

**TOWN OF WALLINGFORD, CONNECTICUT
TOWN COUNCIL MEETING**

**TUESDAY
MARCH 23, 2021
6:30 P.M.**

RECORD OF VOTES & MINUTES

The Town Council Meeting on Tuesday, March 23, 2021 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, Gina Morgenstein, Joseph A. Marrone, III, Christopher K. Shortell, Christina Tatta, Vincent F. Testa, Jason Zandri and Chairman Vincent Cervoni. Mayor William W. Dickinson, Jr., Corporation Counsel Janis Small and Town Attorney Gerald E. Farrell, Sr. were also present.

1. Pledge of Allegiance
2. Roll Call
3. Consent Agenda
 - 3a. Consider and approve Tax Refunds totaling \$5,280.38 (#762-778)
Acct. #1001001- 41020 - Tax Collector
 - 3b. Consider and approve First Congregational Church use of the Parade Grounds on March 28th and April 4th for Palm Sunday and Easter Sunday services – Chairman Cervoni
 - 3c. Consider and approve a Transfer in the amount of \$9,300 from Contingency-General, Acct. #10019000-58820 to Health-Regular Wages, Acct. #10040050-51000 – Health Dept.
 - 3d. Consider and approve a Transfer in the amount of \$5,000 – Human Resources

\$2,000	From: Continuing Education/Training Exp.	Acct. #12000-55700
\$3,000	From: Professional Svcs.- Consulting Svcs.	Acct. #12000-56774
\$5,000	To: Office Expense and Supplies	Acct. #12000-56100
 - 3e. Acceptance of funds from Roehm America and consider and approve Appropriation of funds in the amount of \$2,000 to Revenue Donations –Police, Acct. #2502002-47152 and to Expense Donations-Police, Acct. #25020050-58830-10135 – Police Dept.
 - 3f. Acceptance of funds from State of CT for Dispatcher 911 Training and consider and approve Appropriation of funds in the amount of \$2,514 – Police Dept.

\$2,514	To: Revenue	Acct. #1009052-47040
\$1,257	To: Police Overtime	Acct. #10020050-51400
\$1,257	To: Continuing Education	Acct. #10020050-55700

- 3g. Acceptance of funds from Roehm America and consider and approve Appropriation of funds in the amount of \$2,000 to Revenue Account-Roehm America, LLC-Fire, Acct. #250-TBD and to Expense Account-Roehm America, LLC-Fire, Acct. #25020150-58830-TBD – Fire Dept.
- 3h. Consider and approve Adoption of Fair Housing Resolution for the Town of Wallingford – Mayor
- 3i. Approve Town Council Minutes of March 9, 2021.
- 3j. Consider and approve Budget Transfer in the amount of \$110,000 from Meter Operating Expenses, Acct. #586 to Meter Capital, Acct. #370 – Electric Div.

MOTION WAS MADE TO APPROVE CONSENT AGENDA ITEMS 3a.-3g. and 3i. as amended - 3j.

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

4. Items Removed from the Consent Agenda:

- 3h. Consider and approve Adoption of Fair Housing Resolution for the Town of Wallingford – Mayor

MOTION WAS MADE TO APPROVE ADOPTION OF FAIR HOUSING RESOLUTION FOR THE TOWN OF WALLINGFORD.

**MAE BY: LAFFIN
SECONDED BY: FISHBEIN**

Councilor Morgenstein indicated she looked up the Fair Housing Act. She then asked the Mayor what has prompted this resolution and what actions we are taking to fulfill the fair housing in Wallingford. The Mayor explained we need to complete our application for a project at Ulbrich Heights housing authority location in order to have all the documentation and we follow the rules of the department of housing.

Councilor Morgenstein remarked fair housing has to do with affordable housing and she has discovered we have not taken action with states requiring an affordable housing plan from the municipalities. The Mayor said we will be as soon as we have a Town Planner initiating the

writing and preparation of a policy. He indicated the new Town Planner will be arriving in the near future.

Councilor Morgenstein stated we are living in times that are requiring people to get help and she feels this is a very important issue.

ROLL CALL VOTE:	SHORTELL: YES
FISHBEIN: YES	TATTA: YES
LAFFIN: YES	TESTA: YES
MARRONE: YES	ZANDRI: YES
MORGANSTEIN: YES	CERVONI: YES
9 – AYE	
MOTION: PASSED	

5. PUBLIC QUESTION & ANSWER PERIOD

Bob Gross, Long Hill Road, asked the Mayor if he has hired anyone to replace Scott Hanley in Government Television as he feels this is an important position. The Mayor stated Mr. Hanley is still in the position right now and that is currently under review. Mr. Gross then asked if Administration or Town Council does the hiring for Mr. Hanley's position. The Mayor replied Administration does the hiring.

