda

- 3a. Consider and Approve Tax Refunds totaling \$3,367.37 (#860-863)
Acct. #1001001-41020 – Tax Collector
- 3b. Consider and Approve Merit Review Committee Approval of three Anniversary Step Increases - Personnel
- 3c. Consider and Approve a Transfer in the amount of \$365 from Misc. Rev., Acct. #1009052-47040 to Veterinary, Acct. #10020100-56742 – Animal Control Officer
- 3d. Consider and Approve a Transfer in the amount of \$7,187 from General Purpose Contingency, Acct. #10019000-58820 to Board of Education, Acct. #TBD - Mayor
- 3e. Consider and Approve a Transfer in the amount \$300 from Regular Salaries, Acct. #10010650-51000 to Overtime, Acct. #10010650-51400 – Town Clerk
- 3f. Acceptance of Donation from Drew Waldron, a student at Sheehan High School and consider and approve Appropriation of funds in the amount of \$245 to Misc. Grants & Donations: Revenue, Acct. #2505002-47152 and to Recreation Programs Scholarship: Expenditures, Acct. #25050050-TBD - Parks & Recreation
- 3g. Acceptance of Donation of Automated External Defibrillator from the Wallingford Kiwanis Club valued at approximately \$1,000 – Police Dept.
- 3h. Acceptance of Donation and Consider and Approve Appropriation of funds in the amount of \$386 to Revenue/Donations, Acct. #2134002-47152 and to Expenditures, Acct. #21340100-58830 – Y&SS
- 3i. Consider and Approve a Bid Waiver to Utilize Qualifications Based Selection process for Hall Avenue Streetscape/Senior Center Trail Project - Engineering
- 3j. Consider and Approve adding Town of Manchester to the Public Works' Bid Waiver list for FY 2017-2018 for disposal of street sweepings at an estimated cost of \$25,000 – Public Works

- 3k. Approve Town Council Special Meeting Minutes of June 6, 2017 and Town Council Meeting Minutes of June 13, 2017.
- 3l. Consider and Approve a Transfer in the amount of \$2,000 from General Purpose Contingency Acct. to Overtime, Acct #10030000-51400 – Public Works

MOTION WAS MADE TO APPROVE CONSENT AGENDA ITEMS 3a-3l.

MADE BY: LAFFIN
SECONDED BY: FISHBEIN
VOTE: ALL AYE
MOTION: PASSED

4. **Items Removed from Consent Agenda: *None***

5. **PUBLIC QUESTION & ANSWER PERIOD**

No Public Comment

8. Consider and Approve/reject proposed amendments to the Charter submitted by the Charter Revision Commission – Chairman Cervoni

MOTION WAS MADE THAT WE MOVE TO APPROVE PROPOSED AMENDMENTS TO THE CHARTER SUBMITTED BY THE CHARTER REVISION COMMISSION.

MADE BY: LAFFIN
SECONDED BY: MARRONE

Councilor Testa asked where we go from here and Chairman Cervoni explained that the next two agenda items cover what happens.

Janis Small stated that she doesn't think we will have time to word the questions tonight.

Councilor Fishbein asked if all the proposed amendments will move forward and Chairman Cervoni replied he thinks we can reject some but not add. Chairman Cervoni then confirmed with Janis Small that he was correct and she replied yes.

Councilor Sullivan stated that he was okay with going to five for the Public Utilities Commission but, he does not want to throw the whole charter revision out just because it is not expanding.

Councilor Fishbein stated there should be more eyes on the PUC and then commented that he wished the Commission would have allowed the public to vote on this.

Councilor Shortell stated that he agrees with expanding the PUC but he thinks the Charter Committee did a great job. He then remarked that the Town voted on this 10 years ago and it did not pass.

Councilor LeTourneau remarked that he also wanted five but when the Town voted on it 10 years ago, they voted on the whole Charter.

Councilor Laffin wanted to thank the members of the Charter Commission on their work. He then stated that he doesn't feel like they are stuck with just three on the PUC.

Councilor Testa thanked the Charter Commission on the long hours and good work. He stated that he wondered if the Charter Commission were to expand the PUC if they thought it would be an insult to the current Commission. He went on to say that it should be five.

Chairman Cervoni thanked the Commission for their hard work and looks forward to moving it to the voters of the Town.

PUBLIC COMMENT:

Bob Gross, Long Hill Road, stated there were other questions on the ballot last time.

ROLL CALL VOTE:

FISHBEIN: YES

LAFFIN: YES

LETOURNEAU: NO

MARRONE: YES

7-AYE

1-ABSENT, 1 NAY

MOTION: PASSED

SHORTELL: YES

SULLIVAN: YES

TESTA: YES

ZANDRI: ABSENT

CERVONI: YES

9. Consider and Approve placement of the proposed Charter amendments on the ballot at the regular election in November 2017 – Chairman Cervoni

**MOTION WAS MADE TO APPROVE PLACEMENT OF THE PROPOSED
CHARTER AMENDMENTS ON THE BALLOT AT THE REGULAR ELECTION
IN NOVEMBER 2017.**

MADE BY: MARRONE

SECONDED BY: LAFFIN

ROLL CALL VOTE:

FISHBEIN: YES

LAFFIN: YES

LETOURNEAU: NO

MARRONE: YES

7-AYE:

1-ABSENT, 1 NAY

MOTION: PASSED

SHORTELL: YES

SULLIVAN: YES

TESTA: YES

ZANDRI: ABSENT

CERVONI: YES

10. Discussion and Possible Action on the ballot questions for vote on the proposed Charter – Chairman Cervoni

MOTION WAS MADE TO MOVE TO PLACE THE CHARTER REVISION AMENDMENTS ON THE BALLOT AS ONE QUESTION.

**MADE BY: LAFFIN
SECONDED BY: SHORTELL**

Councilor Fishbein remarked that he was afraid if there is no education of the voter's then they won't vote on it.

Councilor Marrone agrees with Councilor Fishbein that he's afraid people won't be educated on what it all means.

Councilor Sullivan thinks the voters have to do their due diligence. He stated that we have to talk about it as we run for re-election and we have to have it posted everywhere.

Councilor Testa thinks the Town Clerk is the most important question. He doesn't want to see it fail because other people don't like or understand the charter questions.

Chairman Cervoni asked Attorney Small how simple one question would be.

Attorney Small gave the following example: Should the amendments to the Charter be accepted?

Councilor Fishbein asked if the following could be a question: Should the Environmental Planner be a civil servant with explanatory text on the back of the ballot?

Councilor Sullivan asked Attorney Small if there is any requirement of the Town to put out changes and Attorney Small answered yes and went on to explain that the Town Clerk will publish changes within 30 days and have it available.

Councilor Laffin asked what the timeline is and Attorney Small stated that it must be submitted by September 7th to the Secretary of State. Attorney Small remarked that she did want to say that the Charter Revision Commission did recommend one question only.

MOTION WAS MADE TO MOVE TO TABLE THE ORIGINAL MOTION SUBJECT TO ALL COUNCILORS BEING READY AT THE JULY 11TH MEETING WITH QUESTIONS BROKEN DOWN BY SUBJECT FOR THE BALLOT.

