

TOWN OF WALLINGFORD, CONNECTICUT  
TOWN COUNCIL MEETING  
Town Council Chambers  
TUESDAY  
June 25, 2019  
6:30 P.M  
RECORD OF VOTES & MINUTES

The Town Council Meeting on Tuesday, June 25, 2019 was called to order at 6:31 p.m. There was a moment of silence and the Pledge of Allegiance was said. Councilors in attendance were: Craig C. Fishbein, Thomas Laffin, John LeTourneau, Joseph A. Marrone, III, Gina Morgenstein, Christopher K. Shortell, Vincent F. Testa (arrived at 6:40 p.m.), Jason Zandri and Chairman Vincent Cervoni. Mayor William W. Dickinson, Jr. and Town Attorney Gerald E. Farrell, Sr. were also present.

- 3a. Consider and approve Tax Refunds totaling \$3,732.50 (#779-#790)  
Acct. #1001001- 41020 - Tax Collector
- 3b. Consider and approve Merit Review – Human Resources
- 3c. Consider and approve a Transfer in the amount of \$1,280 from Cont. Education & Training, Acct #10030000-55700 to Capital Account TBA – Public Works
- 3d. Consider and approve a Transfer in the amount of \$875 from Main. of Bld. & Grounds, Acct. #10030000-54315 to Capital Acct TBA – Public Works
- 3e. Consider and approve a Transfer in the amount of \$12,000 from Maint. of Transmission & Distrib. Mains, Acct. #43100673 to Administrative & General Salaries, Acct. #43100920 – Water Division
- 3f. Consider and approve a Transfer in the amount of \$12,000 from Maint. of Transmission & Distrib. Mains, Acct. #43100673 to Maint. of Treatment Equipment, Acct. #43100652 – Water Division
- 3g. Consider and approve a Transfer in the amount of \$37,200 from Operation Labor & Expense, Acct. #46100642 to Administrative & General Salaries, Acct. #46100920 – Sewer Division
- 3h. Consider and approve a Transfer in the amount of \$13,300 – Sewer Division

\$13,300	From:	Operation Labor & Expense	Acct. #46100642
\$ 800	To:	Customer Installations	Acct. #46100664
\$ 8,000	To:	Miscellaneous Expenses	Acct. #46100665
\$3,800	To:	Maintenance of Meters	Acct. #46100676
\$ 700	To:	Meter Reading Expense	Acct. #46100902

- 3i. Consider and approve a Transfer in the amount of \$7,300 from Taxes, Acct. #408 to Interest on Customer Deposits, Acct. #431 – Electric Division
- 3j. Consider and approve a Transfer in the amount of \$7,400 - Comptroller
  - \$7,400 From: Contingency-Accrued Expenses Acct. #10019000-58821
  - \$4,900 To: P&Z Reg. Wages Acct. #10010700-51000
  - \$2,500 To: Animal Cont. – Reg. Wages Acct. #10020100-51000
- 3k. Consider and approve a bid waiver for Security 101 in the amount of \$18,000 for additional blue lights to the existing system – BOE
- 3l. Schedule a Public Hearing for 6:30 p.m. on July 9, 2019 to consider and act upon an Ordinance appropriating \$490,000 for school system capital improvement program Phase III and authorizing the issue of \$490,000 bonds of the town to meet said appropriation and pending the issuance thereof the making of temporary borrowings for such purpose.
- 3m. Approve Town Council Minutes of June 11, 2019.

**ADDENDUM TO CONSENT AGENDA**

- 3n. Acceptance of Jubilee 2020 funds and consider and approve Appropriation of funds in the amount of \$2,968 to Revenue-Event or Sale Proceeds, Acct. #2524002-47040 and to Expenditures, Acct. #25240150-58830 – Wallingford 350 Jubilee

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

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

**5. PUBLIC QUESTION & ANSWER PERIOD**

Opened Public Question and Answer Period at 6:33 p.m.

Bob Gross, Long Hill Road, asked what happens to demolition money. Robert Baltramaitis stated that money is for three properties to be demolished.

President, Olde Village Commons, said that they do not receive any services from the town, and wondered if they could get some services covered.

Mayor Dickinson explained the legality of a condo; it is private property so they do not sustain services.

Adelheid Koepfer, 23 Whiffle Tree Road, talked about solar panel installation and savings of electricity rates.

