

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

**TUESDAY  
June 14, 2022  
6:30 P.M.**

**RECORD OF VOTES AND MINUTES**

The Town Council Meeting on Tuesday, June 14, 2022, 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, Autumn Allinson, Samuel Carmody, Craig Fishbein, Thomas Laffin, Joseph A. Marrone, III, Christina Tatta, Vincent F. Testa, Jason Zandri, and Chairman Vincent Cervoni. Mayor William W Dickinson, Jr., Corporate Counsel, Janis Small, and Controller Timothy Sena were also present.

- 1. Pledge of Allegiance
- 2. Roll Call

The Mayor and Town Council acknowledged the outstanding efforts of the Jubilee 350<sup>th</sup> Committee and Sponsors. Christine Mansfield and Bob Devaney were recognized as co-chairs. Mr. Mansfield spoke of the upcoming events. Ms. Mansfield recognized the four Founding Sponsors, JP Venoit from Masonicare, Alison Cady from Choate, Chris Ulbrich, and Jay Shay from Ulbrich Stainless Steel, and Record Journal. She thanked the 100 other sponsors, both individuals, and corporations. She recognized those in attendance including Hank Baum from Mutual Security Credit Union, Chris Shortell from Anthem, Bob Beaumont from the Historical Society, Tarn Granucci from Wallingford Magazine, Tara Knapp from Gaylord, and Liz Landau and Liz Davis from Wallingford Center Inc. The Steering Committee was recognized, including Bob Parisi, Joan Parisi, Liz Landow, Jonathan Judd, Rajan Doering, Tara Knapp, Bob Beaumont, Sean Doherty, and Marty Mansfield. The Directors were recognized. They thanked Mayor Dickinson for his support. They recognized Chief Ventura, Chief Czentnar, the Fire Marshall, the Town Hall Staff, and the Mayor's Office, Rob Baltramaitis, Water Department, Health Department, Legal Counsel, and Kurt Trieber for their dedication to making this celebration safe and successful. Chairman Cervoni thanked Mr. Devaney and Ms. Mansfield as well as all the sponsors and volunteers for their tireless efforts over the last 7 years to plan these events.

- 3. Consent Agenda
  - 3a. Consider and approve Tax Refunds totaling \$32,792.60 (#1116-#1147)  
Acct. #1001001-41020 – Tax Collector
  - 3b. Merit Review (1) – Human Resources
  - 3c. Acceptance of Donation from Charles Mendlestein and consider and approve Appropriation of funds in the amount of \$50 to Revenue Donations-Police, Acct. #2502002-47152 and to Expense Donations-Police, Acct. #25020050-58830-10135 - Police Dept.
  - 3d. Consider and approve a Transfer in the amount of \$8,000 – Fire Dept.
 

\$8,000 From:	Operating Expenses	Acct. #10020150-58753
\$6,000 To:	Maintenance of Building	Acct. #10020150-54315

\$2,000 To: Continuing Education & Training Acct. #10020150-55700

- 3e. Consider and approve a Transfer in the amount of \$5,000 from Operating Expenses, Acct. #10020150-58735 to Purchased Services-Ambulance Billing, Acct. #10020150-56778 – Fire Dept.
- 3f. Acceptance of Donation and Consider and approve Appropriation of funds in the Amount of \$62 to Revenue, Acct. #2264002-47152 and to Expenditures, Acct. #22640150-58830 – Y&SS
- 3g. Consider and approve a Transfer in the amount of \$500 from Rental of Polling Places, Acct. #10010600-54420 to Election Expenses, Acct. #10010600-58705 – Registrars.
- 3h. Consider and approve a Transfer in the amount of \$1,500 from Continuing Education, Acct. #10010600-55700 to Office Expenses, Acct. #10010600-56100 – Registrars
- 3i. Consider and approve a Transfer in the amount of \$2,500 to Stores Equipment, Acct. #433-00393 from Tools, Shop and Garage Equipment, Acct. #433-00394 – Water Div.
- 3j. Consider and approve a Transfer in the amount of \$14,000 – Water Div.

\$14,000 To: Chemical Expenses Acct. #431-00641

\$8,000 From: Maintenance Water Treatment Equipment Acct. #431-00652

\$6,000 From: Meter Installation/Repairs Acct. #431-00663

- 3k. Consider and approve a Transfer in the amount of \$20,500 from Transmission-Maintenance of Station Equipment, Acct. #570 to Distribution-Operation Supervision & Engineering, Acct. #580 – Electric Div.
- 3l. Consider and approve a Transfer in the amount of \$8,000 from Transmission-Maintenance of Station Equipment, Acct. #570 to Transmission-Operations Load Dispatching, Acct. #561 – Electric Div.
- 3m. Consider and approve a Transfer in the amount of \$20,500 from Transmission-Maintenance of Station Equipment, Acct. #570 to Distribution-Operation Supervision & Engineering, Acct. #580 – Electric Div.
- 3n. Consider and approve a Transfer in the amount of \$11,000 from Transmission-Maintenance of Station Equipment, Acct. #570 to Distribution-Operation Overhead Line Expenses, Acct. #583 – Electric Div.
- 3o. Consider and approve a Transfer in the amount of \$7,000 from Transmission-Maintenance of Station Equipment, Acct. #570 to Distribution-Maint. Supervision & Engineering, Acct. #590 – Electric Div.
- 3p. Consider and approve a Transfer in the amount of \$24,000 from Transmission-Maintenance of Station Equipment, Acct. #570 to Administrative-Customer Records & Collections, Acct. #903 – Electric Div.

- 3q. Consider and Approve a Transfer in the amount of \$15,000 from Administrative-Meter Reading Expenses, Acct. #902 to Administrative-Maintenance of General Plant, Acct. #932 – Electric Div.
- 3r. Consider and approve a Transfer in the amount of \$53,000 from Distribution Plant-Meters, Acct. #370 to Distribution Plant-Poles, Towers, Fixtures, Acct. #364 – Electric Div.
- 3s. Consider and approve a Transfer in the amount of \$90,000 from Distribution Plant-Station Equipment, Acct. #362 to Distribution Plant-Overhead Conductors, Acct. #365 – Electric Div.
- 3t. Consider and approve a Transfer in the amount of \$23,000 from General Plant-Transportation Equipment, Acct. #392 to Distribution Plant-Leased Property on Customer Premises, Acct. #372 – Electric Div.
- 3u. Consider and approve a Transfer in the amount of \$105,000 – Elect. Div.
- |           |  |            |
|-----------|--|------------|
| \$50,000  | From: Distribution Plant-Station Equipment           | Acct. #362 |
| \$55,000  | From: General Plant-Transportation Equipment         | Acct. #392 |
| \$105,000 | To: Distribution Plant-Street Lighting-Signal System | Acct. #373 |
- 3v. Consider and approve a Transfer in the amount of \$2,795 – Conservation Comm.
- |         |                                       |                       |
|---------|---------------------------------------|-----------------------|
| \$300   | From: Cont. Educ. & Training          | Acct. #10011100-55700 |
| \$95    | From: Meetings, Seminars, Dues & Fees | Acct. #10011100-58810 |
| \$2,250 | From: Purch Services – Natural Res.   | Acct. #10011100-56704 |
| \$150   | From: Transportation Expenses         | Acct. #10011100-55110 |
| \$2,795 | To: Office Expenses & Supplies        | Acct. #10011100-56100 |
- 3w. Consider and approve a Transfer in the amount of \$300 – ZBA
- |       |                          |                       |
|-------|--------------------------|-----------------------|
| \$300 | From: ZBA Transportation | Acct. #10010750-55105 |
| \$300 | To: ZBA Office Expenses  | Acct. #10010750-56100 |
- Consider and approve a Transfer in the amount of \$700 – ZBA
- |       |                               |                       |
|-------|-------------------------------|-----------------------|
| \$700 | From: Contingency – Misc./Gen | Acct. #10019000-58820 |
| \$700 | To: ZBA Office Expenses       | Acct. #10010750-56100 |
- 3x. Consider and approve a Transfer in the amount of \$3,500 – Human Resources
- |         |                                      |                       |
|---------|--------------------------------------|-----------------------|
| \$1,000 | From: Prof. Svcs. – Consulting Svcs. | Acct. #10012000-56774 |
| \$500   | From: Prov. Svcs. – Labor Grievances | Acct. #10012000-56812 |
| \$2,000 | From: Life Insurance                 | Acct. #10012100-55940 |
| \$3,500 | To: Office Exp. And Supplies         | Acct. #10012000-56100 |

- 3y. Consider and approve the Appointment of Jared Liu to fill a vacancy on the Board of Assessment Appeals effective immediately and expiring January 1, 2024 – Chairman Cervoni
- 3z. Consider and approve Resolution authorizing Assignment of Tax Liens at 55 Yalesville Square (Mobile Home) in accordance with CGS Section 12-195h – Law Dept.
- 3aa. Approve Town Council Minutes of April 26, 2022, Special Town Council Minutes of April 26, 2022, and Special Town Council Minutes of April 28, 2022.

