

TOWN OF WALLINGFORD, CONNECTICUT
TOWN COUNCIL MEETING

TUESDAY
JUNE 28, 2022
6:30 P.M.

RECORD OF VOTES & MINUTES

The Town Council Meeting on Tuesday, June 28, 2022 was called to order at 6:35 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 Testa, Jason Zandri and Chairman Vincent Cervoni. Mayor William W. Dickinson, Jr., Corporation Counsel Janis Small, and Assistant Comptroller, Brian Naples was also present.

3. Consent Agenda

- 3a. Consider and approve Tax Refunds totaling \$5,170.11 (#1148-#1151)
Acct. #1001001- 41020 - Tax Collector
- 3b. Consider and approve Appropriation of funds in the amount of \$6,400 from DMHAS,
Acct. #2244002-45100 to ADOPS Grant, Acct. #22440050-58830-10220 – Health Dept.
- 3c. Acceptance of Donation from Pavilion of Hope and consider and approve Appropriation of
funds in the amount of \$300 from Revenue, Acct. #2505002-47152 to Donations Parks &
Recreation, Acct 25050050-58830-10174 - Recreation
- 3d. Consider and approve a Transfer in the amount of \$1,700 from Dues and Fees, Acct.
#10010700-58810 to Capital Expenses, Acct. #10010700-57000 – P&Z
- 3e. Consider and approve a Transfer in the amount of \$30,000 - Comptroller

\$30,000 From: Regular Salaries and Wages, Acct. #10010400-51000

\$ 1,050 To: Capital-Firewall Acct. #10010400-57000-TBD
\$28,950 To: Operating Expenses Acct. # 10010400-58735
- 3f. Consider and approve Resolution authorizing the Mayor to execute agreements between
the Town of Wallingford and the State of Connecticut relative to a grant awarded from the
State of Connecticut Department of Energy and Environmental Protection for the purchase
of a portion of 264 Williams Road – Law Dept.
- 3g. Consider and approve Bid Waiver request for TRC Companies, Inc. to provide support for
energy efficiency programs to help WED meet its Energy Conservation and Load

Management (ECLMF) goals at approximately \$15,000 to \$20,000 per fiscal year – Electric Div.

- 3h. Approve Special Town Council Minutes of May 3, 2022, Town Council Minutes of May 10, 2022, May 24, 2022 and June 14, 2022.

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

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

4. **Items Removed from the Consent Agenda - None**

5. **PUBLIC QUESTION & ANSWER PERIOD**

Larry Morgenstein, South Cherry Street, asked what obligations the town has on disclosing settlements. Attorney Small stated it's not typical to do a press release. Attorney Small mentioned the town continues to focus on training for board and staff. There was further discussion between Mr. Morgenstein and Attorney Small.

Bob Gross, Long Hill Road, inquired about diversity training. Mr. Hutt said trainings have been done in the past and department heads are attending additional trainings this week.

Darryl Stancuna, 18 Olde Village Circle, brought up concerns with HOA within his community

6. Discussion and possible action regarding Police Union Pension tentative Agreement for a successor pension contract with Local 1570 - Police Union, AFSCME, Council 4 – Human Resources

MOTION WAS MADE TO APPROVE ONE YEAR EXTENSION TO POLICE UNION PENSION AGREEMENT with Local 1570 - Police Union, AFSCME, Council 4.

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

7. Budget Amendment in the amount of \$3,600,000- Electric Div.

MOTION WAS MADE TO AMEND BUDGET IN THE AMOUNT OF \$3,600,000.

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

ROLL CALL VOTE:

ALLINSON: YES	TATTA: YES
CARMODY: YES	TESTA: YES
FISHBEIN: YES	ZANDRI: YES
LAFFIN: YES	CERVONI: YES

MARRONE: YES

9 -AYE

MOTION: PASSED

MOTION TO WAIVE RULE V TO AMEND AGENDA

MADE BY: LAFFIN

SECONDED BY: FISHBEIN

VOTE: ALL AYE

MOTION: PASSED

MOTION WAS MADE TO APPROVE TRANSFER IN THE AMOUNT OF \$12,300 FOR REPAIR OF EVELVATOR AT POLICE STATION.

