

TOWN OF WALLINGFORD, CONNECTICUT
TOWN COUNCIL MEETING

**HELD REMOTELY
at GoToMeeting.com**

TUESDAY
SEPTEMBER 22, 2020
6:30 P.M.

RECORD OF VOTES & MINUTES

The Town Council Meeting on Tuesday, September 22, 2020 was called to order at 6:30 p.m. There was a moment of silence and the Pledge of Allegiance was said. Councilors in attendance were Craig C. Fishbein, Thomas Laffin, Joseph A. Marrone, III, Gina Morgenstein, Christopher K. Shortell (arrived at 6:38 p.m.), Christina Tatta, Vincent F. Testa, Jason Zandri and Chairman Vincent Cervoni. Mayor William W. Dickinson, Jr., Town Attorney Gerald E. Farrell, Sr. and Assistant Town Attorney Geoffrey Einhorn were also present **(BY TELECONFERENCE)**.

1. Pledge of Allegiance
2. Roll Call
3. Consent Agenda
 - 3a. Consider and approve Tax Refunds totaling \$19,362.71 (#104-146)
Acct. #1001001- 41020 - Tax Collector
 - 3b. Consider and approve Appropriation of funds in the amount of \$6,000 -
Town Clerk

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| \$6,000 To: State Grant - Elections | Acct. #TBD |
| \$4,300 To: Overtime - Town Clerk | Acct. #10010650-51400 |
| \$1,700 To: Reg. Wages - Town Clerk | Acct. #10010650-51000 |
 - 3c. Consider and approve Appropriation of funds in the amount of \$4,939.00 to Revenue,
Acct. #2324002-49000 and to Expenditures, Acct. #23240150-58252 – Y&SS
 - 3d. Acceptance of donation of funds from Wallingford Energy, LLC and consider and approve
Appropriation of funds in the amount of \$7,500 to Revenue Account Donation, Fund #250
and to Expense Account Donation, Fund #250 – Fire Dept.
 - 3e. Consider and approve a Transfer in the amount of \$1,350 (FY 2019-2020) from Employee
Pension and Benefits, Acct. #926 to Customer Records-Meter Reading Expense, Acct.
#902 – Electric Div.

- 3f. Consider and approve a Transfer in the amount of \$7,050 (FY 2019-2020) from Employee Pension and Benefits, Acct. #926 to Distribution Operations-Overhead Lines, Acct. #583 – Electric Div.
- 3g. Consider and approve a Transfer in the amount of \$23,600 (FY 2019-2020) from Employee Pension and Benefits, Acct. #926 to Distribution Operations-Meter Expenses, Acct. #586 – Electric Div.
- 3h. Consider and approve a Transfer in the amount of \$56,450 (FY 2019-2020) from Employee Pension and Benefits, Acct. #926 to Distribution Maintenance-Overhead Lines, Acct. #593 – Electric Div.
- 3i. Acceptance of funds from U.S. Secret Service and consider and approve Appropriation of funds in the amount of \$1,103 to Misc. Revenue, Acct. #1009052-47040 and to Police Overtime, Acct. #10020050-51400 – Police Chief
- 3j. Acceptance of Donations for Holiday for Giving program and consider and approve Appropriation of funds in the amount of \$3,930 to Revenue, Acct. #2134002-47152 and to Expenditures, Acct. #21340100-58830 – Y&SS
- 3k. Consider and approve Lease Renewal Agreement between South Turnpike, LLC and the Board of Education for the Town of Wallingford for an additional five-year term commencing on May 1, 2021 and ending on April 30, 2026 for BOE offices at 100 South Turnpike Road – BOE
- 3l. Approve Town Council Minutes of September 8, 2020.