**MADE BY: LAFFIN
SECONDED BY: FISHBEIN
7 AYE
1 NAY - 1 ABSENT
MOTION: PASSED**

6. 7:00 p.m. Public Hearing on the Proposed Lease of the Landfill Property on Pent Road – Law Dept.

Chairman Cervoni opened the Public Hearing at 7:14 p.m.

In Attendance: Joseph Jordan, Development Director, Lendlease Project

Darryl Stancuna, 18 Old Village Circle, asked numerous questions about the size and scope of the solar project.

Bob Gross, Long Hill Road, asked if the 60 acres were only in Wallingford. Mr. Jordan responded yes and explained that the landfill is 82 acres and we are using 60 of the acres.

Bob Gross asked if we had consulted with outside counsel on this and Attorney Small responded yes, Environmental Attorneys, DEEP.

Bruce Conroy, 13 Burke Heights, asked Mr. Jordan if you go out of business, who cleans it up? Mr. Jordan replied that the project company cleans it up.

Closed Public Hearing at 7:32 p.m.

7. Consider and Approve Option Agreement for Solar Energy Facility Ground Lease with Form of Ground Lease for the Landfill Property – Law Dept.

MOTION WAS MADE TO MOVE TO APPROVE OPTION AGREEMENT

MADE BY: LAFFIN

SECONDED BY: LETOURNEAU

Councilor Fishbein inquired about the status of the tax agreement.

Attorney Small explained that the lease calls for them to pay the taxes but until the project is defined, we cannot have a tax agreement. She went on to say once we have one, we will come back to the Council. Attorney Small then stated that once the project is there, then they start to pay taxes and noted that we don't know the value yet.

Councilor LeTourneau asked if you are going to finance the project, aren't you going to need the tax number? Mr. Jordan responded yes.

Attorney Small stated that we have to know what the project is to come up with a value to give them a tax number.

Chairman Cervoni explained that the LS Power Agreement was a different agreement. He went on to say that they knew what they were using and in this situation, they don't know yet.

Councilor Fishbein wanted to confirm that without a signature on the lease you cannot move forward. Mr. Jordan responded saying that if he doesn't have a signature, he can't move forward. Mr. Jordan then went on to state in order for him to get the big money to complete the project he will need a tax agreement to show.

**AMENDMENT TO THE MOTION TO STRIKE THE BOLDED SENTENCE ON
PAGE SIX OF THE LEASE AGREEMENT**

**MADE BY: FISBEIN
SECONDED BY: LETOURNEAU**

ROLL CALL VOTE:	SHORTELL: NO
FISHBEIN: YES	SULLIVAN: NO
LAFFIN: NO	TESTA: NO
LETOURNEAU: YES	ZANDRI: ABSENT
MARRONE: NO	CERVONI: NO

2-AYE:

1-ABSENT, 6 NAY

MOTION: FAILED

ROLL CALL VOTE:	SHORTELL: YES
FISHBEIN: NO	SULLIVAN: YES
LAFFIN: YES	TESTA: YES
LETOURNEAU: YES	ZANDRI: ABSENT
MARRONE: YES	CERVONI: YES

7-AYE:

1-ABSENT, 1 NAY

MOTION: PASSED

11. Discussion and Possible Action with regard to a projected surplus for the 2016-2017 fiscal year – Councilor Fishbein

Councilor Fishbein asked if we have any idea if there will be a surplus and Mr. Bowes replied yes. Councilor Fishbein then asked if it was over \$1 million and Mr. Bowes replied that he doesn't know.

Councilor Fishbein asked Mr. Bowes if we took in more revenue than anticipated. Mr. Bowes replied in certain areas, yes and others, no. He then stated that tax collections are good.

Councilor Fishbein then asked when we will know what the surplus is. Mayor Dickinson replied when the audit is done. Mr. Fishbein then asked when the audit is released and Mr. Bowes responded mid-December.

Councilor Fishbein asked what this body can do to stop sweeping money into surplus.

MOTION WAS MADE TO REQUEST WHEN THE ADMINISTRATION FINDS OUT THE AMOUNT OF SURPLUS FOR 2016 -2017 FISCAL YEAR THEY NOTIFY THE COUNCIL WITHIN 48 HOURS OF THE SURPLUS AMOUNT AND THE COUNCIL MEETS TO DISCUSS.

MADE BY: FISBEIN
SECONDED BY: LETOURNEAU

Councilor Testa made a friendly amendment for an action item to change the word "when" to "request" in the above motion.

Councilor Fishbein accepted the friendly amendment.

Councilor Laffin asks if the intent of this is to get a heads up of the surplus? Councilor Fishbein said he thought we would know by now, but yes.

Councilor Laffin wants to know what is the goal of the motion and Councilor Fishbein said to get a better idea of where it goes and it always just goes to reserves.

Councilor Laffin asked are you trying to stop it from going to the general fund? Councilor Fishbein responded yes.

Mayor Dickinson stated this is government accounting rules, we follow the GAP rules.

ROLL CALL VOTE:	SHORTELL: NO
FISHBEIN: YES	SULLIVAN: NO
LAFFIN: NO	TESTA: YES
LETOURNEAU: YES	ZANDRI: ABSENT
MARRONE: NO	CERVONI: NO
3-AYE:	
1-ABSENT, 5-NAY	
MOTION: FAILED	

12. Executive Session pursuant to Section 1-200(6)(D) of the Connecticut General Statutes with respect to the purchase, sale and/or leasing of property – Mayor - *Withdrawn*
13. Executive Session pursuant to Section 1-225(f) and Section 1-200(6)(B) of the Connecticut General Statutes regarding strategy and negotiations with respect to the pending tax appeal matter of *Connecticut Subacute, LLC v. Town of Wallingford* – Law Dept.

MOTION WAS MADE TO MOVE INTO EXECUTIVE SESSION AT 9:15P.M.

MADE BY: LAFFIN
SECONDED BY: LETOURNEAU
VOTE: ALL AYE
MOTION: PASSED

MOTION WAS MADE TO MOVE TO EXECUTIVE SESSION (#13) PURSUANT TO Section 1-225(f) and Section 1-200(6)(B) of the Connecticut General Statutes regarding strategy and negotiations with respect to the pending tax appeal matter of *Connecticut Subacute, LLC v. Town of Wallingford* AND and (#15) PURSUANT TO Section 1-225(f) and Section 1-200(6)(B) of the Connecticut General Statutes regarding strategy and negotiations with respect to the pending tax appeal matter of *2 Fairfield Blvd. Properties LLC v. Town of Wallingford*

MOTION WAS MADE TO MOVE OUT OF EXECUTIVE SESSION AT 9:20 P.M.

**MADE BY: LAFFIFN
SECONDED: FISHBEIN
VOTE: ALL-AYE
MOTION PASSED**

Time of Executive Session 9:15 p.m. to 9:20 p.m.