MADE BY: LAFFIN

SECONDED BY: FISHBEIN

ROLL CALL VOTE:

ALLINSON: YES	TATTA: YES
CARMODY: YES	TESTA: YES
FISHBEIN: YES	ZANDRI: YES
LAFFIN: YES	CERVONI: YES

MARRONE: YES

9 -AYE

MOTION: PASSED

8. Discussion and possible action on ARPA grant programs for businesses and non-profits – Councilor Laffin

MOTION WAS MADE TO TABLE THE ARPA APPLICATION PROCESS UNTIL BIDS FOR POOL ARE REOPENED.

MADE BY: FISHBEIN

SECONDED BY: TATTA

There was discussion.

MOTION WAS MADE TO CALL THE QUESTION.

MADE BY: ALLINSON

SECONDED BY: MARRONE

ROLL CALL VOTE:

ALLINSON: YES TATTA: NO
CARMODY: NO TESTA: YES
FISHBEIN: YES ZANDRI: NO
LAFFIN: YES CERVONI: YES
MARRONE: YES
6 -AYE
3- NAY
MOTION: PASSED

MOTION WAS MADE TO MOVE FORWARD ACCEPTING THE TOWN OF WALLINGFORD ARPA GRANT PROGRAMS FOR BUSINESSES AND NON-PROFITS.

**MADE BY: LAFFIN
SECONDED BY: TESTA**

ROLL CALL VOTE:
ALLINSON: YES TATTA: NO
CARMODY: YES TESTA: YES
FISHBEIN: NO ZANDRI: YES
LAFFIN: YES CERVONI: YES
MARRONE: YES
7 -AYE
2- NAY
MOTION: PASSED

MOTION WAS MADE TO AMEND GRANT STIPULATION NUMBER 2 FROM \$100,000 TO NOT TO EXCEED \$25,000.

**MADE BY: ZANDRI
SECONDED BY: CARMODY**

There was discussion.

MOTION WAS MADE TO REMOVE THE REFERENCE TO SMALL BUSINESSES IN THE NON-PROFIT APPLICATION.

**MADE BY: TESTA
SECONDED BY: FISHBEIN**

ROLL CALL VOTE:
ALLINSON: YES TATTA: YES
CARMODY: YES TESTA: YES
FISHBEIN: YES ZANDRI: YES
LAFFIN: YES CERVONI: NO
MARRONE: YES
8 -AYE
1- NAY
MOTION: PASSED

**VOTE ON MOTION TO AMEND GRANT STIPULATION NUMBER 2 FROM
\$100,000 TO NOT TO EXCEED \$25,000.**

ROLL CALL VOTE:

ALLINSON: NO	TATTA: YES
CARMODY: YES	TESTA: YES
FISHBEIN: YES	ZANDRI: YES
LAFFIN: NO	CERVONI: NO
MARRONE: YES	
6 -AYE	
3- NAY	
MOTION: PASSED	

Fran LaFrance-Proscino, Jackson Avenue, wanted to let Administration know that business owners are waiting to speak about ARPA funds and stated business owners are really struggling. She feels 60 employees is too high a threshold for the application and believes 25 is a better number.

Amy Hunter, Amy's Cakes, 236 North Colony Road, asked Town Council to think about small businesses. She mentioned that rents are going up and it's hard to keep up. She stated it's disappointing to hear so much about the pool. She remarked needs versus wants and would like the Town Council to think of businesses first.

Robin Jackson, Nutmeg Kettle Corn, 2 Chapel Street, stated mom and pop businesses are much smaller than 60 employees. She went on to state they do need funds, they are behind in rent, and they can't pay salaries. She appreciates the Administration and Town Council and remarked the town pool does not put food on the table.