Mr. Gross asked if new employees get FOI training. The Mayor stated we have a number of training directives and we offer what is required by the state.

Larry Morgenstein, South Main Street, asked the Mayor to give an update on the court case, The Connecticut Commission on Human Rights and Opportunities v. Town of Wallingford that is still pending. He then asked what we are doing to live up to the fair housing resolution.

The Mayor explained complaints that arise come through his office and Joan Stave, Administrative Aide, is the officer and she makes sure people are aware of their rights and what resources are available to them.

Mr. Gross asked what kind of training do P&Z, ZBA and other people have in terms of knowing fair housing and how to handle these things. The Mayor said the primary issue would be with the Law Department.

Mr. Gross asked how we can have fair housing without affordable housing. The Mayor said we have a series of regulations that encourage the range of housing. We have made an effort in the past and we will continue to provide the means for affordable housing to be constructed in the community.

Jacqueline McFarlane, Kondracki Lane, stated she is happy to hear we hired a Town Planner and would like some background information on that person. The Mayor said the person has been offered the position but we do not have the person here as of yet and he will speak to that when this person arrives.

Chairman Cervoni confirmed with the Mayor that the Town Planner deals with the Planning and Zoning Department. The Mayor answered yes.

Mike Glidden, 99 Pomeroy Avenue, would like an update on the court case regarding Gilbert and asked if this is proceeding to trial. The Mayor said he is not familiar with the case. Mr. Glidden feels as taxpayers we could be looking at a settlement that is significant monies that we may have to pay out and he urges Councilors to keep an eye on this.

Mr. Glidden asked if the town applied for funds for developing affordable housing which is required under Connecticut General Statute. He said he believes we were awarded a grant a year ago and asked if that is correct? The Mayor is not familiar with any grant being applied for and stated we need the Town Planner in order to be part of that.

Ben Martin, Ward Street, recommends we hire a developer to build low income housing.

6. COVID 19 Update by Stephen Civitelli, Health Director

Attached is Mr. Civitelli's report.

7. 6:30 p.m. Public Hearing to consider and act upon Ordinance amending Chapter 151, Parks and Park Facilities, Section 156-9 of the Code of the Town of Wallingford.

Chairman Cervoni read the last sentence of the ordinance.

Councilor Shortell stated this came before the Council last month and his understanding of this ordinance is the that Council will have the opportunity to approve the Parks and Recreation Commission setting these fees. He stated it is a power of the Council and he would not call this a micromanagement.

PUBLIC COMMENT

Mr. Martin said he is curious if the reason behind charging non-profit is to raise money for Parks and Recreation because they are lacking in funding. He feels if they are lacking in some funds the Mayor and Town Council could fund them without charging them some kind of fee.

Chairman Cervoni said this was not a Council action it was an action of the Parks and Recreation Commission so nobody on the Council can answer that question. He went on to say this change in the ordinance is intended to give the Council the ability to review that decision.

Chris Bishop, Hillview Avenue, stated there are many organizations that would be affected by the potential recent passing of the Parks and Recreation Commission fee structure.

Jacqueline McFarlane, asked if the Parks and Recreation budget has been cut over the years. Chairman Cervoni said he is not sure. He explained the fund varies from year to year and that is not the issue before the Council. The issue is this ordinance that's going to give the Council the ability to review the permit structures, waivers, etc.

Mr. Morgenstein stated most costs seem to go up every year. He went on to say Parks and Recreation is looking for ways to bring in more revenue to make up shortfalls. He hopes we're looking at fighting for them to get proper funding in budget season.

Mr. Morgenstein asked the Mayor if we are we looking at any increases to the budget for Parks and Recreation this year. The Mayor indicated most departments will be having increases as a result of increased costs of everything.

Bill Gorry, 15 Dana Blvd, stated from a parent's prospective and town resident's prospective he is involved in the program and has never been paid once. He hasn't seen any other towns like this where the cost is so low that it's extremely affordable. He feels an increase in costs could eliminate this program.

Sean Doherty, Executive Director, Wallingford YMCA indicated the YMCA has been in close partner with the town for over 76 years and whenever asked to step up to the plate will never hesitate no matter what the cost. He spoke of several programs offered such as warming and cooling centers, cancer survivor programs, emergency shelter guest passes which are free and many others. He said they use the Doolittle Park for day camp. He stated YMCA is a good steward of Doolittle Park.

Mr. Doherty went on to state this year has been a tough year. Wallingford YMCA is still recovering and will be for the remainder of the year. They have a plan in place but because of the pandemic will be restricted. He indicated over 430 non-profits in the State of Connecticut have closed their doors permanently and noted families are suffering. He asked the Council to consider this when instituting this change into the fee structure.