Attendance at Executive Session #13 and #15:

FISHBEIN	MAYOR WILLIAM W. DICKINSON, JR.
LAFFIN	CORPORATION COUNSEL JANIS SMALL
LETOURNEAU	
MARRONE	
SHORTELL	
SULLIVAN	
TESTA	
CERVONI	

14. Motion to consider and authorize settlement in the pending tax appeal matter of *Connecticut Subacute, LLC v. Town of Wallingford* as discussed in Executive Session – Law Dept.

MOTION WAS MADE TO MOVE TO authorize settlement in the pending tax appeal matter of *Connecticut Subacute, LLC v. Town of Wallingford* as discussed in Executive Session.

**MADE BY: LAFFIN
SECONDED BY: FISHBEIN
ALL AYE
MOTION: PASSED**

16. Motion to consider and authorize settlement in the pending tax appeal matter of *2 Fairfield Blvd. Properties LLC v. Town of Wallingford* as discussed in Executive Session – Law Dept.

MOTION WAS MADE TO MOVE TO authorize settlement in the pending tax appeal matter of *2 Fairfield Blvd. Properties LLC v. Town of Wallingford* as discussed in Executive Session.

MADE BY: LAFFIN
SECONDED BY: FISHBEIN
ALL AYE
MOTION: PASSED

MOTION TO ADJOURN
MADE BY: SHORTELL
SECONDED BY: FISHBEIN
VOTE: ALL AYE
MOTION: PASSED

The Council adjourned the meeting at 9:25 P.M.

Respectfully submitted,

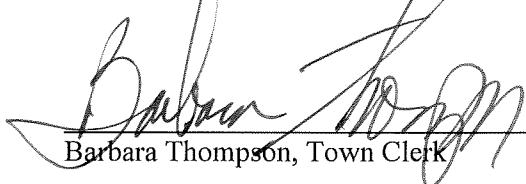
Lisa Moss
Council Staff
Meeting digitally recorded



Vincent Cervoni, Chairman

16 July 2017

Date



Barbara Thompson, Town Clerk

7-11-17

Date

RECEIVED FOR RECORD 7-3-17
AT 4:00 AND RECEIVED BY
Barbara Thompson TOWN CLERK

I-6 – MIRA BOARD OF DIRECTORS' MEETING (AUGUST 2017)

MATERIALS INNOVATION AND RECYCLING AUTHORITY

FOUR HUNDRED AND SEVENTY-ONE

AUGUST 3, 2017

A regular meeting of the Materials Innovation and Recycling Authority Board of Directors was held on Thursday August 3, 2017, in the Board Room at Rocky Hill, CT 06067. Those present were:

Directors: Chairman Don Stein
Vice-Chairman Dick Barlow
John Adams
Jim Hayden
Bob Painter
Scott Shanley
Patricia Widlitz
Lizz Milardo
Norm Needleman

Present from MIRA:

Tom Kirk, President
Mark Daley, Chief Financial Officer
Laurie Hunt, Director of Legal Services
Peter Egan, Director of Operations and Environmental Affairs
David Bodendorf, Senior Environmental Engineer
Christopher Shepard, Environmental Compliance Manager
Moira Kenney, Assistant HR Manager/Board Administrator
Kanchan Arora, General Accountant

Others Present: Ann Catino, Esq., Halloran and Sage, Peggy Diaz, Esq., CT DEEP; Al DiVincentis, Esq., Halloran and Sage, Miguel Escalera, Esq., Kainen, Escalera and McHale.

Chairman Stein called the meeting to order at 9:56 a.m. and said that a quorum was present.

PUBLIC PORTION

Chairman Stein said the agenda allowed for a public portion in which the Board would accept written testimony and allow individuals to speak for a limit of three minutes.

Peggy Diaz, Esq. provided the Board with an update concerning the RFP with the Department of Energy and Environmental Protection (hereinafter referred to as the "CT DEEP").

She said the RFP application deadline was July 31, 2017, and three contractors were selected and invited to participate in the next phase.

EXECUTIVE SESSION

Chairman Stein requested a motion to enter into Executive Session to discuss pending litigation. The motion was made by Director Shanley and seconded by Director Widlitz and was approved unanimously.

Chairman Stein asked the following people to join the Directors in the Executive Session:

Tom Kirk
Mark Daley
Peter Egan
Laurie Hunt
Ann Catino, Esq.
Al DiVincentis, Esq.
Miguel Escalera, Esq.

The motion was made by Chairman Stein and seconded by Director Widlitz. Chairman Stein, Vice-Chairman Barlow, Director Adams, Director Hayden, Director Painter, Director Shanley, Director Widlitz, Director Milardo and Director Needleman voted yes.

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Jim Hayden	X		
Bob Painter	X		
Scott Shanley	X		
Patricia Widlitz	X		
Liz Milardo	X		
Norm Needleman	X		

The Executive Session began at 10:05 a.m. and concluded at 11:12 a.m. Chairman Stein noted that no votes were taken in Executive Session.

APPROVAL OF THE MINUTES FOR JUNE 22, 2017 AMENDED BOARD MEETING MINUTES.

Chairman Stein requested a motion to approve the June 22, 2017, Board meeting minutes. Director Adams made the motion which was seconded by Vice-Chairman Barlow.

Chairman Stein noted that the legal resolution on page 5 was incorrect and the correct resolution had been distributed that morning and was currently before the Board. The Board approved the minutes with the corrected resolution for legal spending.

The motion to approve the minutes as amended was approved. Chairman Stein, Vice-Chairman Barlow, Director Adams, Director Hayden, Director Painter, Director Shanley, and Director Widlitz voted yes. Director Milardo and Director Needleman abstained.

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Jim Hayden	X		
Bob Painter	X		
Scott Shanley	X		
Patricia Widlitz	X		
Liz Milardo			X
Norm Needleman			X

RESOLUTION REGARDING MARKET DRIVEN PURCHASE OF DISCRETE EMISSION REDUCTION CREDITS (DERC'S) FROM PFIZER INC. FOR NOX EMISSIONS COMPLIANCE AT THE SOUTH MEADOW STATION JET TURBINE FACILITY.

Chairman Stein requested a motion on the resolution above. Director Adams made the motion which was seconded by Vice President Barlow.

RESOLVED: The President is hereby authorized to enter into an agreement for the purchase of Discrete Emission Reduction Credits (DERCs) from Pfizer, Inc. to ensure compliance with nitrogen oxide (NOx) emissions limitations applicable to the South Meadow Station Jet Turbine Facility.

Mr. Kirk said this is a very routine acquisition pursuant to MIRA's market driven procurement procedure for purchasing Discrete Emission Reduction Credits (DERCS), which are required to operate the Jets. In order to operate, MIRA purchases DERCS, which are generated by three operators across the state. They are generated by the operators by over-controlling NOx emissions such that their emission are below their NOX permitted level; the difference is reduced by 10% and is then marketable as a DERC. Those DERCS are purchased by MIRA and will allow for operation through 2021. He noted the Pfizer generator is the only operator willing to sell DERCS at this time.

Mr. Kirk said the value of the jets is not in the operation or the energy revenue which DERCS enable, but instead lies in the capacity payment MIRA receives from ISO New England for having the jets available, which is significant to MIRA.