**MOTION WAS MADE TO APPROVE OR ACCEPT CONSENT AGENDA ITEMS 3a through 3aa WITH b and aa AS CORRECTED AND AMENDED.**

**MADE BY: LAFFIN**

**SECONDED BY: FISHBEIN**

**VOTE: ALL AYE**

**MOTION: PASSED**

**4. Items Removed from the Consent Agenda – none**

**5. Public Question & Answer Period**

Bob Gross, Long Hill Road, asked if the Town is proceeding with paving the Brother's parking lot. Mayor Dickinson replied that it is on the list of Public Works projects. Mr. Gross asked if the grant for the Train Station has come through yet. Mayor Dickinson replied that the grant for the feasibility study has not been received, but they are not waiting for it to do the parking lot. Mr. Gross stated that it doesn't make sense to spend the money to pave the lot when the Town doesn't know what it will be doing with it. Mr. Gross asked for clarification on how the annual decision is made on the contribution to the pension. Mr. Sena confirmed that the auditors look at it on June 30<sup>th</sup>. Mr. Gross stated that since the markets are down this year the contribution will probably go up, which will affect the budget next year. He suggested that some of the ARPA funds can go toward Town projects so they aren't dropped out of next year's budget.

Chairman Cervoni closed the Public Question and Answer Period.

**6. 6:30 p.m. Hold a Public Hearing to Consider and Act on the 2022 Neighborhood Assistance Program – Mayor**

Consider and Approve the Resolution authorizing the Mayor to submit Neighborhood Assistance Applications to the Department of Revenue Services and Summary List of programs for the 2022 Neighborhood Assistance Program and to exercise any amendments, rescissions, and revisions thereto, and to act as the authorized representative of the Town of Wallingford – Mayor

Councilor Tatta recused herself from this item.

Chairman Cervoni read the list of applicants for the Neighborhood Assistance Programs: Church of the Resurrection, for energy efficient door replacement for \$50,000; Columbus House Wallingford Emergency Shelter for \$120,000; Gaylord Hospital energy efficiency upgrades, \$150,000; Gaylord Hospital patient programs and services \$150,000; Holy Trinity Roman Catholic Corporation energy

efficient windows, \$150,000; Wallingford Church of the Nazarene gleanings lovingly offered to Wallingford, \$1000; Wallingford Family YMCA, YMCA Healthy Communities Campaign \$150,000; Wallingford Public Access Association Inc. building climate management insulation, \$18,016. Chairman Cervoni explained how the program works.

Chairman Cervoni opened the public hearing. Hearing no public comment, Chairman Cervoni closed the public hearing and called for a motion on the resolution.

**MOTION WAS MADE TO approve the resolution authorizing the Mayor to submit Neighborhood Assistance applications to the Department of Revenue Services and a summary list of programs for the 2022 Neighborhood Assistance Program and to exercise any amendments, rescissions, and revisions thereto, and to act as the authorized representative of the Town of Wallingford.**

**MADE BY: LAFFIN  
SECONDED BY: ALLINSON**

Councilor Fishbein asked for clarification on how this donation would affect tax liability for a company. Mayor Dickinson replied that the company receives a credit for a charitable contribution against taxes. He doesn't believe it can be used against delinquent taxes. Hank Baum, 44 Pearson Drive, explained. He explained that the program is for Schedule C Corporations. In the example of \$200,000 owed in taxes, if the company gives \$100,000 to one of these organizations, and it qualifies at 100%, they would receive a \$100,000 tax credit toward that \$200,000 tax bill. Based on how the recipient uses the funds, it may qualify for less than 100% credit. Councilor Fishbein asked for clarification of the entry for the Wallingford Church of the Nazarene. Rajan Doering, 48 Sharon Drive, representing the Church of the Nazarene, explained that this is a donation to the food pantry, which is called Gleanings Lovingly Offered to Wallingford.

Councilor Carmody asked about the process for soliciting applications for this program. The Mayor replied that it is advertised on the website and applications come into the Office of Program Planning.

<b>ROLL CALL VOTE:</b>	<b>MARRONE: YES</b>
<b>ALLINSON: YES</b>	<b>TATTA: ABSTAIN</b>
<b>CARMODY: YES</b>	<b>TESTA: YES</b>
<b>FISHBEIN: YES</b>	<b>ZANDRI: YES</b>
<b>LAFFIN: YES</b>	<b>CERVONI: YES</b>

**8 – AYE  
0 – NAY  
1 - ABSTAIN  
MOTION: PASSES**

- 7. 6:45 p.m. Hold a Public Hearing to Consider and Act on an Ordinance Appropriating \$1,762,362 for the Planning, Acquisition, and Construction of Various Municipal Capital Improvements 2022-2023 and Authorizing the Issue of \$1,762,362 for Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purposes - Mayor

Chairman Cervoni convened the public hearing and stated that the \$1,762,362 2022-2023 Capital Improvement Program bond ordinance which is the subject of this public hearing is available to the public and may be obtained at this meeting or from the Town Clerk.

Councilor Laffin moved, and the motion was seconded by Councilor Allinson, to read the title of the ordinance and to waive the reading of the remainder of the ordinance, incorporating its full text into the minutes of this meeting.

<b>ROLL CALL VOTE:</b>	<b>MARRONE: YES</b>
<b>ALLINSON: YES</b>	<b>TATTA: YES</b>
<b>CARMODY: YES</b>	<b>TESTA: YES</b>
<b>FISHBEIN: YES</b>	<b>ZANDRI: YES</b>
<b>LAFFIN: YES</b>	<b>CERVONI: YES</b>

9 – AYE

0 – NAY

**MOTION: PASSES**

AN ORDINANCE APPROPRIATING \$1,762,362 FOR THE PLANNING, ACQUISITION AND CONSTRUCTION OF VARIOUS MUNICIPAL CAPITAL IMPROVEMENTS 2022-2023 AND AUTHORIZING THE ISSUE OF \$1,762,362 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Bob Gross, Long Hill Road, stated Town does this every year and then pays cash and that maybe this is the year Town should bond it. Mayor responded this approach is to maintain financial flexibility and allows Finance to wisely use funds available.

Chairman Cervoni called the public hearing adjourned.

Councilor Laffin moved, and the motion was seconded by Councilor Zandri, that the ordinance entitled:

“AN ORDINANCE APPROPRIATING \$1,762,362 FOR THE PLANNING, ACQUISITION AND CONSTRUCTION OF VARIOUS MUNICIPAL CAPITAL IMPROVEMENTS 2022-2023 AND AUTHORIZING THE ISSUE OF \$1,762,362 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE,” a copy of which is attached hereto, be adopted.

Councilor Fishbein noted that the town-wide paving program is part of this but on May 9<sup>th</sup> the Planning and Zoning Commission rejected the proposed utilization of Capital Projects. He asked if this issue has been resolved. Mayor Dickinson replied that he is not aware of a rejection. Councilor Fishbein asked if Planning and Zoning had approved these capital improvements. Mayor Dickinson replied that he was informed that they have. Mr. Sena noted that it happened around the date the budget was adopted. He received notice that they approved the Six-year Capital Plan and this is part of that plan.

Councilor Marrone asked for clarification of what we are bonding for. He asked what is being paved as part of the Town-wide Paving, Sidewalk Installation/Replacement, and Curbing. He noted that there is a one-line entry in the budget for Cap & Non that specifies the amount we intend to spend on Town-Wide paving and asked if we are comfortable with not specifying what the projects are that we are bonding. Mr. Sena replied yes. It's the same language that has been used in the past. Councilor Marrone stated that during the budget process it was stated that we have to be specific about what we are bonding. Mr. Sena replied that Public Works has a list of roads to be paved.

Councilor Testa noted that we have a similar discussion every year. This is a formality that we need to go through in order to authorize the expenditures on the Capital Improvement Plan which we pay for with the Electric Division Pilot money. Mr. Sena agreed. Councilor Testa added that if the list of paving projects were denied by Planning and Zoning, we could find other roads to pave. He stated that this ordinance refers to the paving program as outlined in the Capital Improvement Plan which can be amended. So this is an overall approval and we know what it's going to be for. If changes have to be made, they could be made.