Mr Dickinson asked for a list of questions in order to investigate.

Larry Morgenstein, South Main Street, asked the Mayor if he would look into previous speaker's questions. The Mayor answered yes.

James Hine, South Elm Street, mentioned a few months back the town settled CMEEC arbitration and asked if there is any chance it will be put on as an agenda item to be discussed. He indicated it doesn't look like we are getting as much as we thought we were getting. He then asked if anyone knew the actual amount the town received.

Mr. Gross asked if NUCOR has a special rate they pay.

Closed Public Question and Answer Period at 6:53 p.m.

Discussion and possible action regarding Interest Arbitration Award for UPSEU, Local 424-16 (Water) Case No. 2019-MBA-311 – Human Resources

*In Attendance: James Hutt, Director, Human Resources  
Dennis Ciccarillo, Labor Attorney*

Mr. Hutt talked about the water unit contract and noted the town prevailed on wages.

Councilor Fishbein asked how we ended up in arbitration. Mr. Hutt said there was no mediating and the union felt strongly about language so we went straight to arbitration.

Councilor Fishbein asked if there are any negatives to the town. Mr. Hutt doesn't think there were any.

Discussion and possible action regarding transferring remaining benefit of Tax Incentive Program for Winston Hospitality to Emerald Hospitality Assn. – EDC

*In Attendance: Joe Mirra, Chairman, EDC  
James Gerish, CEO Emerald Hospitality Assoc.  
Arthur Borowski, CFO, Emerald Hospitality Assoc.*

**MOTION WAS MADE TO TRANSFER remaining benefit of Tax Incentive Program for Winston Hospitality to Emerald Hospitality Assn.**

**MADE BY: LAFFIN**

**SECONDED BY: FISHEIN**

Mr. Mirra stated the May 2014 Tax agreement on property is part of the property and helps grow the hotel. He indicated the buyer of the property is Jim Gerish, CEO and Arthur Borowski, CFO of Emerald Hospitality.

Councilor LeTourneau asked Mr. Gerish if he owns the hotel. Mr. Gerish answered yes and said it closed last Tuesday. Councilor LeTourneau remarked that at the time Winston received the

agreement, they needed it for financing. He feels we reluctantly give tax breaks to businesses coming to town and he would like to not honor this going forward.

Councilor Fishbein stated he is floored that this property closed without the tax agreement. He wants to know why he should vote for this.

Mr. Gerish stated there are a lot of moving parts in this transaction and noted they were encouraged by the vote by EDC. He went on to say we have a different business model than the previous owners and we will run it much more efficiently.

Councilor Zandri asked how many full time employees there are.

Mr. Borowski stated there are 35 full time and 25 part time and they are all local. Councilor Zandri then asked how many EDC members there are. Mr. Mirra replied seven.

Councilor Testa asked why we approved the original plan. He said they wanted to see that project completed it was an empty shell. He went on to state this tax agreement was part of Winston's package and he still sees it as part of the package. He commented that Emerald is looking to invest money in the property and be a good neighbor. He then asked how much will you be paying in taxes and Mr. Mirra answered \$299,000 a year.

Councilor Laffin agrees with Councilor Zandri and Councilor Testa and stated Wallingford is welcoming to business.

Councilor Zandri likes that they are going to be part of the community.

Councilor Shortell supports this.

Councilor Fishbein asked if in the next three years there will be a marketable difference of \$1 million from the renovations. Mr. Borowski explained that he could not get into tax auditing and indicated we will be held to a high standard.

Councilor LeTourneau asked Mr. Gerish if he would be willing to donate that \$350,000 back to the tax payers of Wallingford by donating to different charities.

Chairman Cervoni stated that five years ago the property was a blighted vandalized property and an eyesore so we took a risk and it moved forward and was finished now these gentlemen have taken a risk by purchasing it and are willing to put a \$1 million renovation into it.