Paula DeMaio, Colonial Lane, stated her son plays with the baseball team and she would hate to take that away due to increased costs. She suggested Wallingford let some local business advertise at our fields to raise money.

Chairman Cervoni explained all this ordinance does is give the Council the ability to review Parks and Receptions actions. We are not making decisions tonight about fees, fee structures or waivers. If this ordinance is adopted then the Council will have the ability to review Parks and Recreation's fee structure. He went on to say specific amounts being charged and how they are being charged is not on the agenda tonight.

Jason Michael, 81 Meadow Street, Parks and Recreation Commissioner, questioned what exactly the Council is voting on changing the ordinance. Chairman Cervoni clarified the part that he highlighted is the new language. Mr. Michael was under the impression that the Council had 30 days to render their decision whether or not to accept Parks & Recreation's decision. Chairman Cervoni said this gives the Council the opportunity to review.

Attorney Small explained the Council is not hearing individual applications they are going to approve the fee structure and how waivers are processed.

Joe Franke, 25 Grieb Trail, was an employee of the Wallingford YMCA and spoke of some of the good things they did. He asked what the need for the money is and is this something we want to

approve and do we have all the information available to us before we approve something. He feels this is a drastic measure.

Councilor Testa appreciates Chairman Cervoni’s comments trying to direct the discussion tonight to the issue at hand which is simply the ordinance language. He stated this has nothing to do with the current fee structures and noted that’s not on the agenda this evening. He doesn’t want anyone feeling disappointed because the Council could not address their concerns.

Councilor Morgenstein stated there are expenses they did not feel were going to be covered in their budgetary allotment and they are looking for creative ways to offset that. She is undecided on how she feels.

Councilor Fishbein feels it is import to point out that tonight has nothing to do with whether or not non-profits are charged fees or not. He then talked about the language of the ordinance. He asked assuming this passes, when would you anticipate us having this package before us for our review and approval because in the meantime they cannot charge any fees. Chairman Cervoni said to legitimize the existing fee and waiver structure we should have that become an agenda item on the meeting after the appeal period has expired. Chairman Cervoni said he is in favor of what is before us.

Councilor Shortell referred to Ms. McFarlane’s comment about the budget and stated all budgets are on the website. He stated he will support this.

Attorney Small agrees with Councilor Fishbein this language requires Town Council approval of the fee schedule and a waiver provision so once this becomes effective they have to bring it to Council for approval. She agrees with Councilor Testa in that there is no appeal of a particular application. She said to keep in mind the Recreation Commission is an advisory commission.

Councilor Marrone stated the Town Council is the tax authority in the town and the oversight of this is something that should come back to the Town Council. He disagrees with Councilor Morgenstein and feels taxation is not a good way to raise money. He stated this is a power that belongs to the Council and he doesn’t think Council should give away its ability to decide who charges money to use the parks.

Ken Michaels, Director, Parks & Recreation, stated park facility fees go into a special fund account and in turn can be used to upgrade facilities, replace equipment, picnic benches, etc.

MOTION WAS MADE TO APPROVE ORDINANCE AS PROPOSED.

MADE BY: LAFFIN

SECONDED BY: SHORTELL

ROLL CALL VOTE:	SHORTELL: YES
FISHBEIN: YES	TATTA: YES
LAFFIN: YES	TESTA: YES
MARRONE: YES	ZANDRI: YES
MORGANSTEIN: YES	CERVONI: YES

9 – AYE
MOTION: PASSED

- 8. Consider and approve Bid Waiver for Houston-Galveston Area Council (HGAC) to enter into an interlocal contract with HGABuy to obtain best pricing up to \$250,000 for an ambulance – Fire Dept.

*In Attendance: Richard Heidgerd, Fire Chief
Joseph Czentnar, Deputy Fire Chief
Samuel Wilson, III, Deputy Fire Chief – EMS & Training*

MOTION WAS MADE TO approve Bid Waiver for Houston-Galveston Area Council (HGAC) to enter into an interlocal contract with HGABuy to obtain best pricing up to \$250,000 for an ambulance.

MADE BY: LAFFIN
SECONDED BY: MORGENSTEIN

Deputy Chief Czentnar stated the Fire Department is asking for a bid waiver to purchase a Frazer limited ambulance through HDAC. He explained after having two Frazer ambulances for over three years we feel Frazer offers the best platform for long term reliable and low cost ownership. He briefly described HDAC which is a nationwide government procurement service where local government units are eligible to become participating members of the cooperative.

Councilor Tatta asked how we know the best prices are attained through this. Deputy Chief Czentnar indicated it's part of the requirement in the contract that it's the best price available. He said they have been able to confirm that through fire apparatus and with ambulances.