Councilor Fishbein quoted from the May 9, 2022 Planning & Zoning minutes under Reports of Officers and Staff, item Review of Six-Year Capital and Non-Recurring Budget. "Chairman Seichter asked Mr. Pagini to ask the Town Engineer or Public Works about the plan for sidewalk repairs. He noted several sidewalks in the Town Center that have been patched or replaced with asphalt. Is that temporary? Regarding the streets to be repaired he suggested asking if South Cherry Street between Hall Avenue and Quinnipiac Street can be added. He also asked how we can get the State to repair Quinnipiac Street from Cherry Street to Rt. 5. Mr. Pagini promised to pass on these concerns. Commissioner Venoit: motion to remand to the Town Council approval of the Six-year Capital and Non-Recurring budget." The vote was unanimous. Councilor Fishbein asked when it was approved by Planning and Zoning. The Mayor replied that they sent back approval and that maybe they shouldn't have used the word remand. He added that 8-23 does not cover the repaving of an existing road or repair of existing sidewalks. It deals with new construction. Councilor Fishbein stated that procedurally 'remand' is where a determination is made by someone and is sent to someone else for some sort of approval. When it's rejected and sent back, that's a remand. A remand is not approval or affirmation. Mayor Dickinson replied that they remanded an approval. It's not a remand for further action. Councilor Fishbein stated that this was not a motion to approve. Chairman Cervoni stated that he doesn't think the P&Z review is an absolute precursor to this funding ordinance. He suggested writing to P&Z for clarification of that vote. Councilor Fishbein stated that he just wants to follow the proper procedure. Mayor Dickinson stated that it is State law 8-24 that indicates certain areas that P&Z must approve. It does not include repair or repaving of existing facilities. Councilor Fishbein asked if Planning and Zoning received answers to their questions. Mayor Dickinson replied that they were questioning existing sidewalks and roads to which they have no authority. Councilor Fishbein asked if this vote can be contingent upon some sort of assurances from Planning and Zoning that they have received answers to their question. Chairman Cervoni stated that he'd be happy to see clarification from them but doesn't think this bond authorization needs to be contingent upon that.

Councilor Tatta asked why we are bonding this if we have the cash from the Electric Division. Mr. Sena replied that the authorization is to give him the ability to bond if we need it. Councilor Tatta clarified that the plan is to use the Electric Division Pilot money. Mr. Sena confirmed.

<b>ROLL CALL VOTE:</b>	<b>MARRONE: YES</b>
<b>ALLINSON: YES</b>	<b>TATTA: YES</b>
<b>CARMODY: YES</b>	<b>TESTA: YES</b>
<b>FISHBEIN: NO</b>	<b>ZANDRI: YES</b>
<b>LAFFIN: YES</b>	<b>CERVONI: YES</b>

**8 – AYE**

**1 – NAY**

**MOTION: PASSES**

Chairman Cervoni declared the ordinance adopted.

AN ORDINANCE APPROPRIATING \$1,762,362 FOR THE PLANNING, ACQUISITION AND CONSTRUCTION OF VARIOUS MUNICIPAL CAPITAL IMPROVEMENTS 2022-2023 AND AUTHORIZING THE ISSUE OF \$1,762,362 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Section 1. The sum of \$1,762,362 is appropriated for the planning, acquisition and construction of municipal capital improvements 2022-2023 consisting of: (i) Town Wide Paving Program; (ii) Sidewalk Installation/Replacement Program - Town-Wide; (iii) Curbing Replacement: Town-Wide; (iv) Q Street Bridge Raceway Replacement; (v) Doolittle Basketball Court Replacement; (vi) Scow/Stem Courtyard; (vii) HVAC Replacements; (viii) Roof - Fire Department; and for appurtenances, equipment and services related thereto, or for so much thereof or such additional improvements as may be accomplished within such appropriation, including administrative, advertising, printing, legal and financing costs to the extent paid therefrom. Said appropriation shall be in addition to all prior appropriations for said purpose and as set forth in the Capital Improvement Plan 2022-2023, as amended.

Section 2. To meet said appropriation \$1,762,362 bonds of the Town or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the twentieth year after their date, or such later date as may be allowed by law. Said bonds may be issued in one or more series as determined by the Mayor, the Comptroller, and the Town Treasurer, or any two of them (the "Town Officials"), and the amount of bonds of each series to be issued shall be fixed by the Town Officials. Said bonds shall be issued in the amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. Capital project revenues, including bid premiums and investment income derived from investment of bond proceeds (and net investment income derived from note proceeds) are authorized to be credited by the Comptroller to the project account and expended to pay project expenses customarily paid therefrom. The remaining appropriation and bond authorization shall be reduced by the amount of capital project revenues so credited. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, or, be combined with other bonds of the Town and such combined issue shall be in the denomination



per aggregate maturity of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the Town by the manual or facsimile signatures of the Town Officials, bear the Town seal or a facsimile thereof, be certified by a bank or trust company designated by the Town Officials, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the Town Officials, and be approved as to their legality by Pullman & Comley, LLC, bond counsel. They shall bear such rate or rates of interest as shall be determined by the Town Officials. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon and will be paid from property taxation to the extent not paid from other sources. The aggregate principal amount of the bonds to be issued, the annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds, shall be determined by the Town Officials, in accordance with the General Statutes of the State of Connecticut, as amended.

Section 3. Said bonds shall be sold by the Town Officials, in a competitive offering or by negotiation, in their discretion. If sold at competitive offering, the bonds shall be sold upon sealed proposals, auction, or similar competitive process at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds. If the bonds are sold by negotiation, the provisions of purchase agreement shall be approved by the Town Officials.

Section 4. The Town Officials are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be executed in the name and on behalf of the Town by the manual or facsimile signatures of the Town Officials, bear the Town seal or a facsimile thereof, be payable at a bank or trust company designated by the Town Officials, be approved as to their legality by Pullman & Comley, LLC, bond counsel, and be certified by a bank or trust company designated by the Town Officials, pursuant to Section 7-373 of the General Statutes of Connecticut, as amended. They shall be issued with maturity dates which comply with the provisions of the General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon and will be paid from property taxation to the extent not paid from other sources. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the project. Upon the sale of said bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. Resolution of Official Intent to Reimburse Expenditures with Borrowings. The Town (the "Issuer") hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and after the date of passage of this ordinance in the maximum amount and for the capital project defined in Section 1 with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the Issuer. The Bonds shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the project, or such later date

the Regulations may authorize. The Issuer hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Comptroller (or designee) is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration.

Section 6. The Town Officials, are hereby authorized to exercise all powers conferred by section 3-20e of the general statutes with respect to secondary market disclosure and to provide annual information and notices of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized herein.

Section 7. It is hereby found and determined that it is in the public interest to issue all, or a portion of, the bonds, notes or other obligations of the Town authorized to be issued herein as qualified private activity bonds, or with interest that is includable in gross income of the holders thereof for purposes of federal income taxation. The Town Officials are hereby authorized to issue and utilize without further approval any financing alternative available to municipal governments pursuant to federal law, including tax credit bonds or any other tax advantaged bonds.

- 8. Discussion and possible action regarding Fire Union Pension tentative agreement – Human Resources  
*In attendance: James Hutt, Human Resources Director*

Mr. Hutt asked for approval of a one-year extension with no changes to the pension contract for Local 1226 which is the union representing Firefighters and Emergency Medical Technicians in the Town. The agreement is a one-year extension with an expiration date of June 30, 2023. He stated that for the next fiscal year the Town is contributing 24.4% of payroll to the pension fund for all participants.

Councilor Fishbein asked if an employee changes the classification of their job and they are making less, does that suspend their tenured term to claim the pension. Mr. Hutt replied that it depends on the pension contract that they will be going into. He stated that firefighters can't bridge the time from another department into the fire pension contract, likewise if they leave the fire pension contract and go to the electric division. Mr. Hutt suggested that questions on these types of issues should be referred to him.

Hearing no questions from the public, Chairman Cervoni called for a motion to approve.