**ROLL CALL VOTE:**  
**FISHBEIN: NO**  
**LAFFIN: YES**  
**LETOURNEAU: NO**  
**MARRONE: YES**

**MORGENSTEIN: YES**  
**SHORTELL: YES**  
**TESTA: YES**  
**ZANDRI: YES**  
**CERVONI: YES**

**7-AYE  
2-NAY  
MOTION: PASSED**

- 8. Consider and approve Lease for Town owned land on Youngs Apple Orchard Road with EIP Communications I, LLC for five (5) years from October 1, 2019 through September 30, 2024 and Authorize the Mayor to Sign said Lase Agreement – Water & Sewer Division

*In Attendance: Richard Hendershot, Director, PUC  
Neil Amwake, General Manager, Water and Sewer Div.  
Attorney Geoffrey Einhorn, Assistant Town Attorney*

**MOTION WAS MADE TO APPROVE Lease for Town owned land on Youngs Apple Orchard Road with EIP Communications I, LLC for five (5) years from October 1, 2019 through September 30, 2024 and Authorize the Mayor to Sign said Lase Agreement.**

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

Mr. Hendershot spoke about the proposed lease, new owners of the tower and access for Police and Fire radio system.

Mr. Amwake explained that the lease was signed in the spring of 2018 with Frontier and in January of 2019 Frontier sold the property to Everest Infrastructure. He stated there are two leases tonight, a ground lease and an occupancy lease and he mentioned a savings of \$560,945 to the town.

Attorney Einhorn indicated there are two leases and they are 50/50 split.

Deputy Police Chief John Ventura stated that this tower allows us to speak with the Fire Department specifically.

**ROLL CALL VOTE: MORGENSTEIN: YES  
FISHBEIN: YES SHORTELL: YES  
LAFFIN: YES TESTA: YES  
LETOURNEAU: YES ZANDRI: YES  
MARRONE: YES CERVONI: YES  
9-AYE  
MOTION: PASSED**

**ADDENDUM TO AGENDA ITEM 8**

- 8a. Consider and Approve a Tower Use Agreement between the Town of Wallingford and EIP Communications I, LLC for a 10 year term and three 5 year term extensions. The Tower Use Agreement authorizes use of the tower for public safety and Police Department/Fire Departments – Water & Sewer Division

**MOTION WAS MADE Approve a Tower Use Agreement between the Town of Wallingford and EIP Communications I, LLC for a 10 year term and three 5 year term extensions. The Tower Use Agreement authorizes use of the tower for public safety and Police Department/Fire Departments**

**MADE BY: LAFFIN  
SECONDED BY: LETOURNEAU**

<b>ROLL CALL VOTE:</b>	<b>MORGENSTEIN: YES</b>
<b>FISHBEIN: YES</b>	<b>SHORTELL: YES</b>
<b>LAFFIN: YES</b>	<b>TESTA: YES</b>
<b>LETOURNEAU: YES</b>	<b>ZANDRI: YES</b>
<b>MARRONE: YES</b>	<b>CERVONI: YES</b>

**9-AYE  
MOTION: PASSED**

Consider and approve the assignment of tax liens for property located at 51 Western Sands to Garden Homes Management Corp. – Law Dept.

**MOTION WAS MADE to approve the assignment of tax liens for property located at 51 Western Sands to Garden Homes Management Corp.**

**MADE BY: LAFFIN  
SECONDED BY: LETOURNEAU**

Attorney Farrell stated this deals with a mobile home. He explained the property will be purchased by the owner of the mobile home park who will renovate and resell it. He said that normally the Town would not be able to sell a mobile home tax lien.

Councilor Fishbein wanted to confirm that we would own the mobile home and not the land. Attorney Farrell stated that is correct.

<b>ROLL CALL VOTE:</b>	<b>MORGENSTEIN: YES</b>
<b>FISHBEIN: YES</b>	<b>SHORTELL: YES</b>
<b>LAFFIN: YES</b>	<b>TESTA: YES</b>
<b>LETOURNEAU: YES</b>	<b>ZANDRI: YES</b>
<b>MARRONE: YES</b>	<b>CERVONI: YES</b>

**9-AYE  
MOTION: PASSED**

Discussion regarding the Simpson Court rear parking lot – drainage repair and leases – Mayor

*In Attendance: Mayor William W. Dickinson, Jr.  
Robert Baltramaitis, Director, Public Works*

Mr. Baltramaitis stated we are here tonight to open dialogue with you on the Simpson Court parking lot and noted we have nine parking lots in the downtown vicinity. He indicated we have two out of the nine that are private/public town owned this being one of them. He went on to say that one year ago we received a letter from the Pimentel's attorney regarding a drainage issue on the property. He explained the town would like to run a pipe through the property to Rte. 150 which we would have to go through North Main Street which he would have to open up. He wants to start public discussions and indicated this is very different than the project previously presented. He said improvements can be made for \$125,000-\$150,000 which is a much more reasonable cost than the previous \$500,000.