Director Shanley asked how long MIRA could operate without purchasing these DERCS. Mr. Egan said the current DERCS remain valid till 2021, however this is the last summer that DERCS can be created by those who over control their emissions. He explained Pfizer and Public Service Electric Gas Company (hereinafter referred to as "PSEG") will create them from their activity this summer, which will enable MIRA to do one more purchase in the winter,

which will bring MIRA to the final year of phase 1 of the New NOX Regulatory program and allow MIRA to run the jets and receive capacity payments through 2022.

The motion was approved unanimously by roll call. Chairman Stein, Vice-Chairman Barlow, Director Adams, Director Hayden, Director Painter, Director Shanley, Director Widlitz, Director Milardo and Director Needleman voted yes.

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Jim Hayden	X		
Bob Painter	X		
Scott Shanley	X		
Patricia Widlitz	X		
Liz Milardo	X		
Norm Needleman	X		

**RESOLUTION REGARDING AMENDED AND RESTATED OPTION AGREEMENT
FOR SOLAR ENERGY SYSTEM GROUND LEASE AND GROUND LEASE FOR
SOLAR ENERGY SYSTEM WITH WALLINGFORD RENEWABLE ENERGY, LLC**

Chairman Stein requested a motion on the resolution above. Vice-Chairman Barlow made the motion which was seconded by Director Adams.

WHEREAS, at its April 26, 2016 meeting, MIRA's Board of Directors authorized its President to enter into an option agreement and a ground lease with Lendlease Energy Development, LLC ("Lendlease") for the purposes of partnering with Lendlease to bid into a CT DEEP RFP for the development of a Clean Energy project on MIRA's Wallingford Property. The Option Agreement was executed April 29, 2016; and

WHEREAS, on October 27, 2016, CT DEEP issued a Notice that it had selected the proposal submitted by Lendlease to develop a solar photovoltaic electricity generating system, on the MIRA Wallingford property; and

WHEREAS, in January 2017, MIRA received a request from Lendlease to negotiate an Amended and Restated Option Agreement and a Ground Lease; and

WHEREAS, during these negotiations, MIRA learned that the counterparty to both agreements would not be Lendlease, as approved by the MIRA Board, but Wallingford Renewable Energy, LLC ("WRE"), a special purpose entity established by Lendlease to develop and construct the project.

NOW, THEREFORE, BE IT:

RESOLVED: That the Board of Directors authorizes the President to enter into an Amended and Restated Option Agreement for Solar Energy System Ground Lease with WRE substantially as presented and discussed at this meeting; and

FURTHER RESOLVED: In the event WRE exercises it's Option, that the Board of Directors authorizes the President to enter into a Ground Lease for Solar Energy System substantially as presented and discussed at this meeting.

Mr. Kirk said both agreements would not be under the name Lendlease (as approved by the MIRA Board) but as Wallingford Renewable Energy (WRE). The terms of the lease were developed; WRE will pursue development of the Wallingford site which will consist of a solar photovoltaic energy generation system. He said Wallingford Renewable Energy (WRE) is also considering a battery storage facility.

Mr. Bodendorf informed the board that Wallingford Renewable Energy (WRE) is ready to develop, obtain financing, and is looking to sign a substantial agreement. He explained MIRA will get paid a \$20,000 minimum lease payment; however, if the project exceeds 13 acres in size, MIRA will instead receive \$1,500 per acre.

The motion was approved unanimously by roll call. Chairman Stein, Vice-Chairman Barlow, Director Adams, Director Hayden, Director Painter, Director Shanley, Director Widlitz, Director Milardo and Director Needleman voted yes.

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Jim Hayden	X		
Bob Painter	X		
Scott Shanley	X		
Patricia Widlitz	X		
Liz Milardo	X		
Norm Needleman	X		

CHAIRMAN'S REPORT

Chairman Stein informed the Board that two new members have been appointed, First Selectwoman of Haddam, Liz Milardo and First Selectman of Essex, Norm Needleman. He asked that Director Milardo serve on the Finance and Organizational Synergy and Human Resources Committees and that Director Needleman serve on the Polices and Procurement Committee.

MOTION TO ADD AN ITEM TO THE AGENDA AUTHORIZING THE APPROVAL OF ISSUING RECYCLING REBATES

Chairman Stein requested a motion to add item to the agenda. Vice-Chairman Barlow made the motion, which was seconded by Director Shanley.

The motion to add an item to the agenda was approved unanimously. Chairman Stein, Vice-Chairman Barlow, Director Adams, Director Hayden, Director Painter, Director Shanley, Director Widlitz, Director Milardo and Director Needleman voted yes

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Jim Hayden	X		
Bob Painter	X		
Scott Shanley	X		
Patricia Widlitz	X		
Liz Milardo	X		
Norm Needleman	X		

AGREEMENT CONCERNING ISSUING A RECYCLING REBATE IN FY'17

Mr. Kirk said the MIRA towns have always enjoyed \$0 Tip fee for recycling in an effort to encourage recycling commitments. He explained garbage would usually cost \$60-70 a ton to be disposed under normal circumstances. Mr. Kirk said historically MIRA has paid member towns a \$5-10 a ton recycling rebate. However, in the last few years the recycling commodity prices MIRA receives through its contracts has not supported the consideration of a rebate financially and in the past MIRA's Board elected not to reward recycling rebates to the towns. Mr. Kirk recommended declining to issue a recycling rebate in FY'17 due to disappointing revenue associated with MIRA's commodity sales.

Mr. Daley said the recycling facilities' financial performance was discussed at the June Finance Committee meeting. Beginning March 2015 and throughout June 2016, MIRA noted a significant decline in the recycling facilities' financial performance. MIRA has informed their customers that MIRA is facing a declining non-disposal fee revenue and that challenge for MIRA has been met by establishing internal financing mechanisms such as increasing Tip fees for participating towns and pulling back on recycling rebates. Mr. Daley said the actual rebates paid were \$10 a ton in FY'14, which was subsequently reduced to \$5 a ton in FY'15, followed by no rebates in FY'16.

Mr. Daley said during the FY'17 budget planning, MIRA did not adopt a budget for recycling rebate because of declining financial performance. He explained as of late there has been a significant turnaround in the recycling facility. As of April 2017, revenue for the recycling facility was \$1.32 million which was 62% above budget, and as of today is 66% above

budget. Mr. Daley said MIRA will end the year with above \$1.6 million in revenues for the recycling facility, a record for the CSWS operation segment. He said there will be a \$280,000 net income for the recycling facility, which would equate to a \$5 rebate. However; the challenge MIRA faces is that despite a positive turn for the recycling facility around this year, in the broader perspective MIRA is still well below its budget in terms of income because of low power prices.

Furthermore, Mr. Daley said the town contracts' have to meet two provisions in order to trigger a rebate; the first being a sufficient financial performance within the facility, and secondly the Board of Directors must declare those funds surplus. The Finance Committee was of the opinion that MIRA should not issue a recycling rebate because of the challenging overall performance but desired consideration by the full Board. He said MIRA has not accrued for the recycling rebate within its budget and MIRA is in the process of closing its books for FY'17. Mr. Daley noted the MSAs require that MIRA notify the towns of this decision by September 30, 2017.