**MOTION WAS MADE TO approve the Fire Union Pension Agreements.**

**MADE BY: LAFFIN**

**SECONDED BY: ALLINSON**

**ROLL CALL VOTE:**

**ALLINSON: YES**

**CARMODY: YES**

**FISHBEIN: YES**

**LAFFIN: YES**

**MARRONE: YES**

**TATTA: YES**

**TESTA: YES**

**ZANDRI: YES**

**CERVONI: YES**

**9 – AYE**

**0 – NAY**

**MOTION: PASSES**

9. Discussion and possible action on establishing a committee to investigate, plan, and propose the development of a skate and bike park in Wallingford – Councilor Testa

Councilor Testa shared a PowerPoint presentation. He stated that Mr. Jesse Reynolds, and others, asked about the potential for a skate park, and Mr. Corso, Principal at Lyman Hall, asked about a bike park. He shared some facts prepared by Finn Corso, a student. He proposed that the Town build a combination Skate/BMX/Bicycle track. He suggested doing so with ARPA funds. The presentation stated that a skate park engages the community, it's productive and many of our youth like to skate. Anything we can do to offer young people an opportunity to engage in things they like to do is positive. He showed examples of skate parks and mentioned the sizes. He noted that Meriden is close to putting in a skate park as well. He quoted Sonia Jokes, Park & Rec Committee Chairperson "Skateboarding is a low-cost activity and it encourages social connection." The presentation showed different designs and Mr. Testa stated that a poured concrete park would be the best option. A cost estimate was provided. He stated that combining the skate park with a BMX track would be cost-effective. The BMX track could potentially be a revenue source for the Town. He recommended involving the Park and Rec Department and the Park and Rec Commission in the discussion. He stated that he is not asking for any decisions now. He noted the three examples of maps that were shared and discussed potential locations. Garden Road is a property we own and is ideally suited. Another option is to include it with the rebuilding of the Community Pool. Another site to consider is Doolittle Park. He stated that he feels very strongly about this and will be making a formal motion in the near future for a committee to look into it.

Councilor Fishbein asked how the size is calculated. Councilor Testa can ask Finn what research he did to come up with his estimates. It depends also on how fancy you want to get and if you want to do the combination. He didn't propose a size, as the measurements presented were to give an idea of sizes. Councilor Fishbein agreed that the two uses would be harmonious. He noted that the presentation mentioned an enterprise fund. Councilor Testa replied that would be if there was revenue generated from the operation, he assumes it would need to be established. Councilor Fishbein asked about the size of a bike track. Councilor Testa replied that he can get that information on other facilities in the area. Councilor Fishbein asked why a committee is necessary. It may be more efficient for the Council to work with Park and Rec. Councilor Testa agreed.

Councilor Zandri stated that we've been talking about this on and off for around 20 years. He asked what Councilor Testa's preferred site would be. Councilor Testa replied that he hasn't received much feedback on that but it would say, Doolittle Park. Adding it to an existing park makes it more of a family fun center. Councilor Zandri agreed to ask Park & Rec for a proposal, but if a committee is involved it should include those that would use it. He stated that he supports the idea.

Councilor Laffin agreed that this is a Park & Rec thing and invited members of Park and Rec to join the discussion.

Kenny Michaels, Director of Parks & Recreation, stated that there was a presentation on this in 2008 and the Parks and Rec Commission voted to use Garden Road. He has the file with all the information. As far as he can tell, interest just died. He stated that the idea of a skate park in the middle of a BMX track is a little bit of a stretch. He added that he didn't think we are a big BMX community.

Atty. Small stated that Garden Road was purchased with State funds and she thinks there are restrictions but can check.

Councilor Allinson suggested finding out from neighboring communities that have these parks about the encumbrance be to the town to have more robust liability insurance. Mr. Michaels stated that there was some concern in 2008 about unsupervised use of the stake park and whether a monitor would be needed to enforce rules of helmets, etc.

Councilor Carmody stated that there is a lot of interest in the community for a skate park and bike park. He asked about the timeline and next steps. He supports moving forward on this. Mr. Michaels replied that the next step would be to get it on the agenda for the August Park and Rec Commission meeting. The presentation should cover why it's needed.

### **Public Comment**

Scott Amore, Jenna Road, provided some history. In 1992 working with Tim Dooley, they designed a ramp for Simpson School, then Rec Department gym. They found that they needed liability insurance and someone was going to look into it. Nothing happened. Bruna DeSilva from the community rented a 5,000-square-foot space on Capital Drive and opened a wooden skate park. Mr. Amore worked there and they required helmets and memberships. The skate park eventually expanded to have a street course. He stated that he has been skating there since 1983. He stated that he wasn't involved in the 2008 effort. Since then, skate parks have popped up all over the place. He agreed that it is a way to build community among young people and something we need. He agreed that Garden Road would be a good location. He stated that generally there is a lot of noise and music playing. The Rec Department's current liability should cover this. He is in favor of concrete as it will need little maintenance. He stated that a Committee is a good idea as it gets the users involved. This is a good activity for kids that don't want team sports. Skateboarding is as much art as it is a sport.

Jesse Reynolds, Old Durham Road agreed with the creative aspects. He stated that concrete skate parks are best. They are installations in parks that are attractive. He is in favor of a committee because it will get people involved that will help with upkeep. Regarding liability, we would only be liable if someone was injured on something we did not maintain or repair ramps. He stated that the 2000 – 5000 sq. ft. estimate is based on population size. He suggested 10,000 sq ft. for Wallingford.

Bob Gross, Long Hill Road noted that there seems to be support on the Council for this and that a committee can be set up quickly. He suggested using ARPA money for this project. He encouraged acting quickly on this.

Shauna Glidden, 29 Pomeroy Avenue, stated that a skate park is an awesome idea. She stated that there is a group called Wallingford Youth Initiative that is discussing the issues we are having with the youth in our community, particularly at Doolittle Park and on Main and Center Streets. She stated we don't know what the kids want. She encouraged involving the kids so we meet their needs. This group would love to work with you. We really need to make sure the kids take ownership of whatever we do, as they will be more inclined to use it and not vandalize it. Councilor Testa offered to attend their next meeting.

Councilor Allinson suggested that the committee include youth representatives. Mr. Michaels stated that that was the driving force in 2008, high school kids and their parents.

Councilor Zandri noted that we have a level of interest, a couple of potential areas, and funds this project is applicable for. If it is part of the budget, there is always a segment of the population that won't use it and resent that use of their tax money. Using ARPA money removes that. He supports moving forward with this.

Councilor Testa stated that he will attend the next Park & Rec Commission meeting with advocates to present their case.

10. Discussion of Town participation in the Connecticut Coalition for Sustainable Materials Management and creating a food waste diversion program with a DEEP Sustainable Materials Management Grant – Councilor Testa

Councilor Testa shared a PowerPoint presentation. He stated that he discovered that Meriden was awarded a grant and working with a private company on a pilot program for a food waste diversion program. It removes compostable food from the waste stream. They are composting food waste and generating methane and possibly generating electricity. It's an advanced form of recycling. Our disposal costs are going up. People throwing away food is just volume we have to pay to dispose of. So if there is an environmentally friendly way to reduce our disposal costs, that's something worth looking into. The State has established the CT Coalition for Sustainable Materials Management. The food scraps collection program is done in conjunction with private businesses. Food scraps are brought to a different facility that would compost them and generate energy. The benefit to the average homeowner is reduced cost in their garbage bill. The State grant program covers all sorts of expenses if you want to do a pilot program. He encouraged Council members to read through the presentation materials. He noted that communities that sign on as members agree to recognize that by working together communities could achieve some pretty remarkable goals of reducing our waste streams, reducing costs for disposal, and being forward-thinking about how we are handling our waste. There are almost 90 communities in this coalition, yet Wallingford isn't. We missed out on the Grant program. Councilor Testa asked what the current status is of the property previously known as the Cavanta Facility. Could it be used for one of these new technologies for separating food waste? In the past Wallingford has benefited greatly by hosting these facilities. This would not be another trash to energy plant. The coalition is still meeting on everything to do with waste management. Further grants and programs are anticipated from the State. He suggested that Wallingford looks into becoming part of the coalition. He asked what the administration's position was on this and why are we not participating.

Mayor Dickinson replied that it is a pilot program and there are unknowns associated. He added that he has heard of issues concerning odors and rodents. He stated concern about controlling the environmental impact. He has been told that a \$600,000 machine is needed. Different color bags with food waste have to be separated from municipal solid waste. He understands that there's not much reduction in cost. If we host a regional center, we have truck traffic. He added that the current transfer station is still operating and is owned by a private business. It's a pilot program. Whether it works or not is still to be determined. The Mayor stated that now is not the time for Wallingford to entertain getting involved.