Councilor Laffin stated the reconfiguration of this area is important to the town. He believes this should go forward and indicated this is a vital part of Wallingford.

Councilor Fishbein stated that POCD is used sparingly and he thinks the biggest prospective is the property owners don't want to pay anything. He asked why the town is going to pay the whole amount of the drainage cost when it appears we have no obligation.

Mayor Dickinson stated the town is looking to provide a good environment. He indicated it is our responsibility for adequate safe parking. We need to do the drainage so we can provide parking in a very desirable part of downtown.

Councilor LeTourneau asked how we get around the referendum from last time. Attorney Farrell said the referendum dealt with a specific issue and a different amount of money.

Councilor Zandri asked, for procedure, what happens next? Chairman Cervoni explained they will take what happens here tonight and decide to move forward if there is support. He asked the Mayor if that is correct. The Mayor replied yes.

Councilor Zandri asked how many additional spaces will be gained by uniformed stripping. Mr. Baltramaitis stated that sometimes the numbers go down, not up.

Councilor Zandri thinks we sometimes pick and choose our projects. He remarked we could have done Wooding Caplan; we now own Brothers and asked what we are doing there. He said he can support this if it is part of a cohesive plan to improve all the public parking in downtown not just this lot. He wants to see the whole plan.

Councilor Shortell agrees with Councilor Zandri that it would be good to see a plan.

Councilor Marrone thinks this is a great bare minimum base plan and he doesn't need to see a plan.

Chairman Cervoni commented that someone quite a long time ago saw the benefit of having these properties have the parking lot with north and south access so the spirit was a good one.

Councilor Morgenstein spoke about other parking areas in town and asked why they aren't being paved. She stated we can bond them if needed.

Councilor Testa asked about the catch basins and noted he is in favor of going forward.

Councilor LeTourneau stated the downtown collaborative should be brought in to help. He remarked that they got all the green stripped public parking spaces done.

### PUBLIC COMMENT

Mark Gingras, Cheshire Road, thanked the Council for talking about this. He stated he is part of EDC and was walking a developer downtown and he said it's a beautiful town at 40 miles per hour but when you slow down you see the cracks.

G. Mezzite, 390 North Main Street, says the parking lot is a mess and doesn't want to see this drag on. He wants to applaud the landlords and thinks this would be a win-win.

Bob Gross asked how big of an area will you pave. Mr. Baltramaitis responded that each side is about the same across.

Jack McGuire, 2 North Main Street, mentioned that a few months ago Connecticut Magazine named Wallingford's Simpson Court as one of the Top 10 "Main Streets" in Connecticut. He went on to say it is a unique property more so than the Wooding Caplan property. The owners all have skin in the game with the fact that they have done many improvements. He thinks this is a great project to go forward.

Debbie Gross, Long Hill Road, stated everyone agrees something has to be done about parking but it should be done to all the lots in town.

Larry Morgenstein, South Main Street, believes this is beneficial to all stakeholders in town but noted we have to be aware of the public/private aspect. He thinks we need to look at all the parking areas in town.

11. 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*

### **MOTION TO ADJOURN**

**MADE BY: FISHBEIN**

**SECONDED BY: LETOURNEAU**

**ALL AYE**

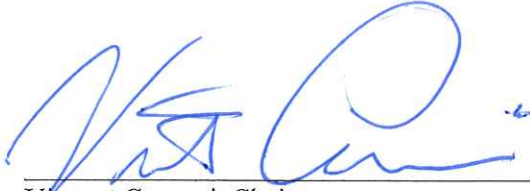
**MOTION: PASSED**

The Council adjourned the meeting at 10:35 P.M.

Respectfully submitted,

Lisa Moss  
Council Staff  
Meeting digitally recorded

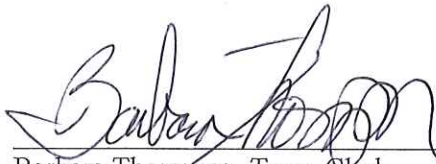




Vincent Cervoni, Chairman

9 July 2019

Date



Barbara Thompson, Town Clerk

7-10-19

Date

RECEIVED FOR RECORD 6-28-19  
AT 4:00 AND RECEIVED BY  
Barbara Thompson TOWN CLERK