After substantial discussion the Board agreed by consensus that MIRA's overall financial performance is not sufficient to provide for a FY'17 recycling rebate.

The motion to decline to provide an FY'17 recycling rebate was approved unanimously by roll call. Chairman Stein, Vice-Chairman Barlow, Director Adams, Director Hayden, Director Painter, Director Shanley, Director Widlitz, Director Milardo and Director Needleman voted yes.

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Jim Hayden	X		
Bob Painter	X		
Scott Shanley	X		
Patricia Widlitz	X		
Liz Milardo	X		
Norm Needleman	X		

PRESIDENT'S REPORT

Mr. Kirk noted the August Board date was moved to Aug. 22, 2017.

Mr. Kirk said all of MIRA's facilities operated throughout the reporting period without environmental, safety, or health impacts. He said revenue was \$5.13 million, identical to the prior month but still 1% below budget. Mr. Kirk said deficits in electricity sales are the basis for the low budget performance and substantially reduced by lower operating costs.

Mr. Kirk said the total operating expense was 3% favorable to the budget at \$4.42 million. He said May featured some disappointing plant production compared to prior months.

He said the total unscheduled boiler outages were 312 hours, or about 13 boiler days, well above the target of unscheduled versus scheduled outages. Mr. Kirk said production was hampered by a variety of operational issues including age related issues, pressure part failures, and erosions associated with air pollution control equipment.

Mr. Kirk said power prices continue to disappoint and the trend for future power is not encouraging. He said MIRA has sufficient fuel to continue to operate the plant at capacity, and town and municipal solid waste deliveries have been slightly below budget, although there has been no need for spot waste.

Mr. Kirk said recycling revenues continue to improve and have stabilized. He said the fiber market has grown remarkably in the past few months. He said metal prices continue to improve and are 16% above budget. He cautioned the Board about expecting depression in fiber product sales in the future because of recent decisions by China to decline to purchase fiber as a result of their desire to obtain higher quality material.

Mr. Kirk said the CT DEEP phase two project for the RFP is under consideration by the three bidders which Ms. Diaz, Esq. mentioned earlier and haven't had a chance to review as of yet. Mr. Kirk noted the MIRA and SCRRRA separation has been finalized.

EXECUTIVE SESSION

Chairman Stein requested a motion to enter into Executive Session to discuss feasibility estimates and evaluations, and pending RFP'S. The motion was made by Director Shanley and seconded by Director Pat Widlitz and was approved unanimously.

Chairman Stein asked the following people to join the Directors in the Executive Session:

Tom Kirk
Mark Daley
Peter Egan
Laurie Hunt
Ann Catino, Esq.

The motion was approved by Chairman Stein, Vice-Chairman Barlow, Director Adams, Director Hayden, Director Painter, Director Shanley, Director Widlitz, Director Milardo and Director Needleman voted yes.

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Jim Hayden	X		
Bob Painter	X		
Scott Shanley	X		
Patricia Widlitz	X		
Liz Milardo	X		
Norm Needleman	X		

The Executive Session began at 11:59 a.m. and concluded at 1:06 p.m. Chairman Stein noted that no votes were taken in Executive Session.

The meeting was reconvened at 1:06 p.m. The door was opened, and the Board Secretary and all members of the public were invited back in for the continuation of public session.

ADJOURNMENT

Chairman Stein requested a motion to adjourn the meeting. The motion to adjourn was made by Director Shanley and seconded by Director Widlitz.

The motion to adjourn was approved unanimously by Chairman Stein, Vice-Chairman Barlow, Director Adams, Director Hayden, Director Painter, Director Shanley, Director Widlitz, Director Milardo and Director Needleman.

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Jim Hayden	X		
Bob Painter	X		
Scott Shanley	X		
Patricia Widlitz	X		
Liz Milardo	X		
Norm Needleman	X		

There being no other business to discuss, the meeting adjourned at 1:06 p.m.

Respectfully Submitted,

Kanchan Arora
General Accountant

I-7 – OPEN HOUSE SIGN-IN SHEET

Wallingford Renewable Energy

111



Public Informational Meeting November 16, 2017

Sign-in Sheet

I-8 – RECORD-JOURNAL AFFIDAVIT



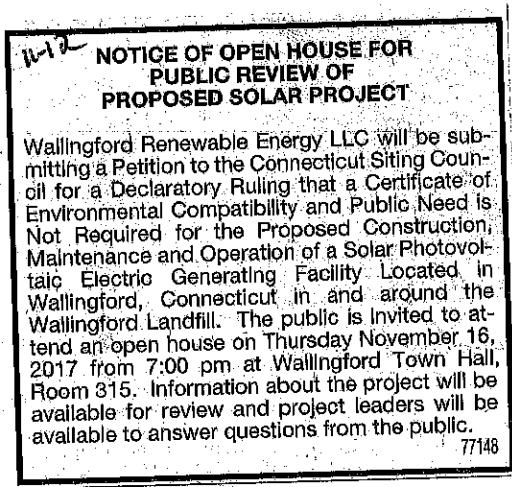
Record-Journal
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AFFIDAVIT OF PUBLICATION

THIS IS TO CERTIFY that the attached clipping is a true copy of a notice published in the RECORD-JOURNAL NOVEMBER 12, 13, 14, 2017.



The Record-Journal Publishing Company

State of Connecticut

} SS. Meriden
Pam Adamski, Business Office Manager

Pam Adamski
Pam Adamski, Business Office Manager

The foregoing affidavit was signed and sworn
Before me this 15th day
Of NOVEMBER 2017.

Angela Grabiec
Angela Grabiec
Notary Public
My Commission Expires June 30, 2018

Record-Journal

PO BOX 968
WALLINGFORD CT 06492-0968
FED I.D. #06-1603199
TEL: 203-235-1661
FAX: 203-235-3482
CT WATTS: 1-800-228-6915

NOVEMBER 2017

MURTHA CULLINA LLP
185 ASYLUM STREET
WEST HARTFORD, CT 06119

2301		UNAPPLIED AMOUNT	TERMS OF PAYMENT		
					NET 30
CURRENT NET AMOUNT DUE		30 DAYS	60 DAYS	90 DAYS	OVER 90 DAYS

ADVERTISING INVOICE and STATEMENT

PAGE #	WITHHELD	TYPE	BILLED ACCOUNT NAME AND ADDRESS	REMITTANCE ADDRESS
				PO BOX 968
WALLINGFORD BILLED ACCOUNT NUMBER				
30005457				WALLINGFORD CT 06492
ADVERTISER/CLIENT NUMBER				

ACCOUNTS UNPAID AFTER 30 DAYS WILL BE SUBJECT TO A DELINQUENT CHARGE OF 1 1/2 % PER MO.
(18% PER ANNUM)

PLEASE DETACH AND RETURN UPPER PORTION WITH YOUR REMITTANCE

THANK YOU!