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

MADE BY: LAFFIN

SECONDED BY: TATTA

VOTE: ALL AYE

MOTION: PASSED

4. Items Removed from the Consent Agenda:

- 3k. Consider and approve Lease Renewal Agreement between South Turnpike, LLC and the Board of Education for the Town of Wallingford for an additional five-year term commencing on May 1, 2021 and ending on April 30, 2026 for BOE offices at 100 South Turnpike Road – BOE

*In Attendance: Dr. Salvatore Menzo, Superintendent, Board of Education
Dominic Barone, Business Manager
Karen Hlavac, BOE Chair
Tammy Raccio, Vice Chair*

MOTION WAS MADE TO APPROVE LEASE AGREEMENT.

MADE BY: LAFFIN

SECONDED BY: SHORTELL

Dr. Menzo explained they are looking to go into a five year lease with no penalty after three years if they were to leave. He went on to say we are looking at some point to get back on campus but there is no space large enough yet. He feels it allows them to be more efficient if they are all on one campus.

Councilor Tatta asked how long we have been out of the schools. Dr. Menzo replied 9-10 years. He explained they wanted the special needs children in the schools after Sandy Hook. Councilor Tatta asked if there is a way to split into two schools. Dr. Menzo answered unfortunately, no.

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

5. PUBLIC QUESTION & ANSWER PERIOD

Opened Public Question & Answer Period at 6:57 p.m.

Larry Morgenstein asked if we would be using the program SOTS is providing Cyber Security analysis for the election. Mayor Dickinson stated our computers are stand-alone so they cannot be hacked. Mr. Morgenstein stated 30 states have taken advantage and 128 Connecticut towns are taking advantage and he feels we should take advantage too. The Mayor said from what he's heard other towns have other programs running on their voting computers.

Lauren Takores, Record Journal, asked if someone can clarify the South Turnpike LLC Tax Appeal Executive Session.

Bob Gross, Long Hill Road, asked if COVANTA owns the trash plant and the Mayor answered no. Mr. Gross then asked if the contract is in force. The Mayor stated they are in breach of contract as far as we are concerned.

Mr. Gross asked if the pilot program is still in effect. The Mayor stated we have not received funds for the past five to six months and the Policy Board (five towns) is going to arbitration. Mr. Morgenstein stated he is glad to see we received two more drop boxes but we have three located at Town hall and he feels the two outside Town Hall are not in the best place. The Mayor explained the one in front is not handicap accessible, the one by the slider is handicap accessible and the one outside the Clerk's office is needed to keep traffic out of the Clerk's office. The

Senior Center has ease of traffic and gives another location. Mr. Morgenstein asked if we could think of another secure location. The Mayor said we will keep it in mind.

Closed Public Question & Answer Period at 7:13 p.m.

6. 6:30 p.m. Public Hearing to Consider and Act on Amendments to Chapter 62, "Alcoholic Beverages, Article IV, Seasonal Outdoor Sidewalk Dining" of the Code of the Town of Wallingford.

Councilor Shortell explained they wanted to make things easier for residents during COVID and it extends it by one month on each end to keep folks outside. He remarked this is the sidewalk part of it.

Opened Public Hearing at 7:16 p.m.

MOTION WAS MADE TO AMEND Chapter 62, "Alcoholic Beverages, Article IV, Seasonal Outdoor Sidewalk Dining that the first sentence reads Seasonal outdoor dining shall be permitted from March 1st through November 30th.

MADE BY: SHORTELL

SECONDED BY: FISHBEIN

ROLL CALL VOTE:

FISHBEIN: YES

LAFFIN: YES

MARRONE: YES

MORGENSTEIN: YES

9-AYE

MOTION: PASSED

SHORTELL: YES

TATTA: YES

TESTA: YES

ZANDRI: YES

CERVONI: YES

Closed Public Hearing at 7:17 p.m.

7. Update on COVID-19 by Stephen Civitelli, Health Director

Mr. Civitelli gave a slide presentation (attached).

8. 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*

11. Executive Session pursuant to CGS Section 1-200(6)(B) and Section 1-225(f) regarding strategy, negotiations and enforcement of a legal right with respect to a pending claim in the matter of *Town of Wallingford v. Quinnipiac Street Associates, LLC* – Law Dept.

