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**TOWN OF WALLINGFORD, CONNECTICUT
TOWN COUNCIL MEETING
Town Council Chambers
TUESDAY
FEBRUARY 11, 2020
6:30 P.M.
RECORD OF VOTES & MINUTES**

The Town Council Meeting on Tuesday, February 11, 2020 was called to order at 6:35 p.m. There was a moment of silence. The opening Prayer was given by Reverend Dean Warburton and the Pledge of Allegiance was said. Councilors in attendance were Thomas Laffin, Joseph A. Marrone, III, Gina Morgenstein, Christopher K. Shortell, Christina Tatta, Vincent F. Testa, Jason Zandri and Chairman Vincent Cervoni. Councilor Craig Fishbein was absent. Mayor William W. Dickinson, Jr., Town Attorney Gerald Farrell, Sr. and Comptroller James Bowes were also present.

- 3a. Consider and approve Tax Refunds totaling \$4,515.61 (#733-761)
Acct. #1001001- 41020 - Tax Collector
- 3b. Consider and approve a Transfer in the amount of \$2,000 from Maintenance of Meters, Acct. #43100676 to Maintenance of Wells and Springs, Acct. #43100614 – Water Div.
- 3c. Consider and approve a Transfer in the amount of \$65,000 from Source of Supply – Wells & Springs, Acct. #43300314 to Water Treatment – Structures & Improvements, Acct. #43300331 – Water Div.
- 3d. Consider and approve a Transfer in the amount of \$16,400 – Electric Div.
 - \$ 7,000 From: Distribution Maintenance-Station Expense Acct. #592
 - \$ 9,400 From: Distribution Maintenance-Line Transformers Acct. #595
 - \$16,400 To: Maintenance of General Plant Acct. #932
- 3e. Budget Appropriation in the amount of \$124,000 from Retained Earnings, Acct. #NA to Distribution Maintenance-Overhead Lines, Acct. #593 - Electric Div.
- 3f. Acceptance of Highway Safety Grant 2019/2020 DUI Enforcement Program and consider and approve Appropriation of funds in the amount of \$9,308 to Revenue Highway Safety, Acct. #1002001-45208 and to Police Overtime, Acct.#10020050 -51400 – Police Dept.
- 3g. Acceptance of Donations and consider and approve Appropriation of funds in the amount of \$5,367 to Revenue, Acct. #2134002-47152 and to Expenditures, Acct. #21340100-58830 – Y&SS
- 3h. Consider and approve a Transfer in the amount of \$1,000 from Prof. Svcs. – Labor/Grievances, Acct. #12000-56812 to Maintenance of Equipment, Acct. #12000-54325 – Human Resources

- 3i. Budget Amendment in the amount of \$200,000 to Revenue-Outside Contractors, Acct. #10020050-51600 and to Charges for Current Services, Acct. #1002001-46020 – Police Dept.
- 3j. Consider and Approve a Transfer in the amount of \$7,500 from General Contingency, Acct. #100-19000-58820 to P&Z Wages – Regular, Acct. #100-10700-51000 - Mayor
- 3k. Consider and approve a Resolution of Endorsement for the South Central Regional Council of Governments (SCRCOG) Regional Performance Incentive Program (RPIP) proposals authorizing SCRCOG to apply for funding under RPIP and authorizing SCRCOG to enter into any contract and/or agreement should proposals be selected for a RPIP award for Regional Cybersecurity Initiative and School Waste Diversion Pilot Program – Mayor
- 3l. Approve Town Council Minutes of January 21, 2020.

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

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

- 4. **Items Removed from the Consent Agenda:** *None*
- 5. Executive Session pursuant to CGS Section 1-225(f) and Section 1-200(6)(B) regarding strategy and negotiations with respect to the matter of *Fittanto v. Town of Wallingford, et al* – Law Dept.

MOTION WAS MADE TO MOVE INTO EXECUTIVE SESSION AT 6:40 P.M.

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

MOTION WAS MADE TO MOVE INTO EXECUTIVE SESSION pursuant to CGS Section 1-225(f) and Section 1-200(6)(B) regarding strategy and negotiations with respect to the matter of *Fittanto v. Town of Wallingford, et al*.

Time of Executive Session 6:40 p.m. to 6:55 p.m.

Attendance at Executive Session:

LAFFIN **MAYOR WILLIAM W. DICKINSON, JR.**
MARRONE **TOWN ATTORNEY GERALD FARRELL, SR.**
MORGENSTEIN **ATTORNEY PATRICK ALLEN**

SHORTELL **WILLIAM WRIGHT, POLICE CHIEF**
TATTA **KURT TREIBER, RISK MANAGER**
TESTA
ZANDRI
CERVONI

7. Executive Session pursuant to CGS Section 1-225(f) and Section 1-200(6)(B) regarding strategy and negotiations with respect to the matter of *Town of Wallingford v. Neil Randall, et al* – Law Dept.