Councilor Testa asked the Mayor if he was aware of the grant program. Mayor Dickinson replied that yes he was aware of and considered the Pilot Grant Program. Due to his previously mentioned concerns, he decided not to apply. Councilor Testa noted that the Council was not informed. The Mayor replied that it has not been a subject for a Council meeting. Councilor Testa stated that Meriden has a pilot program with 1000 households even though they probably have the same concerns. He disagreed that it is not worth investigating. He asked if there was interest in the Town Council to investigate this further. This is an opportunity to work with other communities on a common problem, solid waste.

Councilor Fishbein thanked Councilor Testa and stated that he picked up a flyer on composting at the Town Hall that helped him start composting. He talked of the difference he's already seen in his trash volume. He stated that he is in favor of an advertising campaign promoting composting. He asked

some questions about the presentation including the use of enforcement cameras. This implies that some sort of compliance is required for this program. Councilor Testa explained that it is an example of an eligible expense and the cameras would be on the trucks. Councilor Fishbein stated that we don't know what the criteria are. He stated that we should be encouraging people to look into composting.

Chairman Cervoni noted that HQ has cameras on their trucks so they can be sure that what's in your bulk recycling is actually going to work with their processing machinery. He assumes that's the kind of camera they are talking about.

Councilor Zandri referred to the map in the presentation and asked if these are the towns doing the pilot program. Councilor Testa replied that this shows the members of the CT Coalition for Sustainable Material Management. These 20 towns joined to be part of the dialogue and to be aware of any programs. They talk about and share information about managing waste in a more sustainable way, not just food waste. Councilor Zandri noted that our electric division started as a pilot program and it turned out to be a huge benefit. He supports looking into this and getting involved with communities that are already involved. The problem of solid waste has been a problem and will only get worse.

#### **Public Comment**

Bob Gross, Long Hill Road, noted that MIRA is scheduled to close. This is the largest waste-to-energy plant in the State. He stated for this to work you need a municipal pick-up, not private haulers. This has been discussed for years and it's hard to work because you have to separate. It's great for the environment and can be used to make energy. The way it works in a lot of communities is pay-as-you-go. You pay for your trash by weight. Mr. Gross stated that years ago Wallingford had a Recycling Committee that used to give out compost containers. We could do that again and provide education which would get rid of a lot of trash. He stated that it's sad that the Mayor makes the decision and doesn't share the information with the Council. This should have come before the Council.

11. Discussion regarding EDC advertisement of ARPA discussion at the council meeting and Discussion and possible action pursuant to Chapter III, Section 10, of the Charter of the Town of Wallingford regarding the conducting of an investigation of the Town of Wallingford Economic Development Commission – Councilor Fishbein

*In attendance: Hank Baum, Chair of the Planning & Zoning Subcommittee of the EDC, Tim Ryan, Economic Development Specialist, and Rob Fritz member of the Economic Development Marketing Committee.*

Mr. Baum stated that EDC Chairman Joe Mira sends his sincere regrets for not being here and not meeting with you due to scheduled elective surgery. He stated that the EDC Vice-Chair is traveling on business so can't attend. He stated that the EDC has always considered the Town Council as a partner. The EDC exists to support businesses and spur economic development in Wallingford. Our intent with the flyer that's in question was to inform businesses of the scheduled meeting to discuss the small business application and invite them to tell their story so the Council could hear from the businesses. We understand that some Council members didn't like some of the wording. The EDC has taken that feedback and learned from it. We welcome this discussion.

Councilor Fishbein stated that it is his understanding that the flyer was not drafted by the EDC and there is no evidence that the EDC approved it. Mr. Ryan stated that he drafted it and sent it to the Commission for review, as is their process. The flyer was sent out after that. Councilor Fishbein

quoted from an email dated June 6<sup>th</sup> from Stacy, “Good Morning Commissioners, Tim asked that I send you an electronic version of the COVID Relief flyer we are distributing to as many small businesses and non-profits as we can to encourage attendance at the critical Town Council meeting on Tuesday, June 14<sup>th</sup>. I will have a couple of hundred printed copies at the meeting tonight for you to take and distribute, and hand delivers. We cannot leave them in mailboxes. I’m also sending this out on our digital channels today.” Councilor Fishbein asked if it was reviewed by the EDC before that as it’s not reflected in the minutes. Mr. Ryan replied, absolutely yes. It was reviewed in between meetings when they learned of the agenda item. The EDC believes that it was important to make the small business community aware that this would be discussed. Councilor Fishbein stated that he sent an FOI request and asked for any correspondence involving the flyer. The first email in the packet provided is the email of 9/6. He asked when the flyer was reviewed as it doesn’t show on any agendas or minutes. Mr. Ryan replied that the ARPA update has been on their agenda for the last six months and during that item, they talk about the status of the funds and the decision-making process. He added that they have done nothing wrong. Commissioner Fishbein stated that the flyer was accusatory. Mr. Ryan replied that it was accurate and asked for any inaccuracies. Councilor Fishbein stated that he asked for any minutes that referenced the flyer and there are none other than last week’s mention. Mr. Ryan stated that they didn’t send it out until after that meeting. He stated that they discussed the flyer once they learned about the Council agenda item. The June 6<sup>th</sup> minutes show the entire Commission reviewed the marketing piece and agreed to send it. It was a discussion, there was no official vote. Councilor Fishbein stated that none of the emails reference any prior conversation or review. Mr. Ryan replied that they communicate outside of email and stand by what they did and why they did it. It’s not about process, it’s about intent. If offence was taken, it was not our intent. Commissioner Fishbein stated that the philosophical difference is that the Administration believes that this money is for an intention that almost every other municipality in the State disagrees with. He noted that the fundamental problem is the Ordinance that creates the EDC doesn’t say anything about small businesses. It defers to the State Statute which says “establish the Economic Development Commission for the promotion and development of economic resources in such municipality”. He gave examples of how other towns are using ARPA money. He stated that this lobbying material says the Town Council is the bad guys. We’d like to get stuff done but there have been issues. Councilor Fishbein asked why only certain businesses were sent this flyer. Mr. Ryan replied that it was sent out on their digital channels including email and LinkedIn and Commissioners handed them out. He stated that they don’t have a database with every business in town. He added that they define a small business as 60 FTEs or less. Councilor Fishbein asked if Mr. Ryan has seen the Facebook response from Suzanne Mirsky. Mr. Ryan replied that they didn’t put anything on Facebook and he has not seen it. Councilor Fishbein read Ms. Mirsky’s message. The accusation implied in the flyer is that Council wants to reduce monies available to help struggling businesses. He noted that nowhere does it say that we have to use the ARPA money for businesses. Mr. Fritz stated that that’s not what the EDC thinks is inferred in the document. He quoted from the document “We believe the tactic is misdirected and not aligned”. The tactic they are referring to is not how the money is spent. They are disagreeing with the process. It’s our job to represent the businesses in this community. They intended to make sure that all the people potentially impacted are heard so a more informed decision can be made. Mr. Fritz stated that the businesses he spoke to were tremendously harmed and have not been reimbursed for the PPP and they are worried about the upcoming recession. We intended to get their voice in front of the Council. He stated that how the funds are spent is totally up to the Council. Commissioner Fishbein quoted “several members of your Town Council are attempting to reduce the monies available for small businesses by allocating large sums of money to Community projects before the business and non-profit needs are determined.” People are being told that money is going to be available for businesses. That has not been determined. Mr. Fritz stated that he doesn’t see where that is stated in the document. Councilor Fishbein stated that the role of the EDC according to the statute is “The Commission shall conduct research into the economic conditions and trends in the municipality, shall make recommendations to appropriate officials and agencies of municipality

regarding action to improve its economic condition and development.” He referred to a May 19 email from the Mayor’s office regarding the economic pressures a small business has been under for the past two years and indicating the need for additional financial assistance. Mr. Fritz agreed that the EDC believes businesses like this should be considered for ARPA funds. They have been consistent with their suggestion that an application is used to determine the business need. Councilor Fishbein noted that this particular business was recently sued and lost a discrimination case. His concern is with the application process. Mr. Fritz replied that a business like this would be ferreted out. Councilor Fishbein disagreed. He stated that the EDC is for more than just small businesses. Mr. Fritz stated that they don’t just focus on small businesses. They focus on business recruitment and retention. This is a retention effort. He stated we are on the same team. The EDC wants to give the Council the tools to make good solid decisions regarding ARPA funds. Councilor Fishbein stated that the job of the EDC is to advocate for businesses including bringing businesses to our Town but also making our town desirable for residents. He stated that he is still troubled by the creation of this flyer. He noted that when he reviewed the EDC minutes online they all say not approved by the EDC. Mr. Fritz replied that the minutes are posted online before they are approved because they have to be posted within a certain amount of time.