STATEMENT OF ACCOUNT AGING OF PAST DUE AMOUNTS

CURRENT NET AMOUNT DUE	30 DAYS	60 DAYS	90 DAYS	CHARGING AMOUNT	FINAL AMOUNT DUE
\$270.63					\$270.63

Record-Journal

11 Crown Street • P.O. Box 915 • Meriden, CT 06450-0915
TEL: 203-235-1661 • FAX: 203-235-3482 • CT WATTS: 1-800-228-6915 • FED I.D.#06-0508370

APPENDIX J – MUNICIPAL OFFICIALS AND GOVERNMENT AGENCIES

WALLINGFORD RENEWABLE ENERGY
CERTIFICATION OF SERVICE TO GOVERNMENT ENTITIES
CT SITING COUNCIL

<u>GOVERNMENT NAME / ENTITY</u>	MAILED From P & C via Certified Mail	RETURN RECEIPT BACK [Green Card]
<u>WALLINGFORD</u>		
Mayor William W. Dickson, Jr. Wallingford Town Hall 45 South Main Street, Room #310 Wallingford, CT 06492		
Town Clerk Wallingford Town Hall 45 South Main Street, Room #180 Wallingford, CT 06492		
Erin O'Hare, Environmental and Natural Resources Planner Wallingford Town Hall 45 South Main Street, Room #G-40 Wallingford, CT 06492		
Mary Heffernon, Chair Conservation Commission Wallingford Town Hall 45 South Main Street, Room #G-40 Wallingford, CT 06492		
Kacie Costello, Town Planner Wallingford Town Hall 45 South Main Street, Room #G-40 Wallingford, CT 06492		
James Seichter, Chairman Planning & Zoning Commission 45 South Main Street, Room #G-40 Wallingford, CT 06492		
Robert V. Baltramaitis, P.E. Engineering Department 45 South Main Street, Room #203 Wallingford, CT 06492		

WALLINGFORD RENEWABLE ENERGY
CERTIFICATION OF SERVICE TO GOVERNMENT ENTITIES
CT SITING COUNCIL

<u>GOVERNMENT NAME / ENTITY</u>	MAILED From P & C via Certified Mail	RETURN RECEIPT BACK [Green Card]
Wallingford Inland Wetlands Commission James Vitali, Chairman 45 South Main Street, Room #G-40 Wallingford, CT 06492		
Joseph E. Mirra, Chair Economic Development Commission 45 South Main Street Wallingford, CT 06492		
Tim Ryan, Economic Development Specialist 45 South Main Street Wallingford, CT 06492		
Ben Martin, Chairman Energy Conservation Commission 329 Ward Street, Wallingford, CT 06492		
Regional Planning Agency Carl Amento Executive Director 127 Washington Avenue 4 th Floor North Haven, CT 06492		
<u>NORTH HAVEN</u>		
First Selectman, Michael J. Freda Town of North Haven 18 Church Street North Haven, CT 06473		
Town Clerk Town of North Haven 18 Church Street North Haven, CT 06473		
Land Use Administrator, Alan Fredricksen Town of North Haven 18 Church Street North Haven, CT 06473		

WALLINGFORD RENEWABLE ENERGY
CERTIFICATION OF SERVICE TO GOVERNMENT ENTITIES
CT SITING COUNCIL

<u>GOVERNMENT NAME / ENTITY</u>	MAILED From P & C via Certified Mail	RETURN RECEIPT BACK [Green Card]
Building Official, Elio Floriano Town of North Haven 18 Church Street North Haven, CT 06473		
Town Engineer, Jonathan Bodwell, P.E. Town of North Haven 18 Church Street North Haven, CT 06473		
Vern Carlson, Chairman Planning and Zoning Commission Town of North Haven 18 Church Street North Haven, CT 06473		
Chairman Economic Development Commission Town of North Haven 18 Church Street North Haven, CT 06473		
Chair Inland Wetlands and Watercourses Commission Town of North Haven 18 Church Street North Haven, CT 06473		
<u>HAMDEN</u>		
Curt B. Leng, Mayor City of Hamden 2750 Dixwell Avenue Hamden, CT 06518		
Joan Lakin, Chairperson Inland Wetlands Commission 2750 Dixwell Avenue Hamden, CT 06518		

WALLINGFORD RENEWABLE ENERGY
CERTIFICATION OF SERVICE TO GOVERNMENT ENTITIES
CT SITING COUNCIL

<u>GOVERNMENT NAME / ENTITY</u>	MAILED From P & C via Certified Mail	RETURN RECEIPT BACK [Green Card]
Brack Poitier, Chair Planning and Zoning Commission Hamden Government Center 2750 Dixwell Avenue Hamden, CT 06518		
Mark Austin, PE Town Engineering Department 2750 Dixwell Ave Hamden, CT 06518		
Adam Sendroff Manager, Community Development Keefe Community Center 11 Pine Street Hamden, CT 06517		
Daniel W. Kops, Jr., Town Planner Hamden Government Center 2750 Dixwell Avenue Hamden, CT 06518		
Thomas Vocelli, Inland Wetlands Enforcement Officer Hamden Government Center 2750 Dixwell Avenue Hamden, CT 06518		
Martin Mador, Chair Energy Use & Climate Change Commission Hamden Government Center 2750 Dixwell Avenue Hamden, CT 06518		
South Central Region Council of Governments 127 Washington Avenue 4th Floor West North Haven, CT 06473)		

WALLINGFORD RENEWABLE ENERGY
CERTIFICATION OF SERVICE TO GOVERNMENT ENTITIES
CT SITING COUNCIL

<u>GOVERNMENT NAME / ENTITY</u>	MAILED From P & C via Certified Mail	RETURN RECEIPT BACK [Green Card]
<u>STATE GOVERNMENT</u>		
Office of the Attorney General State of Connecticut Attorney General George Jepsen 55 Elm Street Hartford, CT 06106		
Senator Richard Blumenthal 90 State House Square, 10 th Floor Hartford, CT 06103		
Senator Christopher Murphy One Constitution Plaza, 7th Fl. Hartford, CT 06103		
The Honorable Rosa L. DeLauro 2262 Rayburn House Office Building Washington, D.C. 20510-0703		
Sen. Leonard Fasano 7 Sycamore Lane North Haven, CT 06473		
Rep. Mary Mushinsky 188 South Cherry Street Wallingford, CT 06492		
Rep. Vincent J. Candelora 405 Sea Hill Road North Branford, CT 06471		
Rep. Craig Fishbein Fishbein Law Firm 100 South Main Street Wallingford, CT 06492		
Rep. Liz Linehan 405 Sycamore Lane Cheshire, CT 06410		