MOTION WAS MADE TO MOVE INTO EXECUTIVE SESSION AT 6:40 P.M.

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

MOTION WAS MADE TO MOVE INTO EXECUTIVE SESSION pursuant to CGS Section 1-225(f) and Section 1-200(6)(B) regarding strategy and negotiations with respect to the matter of *Town of Wallingford v. Neil Randall, et al.*

Time of Executive Session 6:55 p.m. to 6:57 p.m.

Attendance at Executive Session:

LAFFIN **MAYOR WILLIAM W. DICKINSON, JR.**
MARRONE **TOWN ATTORNEY GERALD FARRELL, SR.**
MORGENSTEIN
SHORTELL
TATTA
TESTA
ZANDRI
CERVONI

MOTION WAS MADE TO MOVE OUT OF EXECUTIVE SESSION AT 6:57 P.M.

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

6. Motion to consider and authorize action in the pending matter of *Fittanto v. Town of Wallingford, et al* as discussed in Executive Session – Law Dept.

MOTION WAS MADE TO MOVE TO AUTHORIZE THE TOWN TO TAKE ACTION IN THE PENDING MATTER OF *FITTANTO V. TOWN OF WALLINGFORD, ET AL.*

MADE BY: LAFFIN
SECONDED BY: SHORTELL

Councilor Zandri stated he is principally against this but we are bound to do this.

Chairman Cervoni agrees but feels we are doing this more as a business decision.

ROLL CALL VOTE:		SHORTELL: YES
FISHBEIN: ABSENT		TATTA: YES
LAFFIN: YES		TESTA: YES
MARRONE: YES		ZANDRI: YES
MORGENSTEIN: YES		CERVONI: YES
8-AYE		
1-ABSENT		
MOTION: PASSED		

- 8. Motion to consider and authorize action in the pending matter of *Town of Wallingford v. Neil Randall et al*, as discussed in Executive Session – Law Dept.

MOTION WAS MADE TO AUTHORIZE THE TOWN TO BID IN THE PENDING MATTER OF *TOWN OF WALLINGFORD V. NEIL RANDALL ET AL.*

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

9. **PUBLIC QUESTION & ANSWER PERIOD**

Opened Public Question and Answer Period at 7:01 p.m.

There were no questions from the public.

Closed Question and Answer Period at 7:01 p.m.

- 10. (a) Consider and approve a Transfer in the amount of \$35,247 – Mayor - **WITHDRAWN**

From:	Contingency	Acct. #:10019000-58820
To:	Soc. Svcs. – Wallingford 2020 Celebration	Acct. # 10040150-58280

- (b) Consider and approve Appropriation of funds in the amount of \$35,247

To:	Revenue-Xfer in from General Fund	Fund #252
To:	Expenditures	Fund #252

11. Discussion and possible action regarding resuming Wallingford Energy Conservation Commission and nomination of the following to the Commission: Adelheid Koepfer, Mary Mushinsky, Alida Cella, Mark Deptula, Ben Martin, Tracy Carim, Jim Quarello, Pat Reynolds – Councilor Morgenstein

*In Attendance: Ben Martin, 329 Ward Street
Mark Deptula, Supervisor of Building and Grounds, Board of Education*

Councilor Morgenstein stated she is happy to see this coming forward.

Mr. Martin explained in 2008 we initially found low cost ways to find energy savings. He noted we worked with Stop & Shop to install electric chargers for cars and with the schools for savings.

Chairman Cervoni asked when was the last time this was active? Mr. Martin replied 2014.

Mayor Dickinson stated that Eversource has no jurisdiction in town and went on to explain we have an energy department ourselves so we handle that.

Councilor Zandri stated he's always interested in conservation but he asked does it do anything to destabilize costs of utilities. Mr. Martin replied that we are not at a point where that would make a difference in the state.

Councilor Shortell wants to know if we are being asked to reappoint this dormant committee tonight. He explained whether he is for this or not, he is not going to support this at this time. He believes they should all have a say, each Councilor or the Town Committees, in who is appointed to the Commission.

Mr. Martin stated this is a nonpartisan Commission.

Councilor Shortell feels we should take a step back. He then asked if we could accomplish this through the Public Utilities Commission. Mr. Martin stated he thinks they are very busy.

Mayor Dickinson explained \$1.5 million is collected each year through the utilities and performs energy conservation through our utilities division. He went on to state we are obligated to spend this in conservation.

Councilor Marrone stated he is not sure what we can do that you wouldn't do before.

Mr. Martin indicated a reason for the town departments to meet with us is it provides us a foot in the door. He remarked we are talking about improvements.

Councilor Marrone asked what type of projects would you do? Mr. Deptula stated at the school, we changed lighting and we went to efficient boilers.

Councilor Marrone indicated in theory he is okay but he needs to know more about the members.