Councilor Zandri stated that the comment that many business owners are not on Facebook is not accurate. Mr. Ryan clarified that he did not say all businesses. Councilor Zandri replied that he saw the flyer posted on Facebook and that there is misinformation in the flyer. He has been in several conversations about why we are removing ARPA funding from the Board of Education. A lot of people don’t understand the process and this flyer made it worse. Mr. Ryan added that the EDC did not put the flyer on Facebook. Councilor Zandri acknowledged that. He quoted from the flyer “Wallingford will receive \$13.2million of ARPA fund from the Federal Government. The EDC has been working to convince our Town Council to finalize an application process for the COVID Relief program so the financial damage incurred to businesses and non-profits can be addressed before allocating funds to other avenues such as community projects. Come and support all small businesses and non-profits. Your attendance will help.” He agreed that there is nothing inflammatory except for the ‘come out and get your voice heard.’” He stated that the element that is causing the problem is the following: “As reported in the media, several members of Town Council are attempting to reduce the monies available for businesses and non-profits by allocating large sums of money to community projects before the business and non-profit needs are determined. We believe this tactic is misdirected and not aligned with the intention of the American Rescue Plan Act funds.” He asked what tactic he is being charged with. Mr. Ryan replied that there is nothing inaccurate about that statement. He stated that their job is to advocate for businesses. He apologized if the flyer offended any members of the Council. Discussions on allocating monies to things like the Community Pool are happening before the business need is determined. The tactic is that the Council would allocate \$5 million to Community Pool before we had determined what the small business need is. He acknowledged that the Council has indicated support for allocating some funds to small businesses. Mr. Ryan stated that they need to understand the needs of the business community before they spend all the money. We understand that the final decisions are yours. Councilor Zandri noted that the first allocation that the Council made was to non-profits and businesses. It was a set aside of \$3.25 million for businesses and \$3.25 for non-profits. Mr. Ryan stated that this was done without knowing what the demand or need in the market is. Councilor Zandri added that there was \$150 million delivered to businesses in town from the PPP plan. He stated that he is very bothered by the flyer implying the Council is doing something nefarious and moving on a tactic that’s not allowed. What they are doing is totally in line with the final ruling of the Act. The law allows the funds to be used in this manner. He stated that many towns are using the funds to benefit the whole community and offset projects that would have come from the budget using tax dollars. He stated that this flyer was meant to inflame and incite. It was meant to put pressure on the Council and is counterproductive.



Chairman Cervoni stated that he understands how the EDC members see their mission and asked if they think that mission is inconsistent with the State Statute read by Councilor Fishbein. He stated that he doesn't. He noted that Mr. Ryan has participated in every meeting of this Council or its ARPA Committee when ARPA has been discussed. Mr. Ryan confirmed. Chairman Cervoni mentioned several other meetings Mr. Ryan spoke at including the repurposing of the old train station and the acquisition of 100 Barnes Road. Mr. Ryan confirmed. Chairman Cervoni stated that to say Mr. Ryan has never lobbied this Council before ARPA would be inaccurate. Mr. Ryan agreed. Chairman Cervoni stated that he saw a certain level of zeal in the flyer. He noted that all the Commission members are volunteers except for Mr. Ryan. Mr. Ryan confirmed. Chairman Cervoni stated that he is struggling with calling to task volunteers who did something that, in his own opinion, was at worst a little misguided, if it was. He acknowledged that ARPA funds have been allocated before the Council has heard from small businesses or the non-profit community. We haven't sent out the application to determine the need. He thanked the EDC for what they do.

Councilor Marrone stated that he appreciates the work that the EDC does and that the Council has always had a good working relationship with them. Because of that, he stated that he had concerns about what he is seeing with the whole ARPA situation. He stated that we should give the money out in the most fair and equitable manner. His primary concern is cronyism. He noted that the EDC minutes say that the Council's involvement started in October of 2021. But Councilor Testa had put this on the agenda several times. We were told by the Mayor to wait until we get the consultant. The Mayor presented us with a plan which was a backward-looking plan, meaning it focused on the economic losses of the past as the focus of ARPA. When the consultant was hired in October of 2021, we asked how many towns are doing a backward-looking plan and he replied that he wasn't aware of any. The consultant said we could structure the plan any way we want. He indicated other towns are funding more forward-looking projects. The Council liked that idea. At some point, the Mayor started focusing more on the backward-looking plan and the lobbying effort intensified. He reminded everyone of the misinformation in the last election that the Mayor hated dogs. This inappropriately drew attention to something that was felt to be morally wrong. This effort against the Council is the same thing. Drawing attention away from the facts of what ARPA is and what we could do with it to create a moral issue. Standing back and looking at the flyer with no knowledge of these circumstances, there is nothing wrong with the flyer. But in the context of 'you guys are immoral valueless individuals' it comes off in a completely different fashion. He agrees the flyer wasn't intended the way it was received by Council but it illustrates the issues we have with trying to get a fair and honest practice of how we are going to distribute these funds going forward. He stated that he is deeply disturbed to read in the paper how the Council has no values and so on. He appreciates that they can't make everyone happy. He doesn't understand why we have to raise the rhetoric to this sort of "Dickinson hates dogs" level. We are all reasonable adults and should be able to come to some sort of understanding. He stated that it is great to get business owners here to talk about issues, but I feel that this is a coordinated tactic to try to influence the political process. This whole thing doesn't sit right with me.

Councilor Laffin agreed with Chairman Cervoni and stated that he appreciates the work the EDC does. He stated that he didn't read anything inaccurate nor as rhetoric to incite. He read it at most as to motivate or inform your base that decisions are made by people that show up. We discussed several weeks ago adjusting the hours of restaurants to serve alcohol on Sundays. There was little input from businesses. The Council approved it anyway to emphasize that decisions are made by people who show up. He stated that he agrees with the EDC stance and appreciates their efforts. He doesn't see a problem coordinating with the non-profits. He suggested taking a step back and acknowledging that it doesn't look good when half the money is put toward government projects (the pool thing) and tonight we talk of spending more money on the skate park. I'm not saying that there

was a nefarious manipulation on the Council side. We need to take a step back and understand the perception of the public and business owners. He stated that it is fair that they would be concerned.

Councilor Testa stated that union contract negotiations use the principle of negotiating in good faith. That requires mutual respect for one another's positions. He stated that in our many discussions with the EDC, he has always felt that we have adhered to that. He added that he was very bothered by this letter. He felt it was a call to action based on a very sly misinterpretation. He has never indicated that he does not support relief for businesses and non-profits but feels he has been presented as someone who needs to be straightened out. He quoted a from the Op-Ed that appeared in Sunday's Record-Journal: "Either these Councilors have no idea of how many organizations were affected or the depth of the damage that government lockdowns and pandemic restrictions caused because they have no actual experience as entrepreneurs or non-profit governance or they just don't care. They seem hell-bent to protect as much of the funding for pet community projects such that they don't really want to reach out to the community. In other words, my mind is made up, don't confuse me with the facts." Another example: "These stories of suffering and survival need to be heard by those public officials who would rather not know because they see it as conflicting with their political ambitions." These are predictable byproducts of your words o the flyer. Many small business owners don't follow our every move and can be expected to feel the same way. That is not acting in good faith. I still respect all of you and expect to work productively with you going forward because our mission is too important. I was disappointed when I read it and thought it was a cheap shot. Let's move on.