WALLINGFORD RENEWABLE ENERGY
CERTIFICATION OF SERVICE TO GOVERNMENT ENTITIES
CT SITING COUNCIL

<u>GOVERNMENT NAME / ENTITY</u>	MAILED From P & C via Certified Mail	RETURN RECEIPT BACK [Green Card]
Sen. Martin M. Looney Legislative Office Building Room 3300 Hartford, CT 06106-1591		
GEORGE S. LOGAN Legislative Office Building 300 Capitol Avenue Hartford, CT 06106-1591		
JOSHUA ELLIOTT Legislative Office Building 300 Capitol Avenue Hartford, CT 06106-1591		
MICHAEL C. D'AGOSTINO Legislative Office Building 300 Capitol Avenue Hartford, CT 06106-1591		
ROBYN A. PORTER Legislative Office Building 300 Capitol Avenue Hartford, CT 06106-1591		
Dave Yacarino Legislative Office Building 300 Capitol Avenue Hartford, CT 06106-1591		
STATE AGENCIES		
State of Connecticut Department of Energy and Environmental Protection Robert Klee, Commissioner 79 Elm Street Hartford, CT 06106		

WALLINGFORD RENEWABLE ENERGY
CERTIFICATION OF SERVICE TO GOVERNMENT ENTITIES
CT SITING COUNCIL

<u>GOVERNMENT NAME / ENTITY</u>	MAILED From P & C via Certified Mail	RETURN RECEIPT BACK [Green Card]
State of Connecticut Department of Public Health c/o Dr. Raul Pino, Commissioner 410 Capitol Avenue, PO Box 340308 Hartford, CT 06134		
State of Connecticut Council on Environmental Quality c/o Susan D. Merrow, Chair 79 Elm Street Hartford, CT 06106		
State of Connecticut Department of Agriculture c/o Steven K. Reviczky, Commissioner Department of Agriculture 450 Columbus Blvd, Suite 701 Hartford, CT 06103		
State of Connecticut Public Utility Regulatory Authority c/o Katie Dykes, Chair Ten Franklin Square New Britain, CT 06051		
State of Connecticut Office of Policy and Management Benjamin Barnes, Secretary Office of Policy and Management 450 Capitol Avenue Hartford, CT 06106		
State of Connecticut Department of Economic and Community Development Catherine Smith, DECD Commissioner 450 Columbus Boulevard, Suite 5 Hartford, CT 06103		

WALLINGFORD RENEWABLE ENERGY
CERTIFICATION OF SERVICE TO GOVERNMENT ENTITIES
CT SITING COUNCIL

<u>GOVERNMENT NAME / ENTITY</u>	MAILED From P & C via Certified Mail	RETURN RECEIPT BACK [Green Card]
State of Connecticut Department of Transportation c/o James P. Redecker, Commissioner 2800 Berlin Turnpike Newington, CT 06111		
Connecticut Department of Emergency Services and Public Protection Dora B. Schriro, Commissioner 1111 Country Club Road Middletown, CT 06457		
State of Connecticut Department of Consumer Protection Michelle Seagull, Commissioner 450 Columbus Boulevard, Suite 901 Hartford, Connecticut 06103-1840		
Connecticut Department of Administrative Services Melody A. Currey, Commissioner Department of Administrative Services 450 Columbus Boulevard Hartford CT, 06103		
State of Connecticut Department of Labor Scott D. Jackson, Commissioner 200 Folly Brook Boulevard Wethersfield, CT 06109		

APPENDIX K – FAA NOTICES OF NO HAZARD



Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2017-ANE-3643-OE

Issued Date: 10/03/2017

Joseph Jordan
Wallingford Renewable Energy LLC
909 Lake Carolyn Parkway
Suite 260
Irving, TX 75039

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Solar Panel North High Point
Location:	Wallingford, CT
Latitude:	41-26-32.37N NAD 83
Longitude:	72-50-22.65W
Heights:	111 feet site elevation (SE) 12 feet above ground level (AGL) 123 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

At least 10 days prior to start of construction (7460-2, Part 1)
 Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 L Change 1.

This determination expires on 04/03/2019 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (202) 267-4525, or david.maddox@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2017-ANE-3643-OE.

Signature Control No: 344583499-345302205

(DNE)

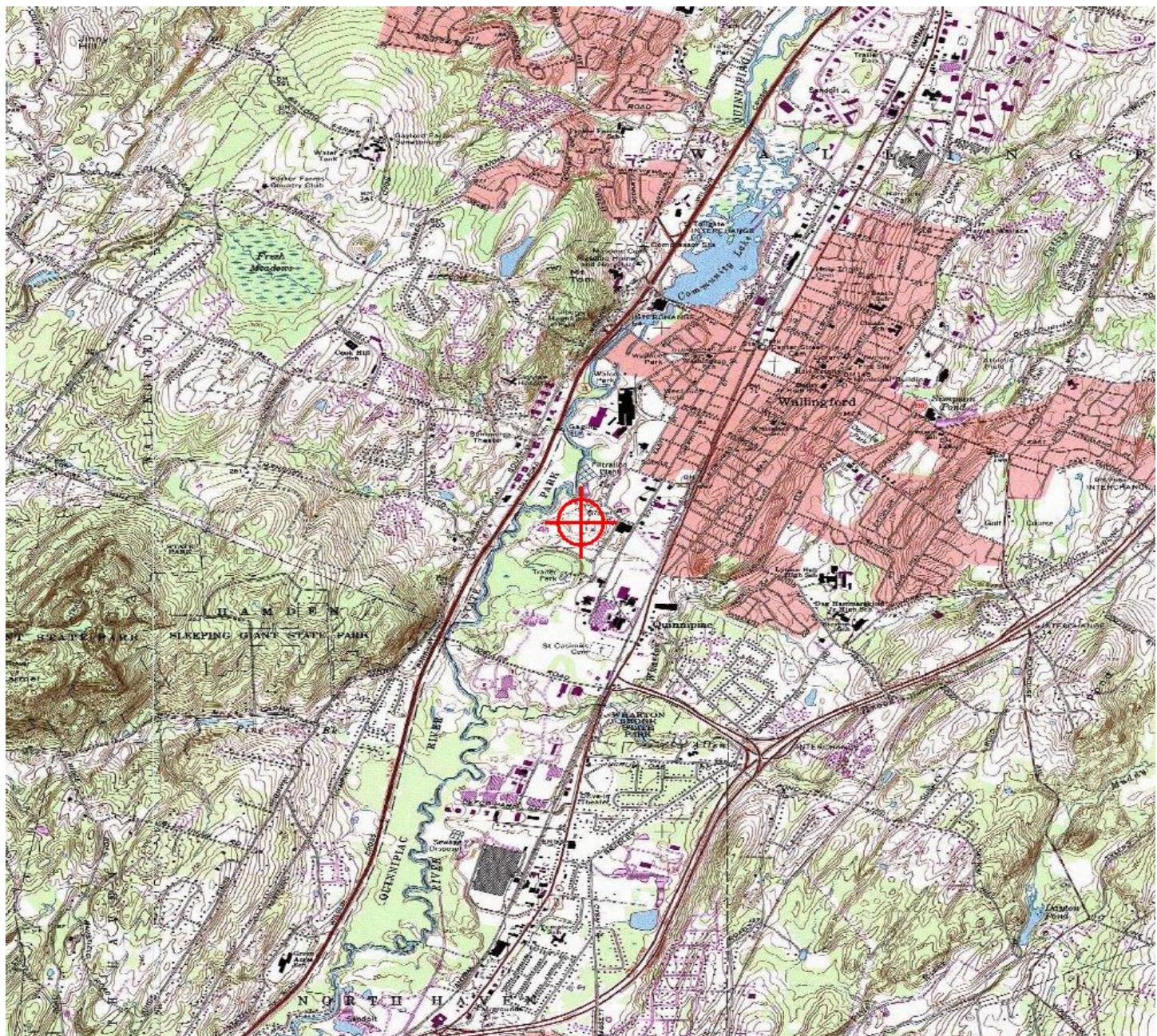
David Maddox
Specialist

Attachment(s)
Case Description
Map(s)

Case Description for ASN 2017-ANE-3643-OE

Wallingford Renewable Energy LLC is proposing to construct an approximately 20-megawatt solar electric generating facility across four parcels of property with a total project footprint of approximately 120 acres in Wallingford, Connecticut. The project site is the current location of two landfills.