Councilor Tatta asked how much we are willing to spend and if that hurts us. Deputy Chief Czentnar indicated that was in our budget.

Councilor Fishbein asked if the price for the vehicle includes delivery. Deputy Chief Czentnar answered yes.

ROLL CALL VOTE:	SHORTELL: YES
FISHBEIN: YES	TATTA: YES
LAFFIN: YES	TESTA: YES
MARRONE: YES	ZANDRI: YES
MORGANSTEIN: YES	CERVONI: YES

9 – AYE
MOTION: PASSED

- 9. Discussion regarding Fire Department staffing changes over the past years – Fire Chief

*In Attendance: Richard Heidgerd, Fire Chief
Joseph Czentnar, Deputy Fire Chief
Samuel Wilson, III, Deputy Fire Chief – EMS & Training*

Chief Heidgerd, Deputy Chief Czentnar and Deputy Fire Chief Wilson presented Wallingford Fire Department 2021 status Report

Councilor Fishbein thanked the Fire Chiefs for the presentation and stated it was very informative.

Councilor Fishbein indicated the volunteer situation over past few years has declined. He inquired if we have a stipend program. Chief Heidgerd said we have a tax abatement as well as well as the pension system.

Councilor Fishbein asked if volunteers pay up front for training costs. Chief Heidgerd stated they request monies so they could sponsor 20 people in total with all training costs up front for them. He is hoping with funding on July 1st they will be able to front pay for those costs. The goal is to recruit 10 firefighters and 10 EMS responders with all expenses paid.

Councilor Laffin asked Chief Heidgerd how long he has been Chief for and he answered just over 6years. He then asked Deputy Chief Czentnar how long he has been Deputy Chief for and he answered 6 ½ years. He asked Deputy Chief Wilson how long he has been Chief for and he answered a little over one year. Councilor Laffin said he feels frustrated more than he was before because he still doesn't understand why they are \$1 million dollars over budget in the payroll area. Chief Heidgerd explained they are not \$1 million over Budget. He went on to say \$213,000 is the true overage past the budget and there have been a lot of unknowns with this new staffing model. He stated there is no contingency within the Fire Department budget for the 8 previous years.

Chairman Cervoni stated the power-point presentation will become part of the Minutes.

Councilor Tatta asked why the call volume is increasing so drastically. Chief Heidgerd explained medical calls have gone up, age and population and 911 accessibility. He indicated strictly the EMS side of things that has gone up which has increased that call volume.

Councilor Tatta thought the overage was more than \$213,000 and she thought a good chunk of that came from the general contingency. Chief Heidgerd explained they initially identified that they may have had a shortfall of up to \$600,000.

Councilor Tatta asked Chief Heidgerd if he expects replacement pay to be as high next year. Chief said he does not want to go into next year with a shortfall . He stated when you see the budget it will be with truer numbers.

The Mayor mentioned there was a circumstance of four injuries and the \$600,000 figure was based upon if those people were out of work through most of the year. He indicated an out of the ordinary number of injured personnel was a significant part of this.

Councilor Shortell thanks Chief Heidgerd and his whole team. He mentioned he would have liked more time to review the power-point presentation but the presentation itself was very thorough. He said he appreciates getting this before the budget workshop.

Councilor Shortell asked if the power-point presentation has to be submitted ahead of time. He confirmed with Attorney Small under FOI rules as long as he got it to the Town Clerk it would be

legal and could be posted after the meeting. Attorney Small said yes, it's preferable to be before, could be during but it has to be afterwards.

Mr. Garlick, 8 Vumbaco Drive, inquired about the new volunteer training funds.

Chairman Cervoni thanked Chief Heidgerd for taking care of the town.

10. 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) for discussion regarding pending claims and litigation involving Covanta and the Disposal Agreements – Law Dept.

MOTION WAS MADE TO MOVE INTO EXECUTIVE SESSION AT 9:24 P.M.

**MADE BY: LAFFIN
SECONDED BY: TATTA
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) for discussion regarding pending claims and litigation involving Covanta and the Disposal Agreements – Law Dept.

Time of Executive Session 9:02 p.m. to 10:20 p.m.

Attendance at Executive Session:

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

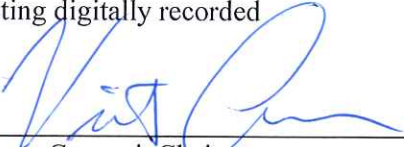
MOTION WAS MADE TO MOVE OUT OF EXECUTIVE SESSION AT 9:45 P.M.

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

The meeting was adjourned at 9:45 p.m.

Respectfully submitted,

Lisa Moss
Council Staff
Meeting digitally recorded



Vincent Cervoni, Chairman

24 May 2021

Date



Deborah McKiernan, Town Clerk

May 24, 2021

Date