Chairman Cervoni stated to Mr. Martin you mentioned that the conservation load management was only for commercial properties but I had an audit done on my home here.

Councilor Testa stated it's easy to ask why we need this group but there is a certain degree of credibility of being sanctioned by the town if we approve it. He thinks this group would be looking at many areas and making presentations to many departments.

Councilor Laffin stated he is hearing this as a re-boot and asked Mr. Martin what his relationship was in the past with PUC. Mr. Martin replied they provided us with data on the biggest users, no official relationship. Councilor Laffin asked what if they said no and Mr. Martin stated we really are only advisory. Councilor Laffin then asked Mr. Martin if he was given a charge. Mr. Martin stated he did not remember it was 12 years ago. Councilor Laffin indicated if we are going forward with this, he wants a charge and a say in who is on it.

Councilor Tatta asked Mr. Deptula if the schools are currently going through an audit through the PUC. Mr. Deptula replied no, not through the PUC, through the schools and stated there are lots of opportunities for new projects. He went on to say we upgraded to new lights, LED's, a substantial savings.

Councilor Tatta stated she is reluctant to go forward tonight and indicated minority representation. She asked if everyone lives in town and asked when it was created. Mr. Martin replied 2008.

Councilor Morgenstein indicated she sees an opportunity tonight to reform an Energy Conservation Commission. She would like to see this Council tonight reform this Committee.

**MOTION WAS MADE TO RE-FORM THE WALLINGFORD ENERGY
CONSERVATION COMMISSION.**

**MADE BY: MORGENSTEIN
SECONDED BY: TESTA**

Councilor Marrone went back to Councilor Testa's question and remarked why not form this group. He stated there becomes an expense to that and went on to say look at the Coalition, we had to rent them space downtown. He asked if this is just a regroup then why do we have to do anything why can't they just start up again.

Councilor Zandri stated this Committee existed for six years before and he feels this is good for us to consider.

Councilor Laffin feels we should take a deep breath and make the right decision. He suggested maybe waiting two weeks would be a good decision to get questions answered.

Councilor Shortell mentioned they interviewed seven people for Public Celebrations two years ago and noted similar examples such as the Coalition and Wallingford Center Inc. without the Council forming a Commission. He feels we should take our time tonight and stated he will be voting no.

PUBLIC COMMENT

Bob Gross, Long Hill Road, wants to know if they have to use the money from the Electric Division for the audit. Mayor Dickinson answered typically yes and indicated it must show cost reduction. He stated that the program works well.

Larry Morgenstein, South Main Street, said he is at a loss at what happens at these meetings. He went on to say here is a gift of a Committee that can save the town money and we spend time to see how we cannot do this.

State Representative Mary Mushinsky, a previous Board Member, spoke about an award we got from the Commission – second in the state. She feels we should hold off on the vote tonight and come up with a bipartisan Commission.

MOTION TO TABLE

MADY BY: LAFFIN

SECONDED BY: MARRONE

ROLL CALL VOTE:

FISHBEIN: ABSENT

LAFFIN: YES

MARRONE: YES

MORGENSTEIN: NO

5-AYE

3-NAY

1-ABSENT

MOTION: PASSED

SHORTELL: YES

TATTA: YES

TESTA: NO

ZANDRI: NO

CERVONI: YES

- 12. Discussion and possible action regarding Town Auditor Agreement – Comptroller

In Attendance: James Bowes, Comptroller

MOTION WAS MADE TO SEND TOWN AUDITOR OUT TO BID.

Mr. Bowes explained this was a three year agreement that came to an end with the June 2019 audit. He went on to say this documentation allows for an extension for two years of the contract for Blum Shapiro. He stated he needs feedback on how to proceed and that we have gone out to RFP. He indicated we have until March to decide how to proceed.

Chairman Cervoni asked if we need to take action and if we have ever done it as a straight bid. Mr. Bowes answered yes.

Councilor Marrone feels a straight bid is the way to go.

Councilor Shortell and Councilor Tatta feel we should go out to bid.

PUBLIC COMMENT

Bob Gross, Long Hill Road, asked when the last time was that we went out to bid. Mr. Bowes replied six years ago.

MADE BY: SHORTELL
SECONDED BY: MARRONE
VOTE: ALL AYE
MOTION: PASSED

- 13. 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: SHORTELL
SECONDED BY: MORGENSTEIN
ALL AYE
MOTION: PASSED

The Council adjourned the meeting at 8:47 p.m.

Respectfully submitted,

Lisa Moss
Council Staff
Meeting digitally recorded


RECEIVED FOR RECORD 2-14-2020
AT 4:00 AND RECEIVED BY
Barbara Thompson TOWN CLERK



Vincent Cervoni, Chairman

25 FEB. 2020

Date



Barbara Thompson, Town Clerk

2-26-20

Date