MOTION WAS MADE TO MOVE INTO EXECUTIVE SESSION AT 7:37 P.M.

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

MOTION WAS MADE TO MOVE INTO EXECUTIVE SESSION pursuant to CGS Section 1-200(6)(B) and Section 1-225(f) regarding strategy, negotiations and enforcement of a legal right with respect to a pending claim in the matter of *Town of Wallingford v. Quinnipiac Street Associates, LLC*.

Time of Executive Session 7:37 p.m. to 8:20 p.m.

Attendance at Executive Session:

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| FISHBEIN | MAYOR WILLIAM W. DICKINSON, JR. |
| LAFFIN | ASST. TOWN ATTORNEY GEOFFREY EINHORN |
| MARRONE | TIM RYAN, ECONOMIC DEVELOPMENT SPECIALIST |
| MORGENSTEIN | |
| SHORTELL | |
| TATTA | |
| TESTA | |
| ZANDRI | |
| CERVONI | |

9. Executive Session pursuant to Section 1-225(f) and Section 1-200(6)(B) of the CGS regarding strategy and negotiations with respect to the pending tax appeal matter of *South Turnpike, II, LLC v. Town of Wallingford* – Law Dept.

MOTION WAS MADE TO MOVE INTO EXECUTIVE SESSION pursuant to Section 1-225(f) and Section 1-200(6)(B) of the CGS regarding strategy and negotiations with respect to the pending tax appeal matter of *South Turnpike, II, LLC v. Town of Wallingford*.

Time of Executive Session 8:20 p.m. to 8:24 p.m.

Attendance at Executive Session:

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| FISHBEIN | MAYOR WILLIAM W. DICKINSON, JR. |
| LAFFIN | ASST. TOWN ATTORNEY GEOFFREY EINHORN |
| MARRONE | |
| MORGENSTEIN | |
| SHORTELL | |
| TATTA | |
| TESTA | |
| ZANDRI | |
| CERVONI | |

MOTION WAS MADE TO MOVE OUT OF EXECUTIVE SESSION AT 8:25 P.M.

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

10. Discussion and Possible Action in the pending tax appeal matter of *South Turnpike, II LLC v. Town of Wallingford* as discussed in Executive Session – Law Dept.

MOTION WAS MADE TO MOVE TO APPROVE Action in the pending tax appeal matter of *South Turnpike, II LLC v. Town of Wallingford* as discussed in Executive Session.

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

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|-------------------------|----------------------|
| ROLL CALL VOTE: | SHORTELL: YES |
| FISHBEIN: YES | TATTA: YES |
| LAFFIN: YES | TESTA: YES |
| MARRONE: YES | ZANDRI: YES |
| MORGENSTEIN: YES | CERVONI: YES |

**9-AYE
MOTION: PASSED**

12. Motion to consider and approve action regarding the pending claim as discussed in Executive Session – Law Dept.

MOTION WAS MADE TO APPROVE ACTION REGARDING THE PENDING CLAIM AS DISCUSSED IN EXECUTIVE SESSION.

**MADE BY: LAFFIN
SECONDED BY: MARRONE**


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|-------------------------|----------------------|
| ROLL CALL VOTE: | SHORTELL: YES |
| FISHBEIN: YES | TATTA: YES |
| LAFFIN: YES | TESTA: YES |
| MARRONE: YES | ZANDRI: YES |
| MORGENSTEIN: YES | CERVONI: YES |

**9-AYE
MOTION: PASSED**


The meeting was adjourned at 8:30 p.m.

Respectfully submitted,

Lisa Moss
Council Staff
Meeting digitally recorded



Vincent Cervoni, Chairman



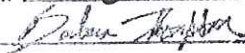
Date



Barbara Thompson, Town Clerk



Date

RECEIVED FOR RECORD 9-25-20
AT 3:00 AND RECEIVED BY
 TOWN CLERK