TOPO Map for ASN 2017-ANE-3643-OE





Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2017-ANE-3640-OE

Issued Date: 10/03/2017

Joseph Jordan
Wallingford Renewable Energy LLC
909 Lake Carolyn Parkway
Suite 260
Irving, TX 75039

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Solar Panel Northeast Corner
Location:	Wallingford, CT
Latitude:	41-26-36.92N NAD 83
Longitude:	72-50-03.82W
Heights:	68 feet site elevation (SE) 12 feet above ground level (AGL) 80 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

At least 10 days prior to start of construction (7460-2, Part 1)
 Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory Circular 70/7460-1 L Change 1.

This determination expires on 04/03/2019 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

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This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (202) 267-4525, or david.maddox@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2017-ANE-3640-OE.

Signature Control No: 344583495-345302200

(DNE)

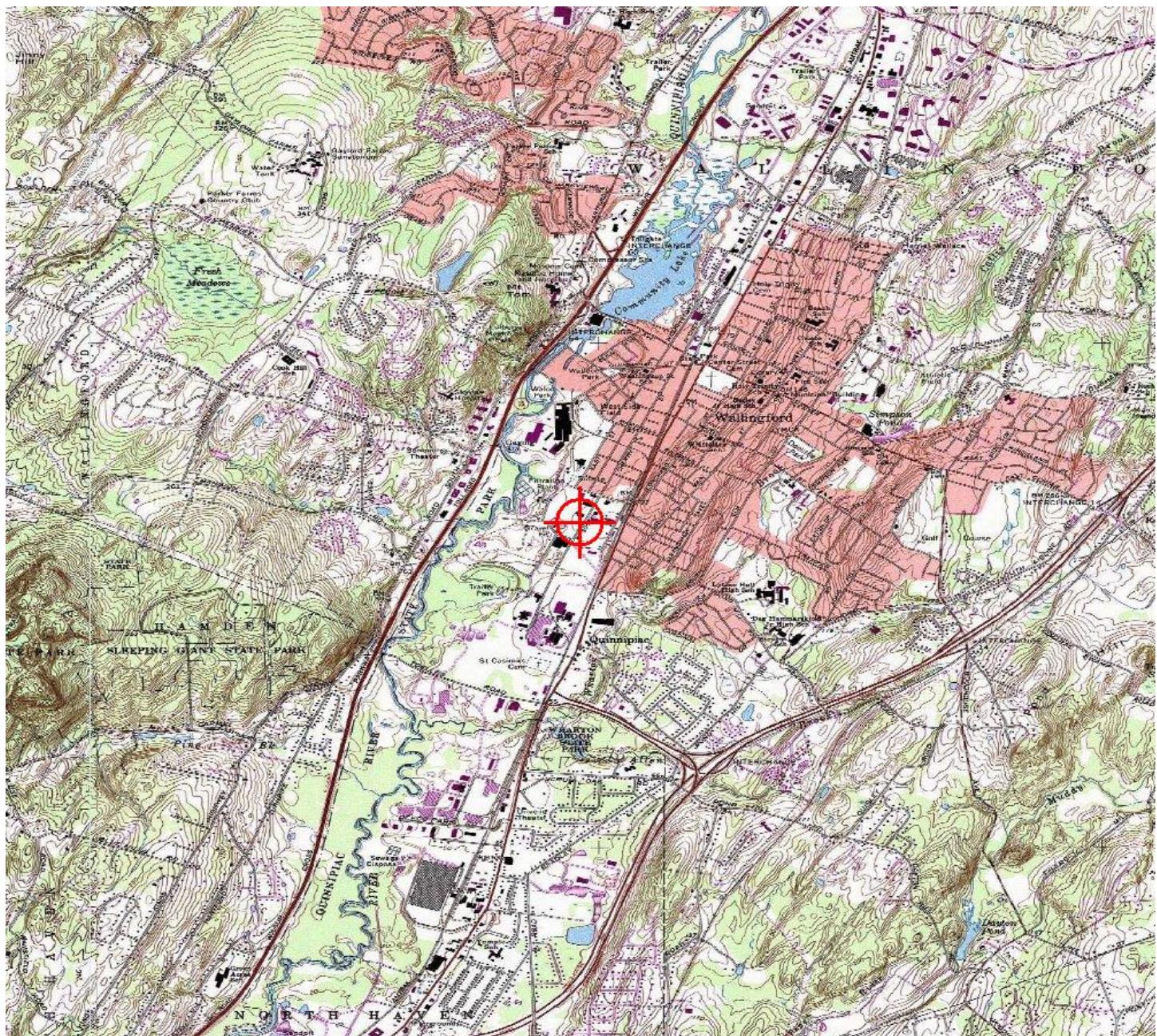
David Maddox
Specialist

Attachment(s)
Case Description
Map(s)

Case Description for ASN 2017-ANE-3640-OE

Wallingford Renewable Energy LLC is proposing to construct an approximately 20-megawatt solar electric generating facility across four parcels of property with a total project footprint of approximately 120 acres in Wallingford, Connecticut. The project site is the current location of two landfills.

TOPO Map for ASN 2017-ANE-3640-OE





Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2017-ANE-3639-OE

Issued Date: 10/03/2017

Joseph Jordan
Wallingford Renewable Energy LLC
909 Lake Carolyn Parkway
Suite 260
Irving, TX 75039

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Solar Panel Northwest Corner
Location:	Wallingford, CT
Latitude:	41-26-39.41N NAD 83
Longitude:	72-50-26.56W
Heights:	57 feet site elevation (SE) 12 feet above ground level (AGL) 69 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

At least 10 days prior to start of construction (7460-2, Part 1)
 Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory Circular 70/7460-1 L Change 1.

This determination expires on 04/03/2019 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

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This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

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This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (202) 267-4525, or david.maddox@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2017-ANE-3639-OE.

Signature Control No: 344583494-345302203

(DNE)

David Maddox
Specialist

Attachment(s)
Case Description
Map(s)

Case Description for ASN 2017-ANE-3639-OE

Wallingford Renewable Energy LLC is proposing to construct an approximately 20-megawatt solar electric generating facility across four parcels of property with a total project footprint of approximately 120 acres in Wallingford, Connecticut. The project site is the current location of two landfills.

TOPO Map for ASN 2017-ANE-3639-OE