Councilor Tatta stated that she was quite upset by the flyer. She stated that she thought she had a good relationship with the EDC and Mr. Ryan and this seemed out of character. She stated that she was disappointed by it and thought it sounded accusatory. It was misleading and unfortunately, the perception in the public is that we are doing something wrong. She stated that she understands the EDC's role is to protect businesses. It's our role to look out for 45,000 people in this town and the business community is part of that. There is a larger community that is also asking for the money. Based on an EDC meeting, there are 20,000 businesses in town. It was noted that that is not accurate. She continued that some of the EDC members don't know what has been going on with this ARPA process. She explained that there seemed to be a strategy from the Administration from day one as to how this money should be spent and it was decided before the Council could have a say. She noted that on February 16, 2022, she asked the consultant via email for a breakdown of the time he has spent with anybody for ARPA. Councilor Tatta read his reply: "It's basically been me with three meetings with the Mayor, Janis, Tim, and one or two other staff to discuss the application process. I also did a bit of research on my own to see what other localities were doing for applicants that were more backward-looking. So far this has been a very Mayoral driven process with staff responding to his direction." He further clarified: "By backward looking I mean to replenish for economic hardship that has already occurred. The Mayor was adamant that this was his top priority that is versus an applicant that would be using the money for investment in the future. Candidly, there was little discussion of this. I tried to bring it up but it was not considered to be a priority." Councilor Tatta quoted from the EDC minutes of June 6<sup>th</sup> under ARPA Update: "Staff Ryan stated that he met with the Mayor and Janis Small, Town Corporation Counsel, to discuss the small business and non-profit applications." "The Commission agrees that the application should go out to the community to determine the need for small businesses and non-profits prior to committing funds for community projects. It is the Commission's hope that the Council Chambers will reflect the support of businesses and non-profits." She added that there are emails from the EDC to select non-profits, but not all. Councilor Tatta stated that her concern with the flyer is who it was distributed to, as it likely didn't get to every single business. She stated her concern that the whole process has been agenda driven by people that are in the inside loop. It was decided where the money would go before Council was allowed to discuss it. There has been a smear campaign that the purpose of ARPA is for business. And it's not. That is blatantly not true. Yet at every ARPA meeting, the EDC and the public state that

that is the purpose. You can use it for business, just as you can use it for parks or sewers. No other town commission sent a letter saying the Town Council is misusing your money because they didn't spend it on say parks or sewers. I have a lot of respect for the EDC commissioners, but I believe this is out of character. This process has been so tainted, that I'm not sure where we go from here.

Councilor Allinson agreed with comments by Chairman Cervoni and Councilor Laffin. She thanked the EDC for doing what they do and for taking the feedback given tonight. We all have to deal with people who don't agree with the things we say or the way we might prioritize ARPA funding. She stated that she agrees with them. She apologized on her own behalf that this has become a larger issue than it should be. She thanked them for their work as well as Atty. Small and Mayor Dickinson. She stated that we are all doing our best and appreciate everyone who's come into the room whether you agree with me or not. She thanked her co-councilors whether we agree or not. It's a lot of work and we are all just here to do the best we can.

Councilor Carmody acknowledged the hard work of the members of the EDC on behalf of our community. He stated that he has a tremendous amount of respect for the service you give our town. He stated that we are all frustrated with how the ARPA process has played out over the past few months and how we are trying to figure out how to use these funds. He stated that the letter has caused additional frustration and that some of the wording was unwise and could said better. He agrees with Councilor Testa that it's time to move on and move forward to figure out how to spend the ARPA funds to benefit small businesses and non-profits and to do community projects here in Town. He added that the letter was a mistake but they are doing the right things for Wallingford. He looks forward to working with the EDC on this.

Councilor Zandri stated that the Mayor was the first person to utilize ARPA funding. He put it right in the budget. At budget time the Council tried to use a little bit more. To be fair it was double what the Mayor put in. That budget got defeated, so the original amount goes back. When Council brought the item forward to allocate funding for Community Pool out of the ARPA funds, the number we used was too large based on the \$13.1 million we had and on allocations that had already been made. We reduced it to make sure we didn't hit the monies that we already allocated to put toward non-profits and businesses. He understands the anxiety that there won't be enough left for their allocation. Councilor Zandri stated that every allocation of funding that they did or attempted came out of the unallocated bucket. There is about \$6.5 million available. The Mayor used about \$500,000 in his budget. We pulled \$5 million for Community Pool. There is still money in the unallocated budget. He stated that we talked about the application process for non-profits and businesses. There is no application process for the rest of the people in town that might want a park or a road or something else. He stated that he has always tried to do things he thought were right. He admits to sometimes being wrong. He stated that he has no political ambitions other than to finish serving out his term. He stated that he will make the best decisions he can based on the information that he has. He said that he would make mistakes and will own them. This is a rut in the process that had to be addressed. He believes that this agenda has been driven with a political undertone, intentional or not. He stated that we are up here to do the best job we can with the tools and the information that we have. He added that there are business owners on the Council. We understand small businesses and the effect of COVID on them. He appreciated feedback from salon owners and nail technicians. He doesn't want feedback set up tactically and negatively in the way the wording of this flyer was. This tactic is misdirected and not aligned with the intention of ARPA. He stated that he disagrees that it is correct in any way shape or form. Nothing we are doing up here runs against what the act allows.

Councilor Fishbein expressed his disappointment that we are even having this discussion. He stated that the Mayor is already proposing to spend \$585,000 of the ARPA funds, though it still hasn't been approved. The Mayor is doing exactly what the Council is accused of doing, reducing the monies that

are available for small businesses. He noted that the author of the Op-Ed on Sunday also writes for the Chairman of the EDC and the timing of the Op-Ed and the flyer is suspicious. He stated that he is trying to work together.

### **Public Comment**

Jim Wolfe, a member of the Economic Development Commission stated that he was the one who volunteered to go door to door to small businesses to hand out the flyers. He stated that there are 2100 small businesses in Town and they are not all going to apply. But the ones that need it, we really need to take care of them. The EDC is asking to take care of the small businesses first and then if you want to build a pool or skating park that's great.

Riley O'Connell, Edgerton Road, stated that this has been an important conversation but the most telling aspect is that only three Councilors didn't see a problem with the flyer. He noted that the only three councilors that weren't attacked by that flyer are the same individuals who did not vote to use that money for committee projects. There is a valid healthy debate to have there. There are good arguments on both sides. He stated that he didn't think the flyer was made with those same intentions. He added that the argument that you can't constructively criticize a town or an entity associated with a town because it's primarily made up of volunteers, we did just that when due to a variety of allegations not to appoint people to boards and commissions a few months ago. His concern was that he has heard two contradictory things tonight. First, the EDC said it was a mistake and they regret it and then that they did nothing wrong. If it's the former, that's fine and we move on from there. If it's the latter, that is a serious issue. He noted that he was bothered by the term intention. The flyer said the "EDC believes the intention of the ARPA funds are not being used properly if they are not going to businesses." You can believe anything, but the statement is fundamentally not true. There is a healthy argument for all this money to go to businesses and that's fine, but we can't have good faith debate while we are having this upper debate that you are now a year into. The basic facts are that this money was allocated to communities based on their populations, not their economic output, to improve the community. Some can go to businesses but it doesn't have to. To say that is the intention is not true. He stated that he doesn't have a problem with the Town Council deciding beforehand how much money they want to go in that direction because he expects applications to exceed what's available. He stated that we are talking about \$13 million and the PPP money was over \$160 million. He asked the EDC if they know why businesses that are looking for ARPA money wouldn't have applied for the PPP money. Mr. Fritz replied that some of the businesses he spoke to did apply for PPP money but that it didn't cover all their losses. He added that the EDC never said that sending the flyer was a mistake. He also stated that they never made a comment to the Council on how the money should be spent. It is totally up to the Council. Mr. Fritz added that he had a deep appreciation for the Council members, the work that they do, and the difficult situations that people put you in. He stated that he appreciates all the comments tonight. Mr. O'Connell stated that at an EDC meeting he attended, there was a discussion on changing the name to the Economic and Community Development Commission. He stated that he thinks this goes along with the overarching goal of the EDC.

Bob Gross, Long Hill Road, asked if the EDC has presented all the other programs that are available and helped them through the process. He named a few. Chairman Cervoni pointed out that ARPA is not on the agenda tonight. Mr. Baum replied that he doesn't think they ever said that they wanted businesses to come and argue that the money belongs to them. What we've said is that we want the businesses to come forward so the Council can hear firsthand the amount of loss that the pandemic has caused them. Mr. Gross clarified that he said advocate not argue. He asked if the EDC advocated for any of the other funding programs with businesses. If they haven't, then I don't understand why they want the town's money to all go to businesses. Everyone knows people who have been hurt, nobody's saying they haven't. Nobody is saying not to give them anything, but everything is not

right. Mr. Gross stated that he does agree with Mr. Carmody that you have to work as a team because it's going to go forward. From the comments tonight it sounds like the Council has not had much input. It would be nice to see all of you work together on this. We are two years and approximately three months past when this passed and you are sitting here with no money spent and no applications yet. He asked, who is looking out for the citizens and the needs of the community? The public doesn't have a seat at the table if the Council is not in that room with the Mayor.

Debbie Gross, Long Hill Road questioned who establishes the Economic Development Commission? Chairman Cervoni replied that an ordinance established it and that he believes that the Mayor appoints the members. It's overseen by the Mayor and the Economic Development Coordinator. They are all volunteers except for the coordinator. Mrs. Gross asked about documents that are created by the Economic Development Commission and how they are distributed to the public and what the review process is. Mrs. Gross asked if any committee or commission can decide to put out a document that doesn't necessarily represent the Town when they are speaking on behalf of the Town. Mayor Dickinson replied that the Commission is appointed and has the authority to meet its goals and to issue such communications as it deems appropriate, which is not different from any of the other boards and commissions. There is no review or approval process. They can vote on things. They authorize their Chair or paid staff to do things. Mrs. Gross stated that any committee or commission in the Town of Wallingford could publish something anywhere even if it's not representative of what the Town wants or feels appropriate. Mayor Dickinson stated that each board or commission has the authority. Mrs. Gross noted that she agreed that the letter that went out to the businesses was inappropriate and possibly a mistake. She asked what can be done to prevent this from happening again as they are speaking on behalf of the Town. Chairman Cervoni replied that they are speaking on behalf of the Commission. He did not agree that every commission appointed by the town speaks for the whole government. Mrs. Gross stated that she is just concerned about potential material that can go out there without being reviewed. She thanked Councilors Tatta, Fishbein, Testa, Carmody, Zandri, and Marrone for speaking out on this and Councilors Fishbein and Tatta for outlining facts and the truth.

Councilor Fishbein asked why the EDC has to go to downtown businesses when there's potentially coordination between EDC and WCI. Why wasn't there some sort of coordination? Mr. Ryan replied that there was a scheduled meeting with EDC, WCI, and the Chamber of Commerce the day before yesterday that was canceled because the agenda item was taken off the list. He noted that if you are referring to Mr. Wolf distributing flyers he did not distribute them downtown. He stated that they coordinate all the time with WCI.

Chairman Cervoni thanked the EDC for their time and for their service.

12. Executive Session pursuant to Section 1-200(6)(D) of the CGS with respect to the purchase, sale, and/or leasing of property – Mayor
13. Executive Session pursuant to CGS Section 1-225(f) and Section 1-200(6)(B) to discuss pending litigation in the matter of *Gilbert and CHRO v. Town of Wallingford* – Law Dept.

**MOTION WAS MADE TO move to Executive Session pursuant to Connecticut General Statute Section 1-206d with respect to the purchase, sale, and releasing of a property and Section 1-225f and Section 1-206b to discuss the pending litigation in the matter of *Gilbert and CHRO v. Town of Wallingford*.**

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

**VOTE: UNANIMOUS  
MOTION: PASSED**

Chairman Cervoni declared the Council in Executive Session at 10:16 pm.

**MOTION WAS MADE TO conclude Executive Session and return to the public session.**

**MADE BY: LAFFIN  
SECONDED BY: FISHBEIN  
VOTE: UNANIMOUS  
MOTION: PASSED**

Chairman Cervoni declared the Council in Public Session at 11:07 pm.

14. Motion to consider and authorize settlement regarding the matter of *Gilbert and CHRO v. Town of Wallingford* as discussed in Executive Session – Law Dept.

**MOTION WAS MADE TO authorize settlement regarding the matter of *Gilbert and CHRO v. Town of Wallingford* as discussed in Executive Session.**

**MADE BY: LAFFIN  
SECONDED BY: ALLINSON**

<b>ROLL CALL VOTE:</b>	<b>MARRONE: YES</b>
<b>ALLINSON: YES</b>	<b>TATTA: YES</b>
<b>CARMODY: YES</b>	<b>TESTA: YES</b>
<b>FISHBEIN: NO</b>	<b>ZANDRI: YES</b>
<b>LAFFIN: YES</b>	<b>CERVONI: YES</b>

**9 – AYE  
0 – NAY  
MOTION: PASSES**

15. Discussion and possible action regarding the status of installation of internet access in the Town Council Chambers that was presented to be ‘in the process of being installed’ over a year ago – Councilor Fishbein

Councilor Fishbein stated that we have been told for over a year now that there’s going to be internet in this Chambers. He received an update today that contains a quote dated today. So he doesn’t know who’s been working on this and why the quote wasn’t done a year ago. He stated that we have a letter from Rob Baltramaitis dated the 13<sup>th</sup> about pricing and that he’s made a decision. He indicates that it will be done by the end of the month. He will check and if it doesn’t happen we will put it on the next agenda.

16. Discussion and possible action regarding the status of the Police Department Facebook/web presence previously discussed by the Town Council at its September 14, 2021 meeting – Councilor Fishbein.

Councilor Fishbein asked where we are with having some sort of conduit between the Police and the public. This past weekend there was some troubling activity in the town and the only way the Police could communicate with the public was through a press release. Previously we’ve been told that the

Police department was going to have a web page. Mayor Dickinson replied that they are working with Web Solutions for a revamped page on our website. They have a presence on the Town website. Councilor Fishbein asked about the timeline. Mayor Dickinson replied that he doesn't have the timeline but they are making progress. The website will have the ability to put press releases out. It will allow the Police Department to advise the public. There will not be photos of the officers for their own security. Councilor Fishbein stated that he hoped it would be a community-enhancing experience to have photos of police officers at community events. Mayor Dickinson said that this can be discussed but doubts that the department wants to use photos on the website. Councilor Fishbein stated that he's been told by local officers that they post photos of themselves in activities in Town on their Instagram accounts.

Councilor Zandri stated that the ability for the Police Department to have a page on the Wallingford Town Website to put up press releases is better than nothing but what we are missing here is what a lot of other towns do. If a road is closed because someone hit a fire hydrant, there is no way to notify citizens of that in a timely manner. If they could post on Facebook it would get the word out. There is a lot more traffic going to Facebook than to the Town Website. Mayor Dickinson replied that there are many ways to communicate, such as over Everbridge. Social media messages can be faked. For veracity, you go to a site that is a governmental site. There are currently three other sites representing themselves to be the Police Department on social media. We need to be careful. Councilor Zandri stated that if we had a presence people would know which the official page is. He stated that there is merit in trying to do this. He noted that Everbridge should only be used for the most critical information. Most other municipalities have some sort of presence and they are successfully messaging and keeping the community informed. He stated that he still thinks this is something we should look at but appreciates that they are going to get a presence on the Town website.

**Public Comment**

Riley O'Connell, Edgerton Road, stated that this is safety at pretty much the lowest cost possible. He thinks the website is a good start. He stated that you can have a social media page that links to a website. He noted that it has been requested by a member of our police department and is essential for the safety of this community that we have social media pages. Not having a social media presence does nothing to prevent fake accounts. If you have a verified account that functions in the same way that a dotGOV website would function in terms of authenticity that automatically can prevent those other accounts. Unfortunately, we keep arguing this time and time again.

**MOTION WAS MADE TO adjourn at 11:25 pm.**

**MADE BY: FISHBEIN**

**SECONDED BY: ALLINSON**

Respectfully submitted,

Cheryl-Ann Tubby  
Recording Secretary

Vincent Cervoni, Chair

*Deborah McKiernan*  
Deborah McKiernan, Town Clerk

RECEIVED FOR RECORD 6/21/2022  
AT 12:00 AND RECEIVED BY  
Deborah McKiernan TOWN CLERK

12 July 2022  
Date

July 13, 2022  
Date

Executive Session:

13. MOTION WAS MADE TO MOVE INTO EXECUTIVE SESSION AT 10:16 P.M.

MOTION WAS MADE TO MOVE OUT OF EXECUTIVE SESSION AT 10:54 P.M.

Time of Executive Session 10:16 p.m. to 10:54 p.m.

Attendance at Executive Session:

ALLINSON	MAYOR WILLIAM W. DICKINSON, JR.
CARMODY	CORPORATION COUNSEL JANIS SMALL
FISHBEIN	ATTORNEY MELINDA POWELL
LAFFIN	
MARRONE	
TATTA	
TESTA	
ZANDRI	
CERVONI	

12. MOTION WAS MADE TO MOVE INTO EXECUTIVE SESSION AT 10:54 P.M.

MOTION WAS MADE TO MOVE OUT OF EXECUTIVE SESSION AT 11:07 P.M.

Time of Executive Session 10:54 p.m. to 11:07 p.m.

Attendance at Executive Session:

ALLINSON	MAYOR WILLIAM W. DICKINSON, JR.
CARMODY	CORPORATION COUNSEL JANIS SMALL
FISHBEIN	MIKE MILLER, CHAIR, CONSERVATION COMMISSION
LAFFIN	JEFF BORNE, CONSERVATION COMMISSION
MARRONE	
TATTA	
TESTA	
ZANDRI	
CERVONI	