Herb Jackson stated money is being given by the government to help businesses service the town 12 months a year where the pool helps the community 2 months a year. He would like the business owners to understand the parameters by Council members making a decision and creating a process. He then asked if small business owners are part of the subcommittee to provide input. He feels Council should clarify information from business owners on needs before they make revisions to the process.

Mike Silengo and Greg Barbiero, The Cutting Edge Training Center, stated they are just struggling and have not seen a rebound in business. They have a small indoor facility and parents are nervous to bring kids. They need movement very soon in order to keep their doors opens.

Joe Mirra, EDC, is a fan of the pool but is disappointed that it got brought up tonight as it is not on the agenda. He noted small business has been on the agenda for six months with no resolution. He said this is not the Wallingford he knows.

Mr. Gross asked Mr. Reagan if other towns had a capped amount for ARPA funds. Mr. Reagan responded it varies \$25,000 to open-ended. Mr. Gross asked if the town has reached out to all small businesses during the process. Mr. Mirra responded that EDC with one and a half persons has done a lot of work to notify businesses through the website, the chamber and phone calls. Mr. Mirra went on to state EDC is a proactive team.

Mr. Gross asked if churches are included as non-profits. Attorney Small replied 501C3 and veterans but she will do additional research.

9. Discussion and possible action on creating a “Wallingford ARPA Application Review and Criteria Compliance Committee” for the purposes of reviewing submitted applications, making recommendation(s) regarding approval/denial of any such applications, and following up /reporting on adherence to the approved usage of ARPA funds – Councilor Fishbein

MOTION WAS MADE TO CONSIDER AND ACCEPT a “Wallingford ARPA Application Review and Criteria Compliance Committee” for the purposes of reviewing submitted applications, making recommendation(s) regarding approval/denial of any such applications, and following up /reporting on adherence to the approved usage of ARPA funds with one change to strike Tim Ryan’s name and leave as EDC only.

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

ROLL CALL VOTE:
ALLINSON: YES TATTA: YES
CARMODY: YES TESTA: YES
FISHBEIN: YES ZANDRI: YES
LAFFIN: YES CERVONI: YES
MARRONE: YES
9 -AYE
MOTION: PASSED

MOTION WAS MADE TO AMEND MOTION MODIFYING THE REVIEW COMMITTEE FROM 13 TO 10 WITH A SUPER MAJORITY OF 7 REQUIRED FOR AFFIRMATIVE VOTE.

**MADE BY: MARRONE
SECONDED BY: FISHBEIN**

ROLL CALL VOTE:
ALLINSON: NO TATTA: YES
CARMODY: YES TESTA: YES
FISHBEIN: YES ZANDRI: YES
LAFFIN: NO CERVONI: NO
MARRONE: YES
6 -AYE
3-NAY
MOTION: PASSED

**FRIENDLY AMENDMENT WAS MADE TO CONSIDER ANY ACTION TAKING
7 VOTES.**

**MADE BY: ZANDRI
SECONDED BY: FISHBEIN**

Mr. Gross asked about 501C3 for churches and faith based groups. Attorney Small reiterated that she will double-check.

Mr. Jackson asked Mr. Reagan what the process has been for other towns. Mr. Reagan said the same as we have been discussing tonight; develop process/program, develop applications against the criteria, develop committee to review and approve. Mr. Reagan commented ARPA has broad parameter and leaves the detail and process to each jurisdiction or locality.

Chairman Cervoni requested that Town Council members get their appointments to him by next meeting.

10. Discussion and possible action regarding the Town Council hiring outside counsel (pursuant to Chapter VII, Sec. 4 of the Charter) for the purposes of obtaining an independent legal opinion as to the lawful authority/process authorized by the Charter (as well as any other controlling law) to expend ARPA funds – Councilor Fishbein

**MOTION WAS MADE TO HIRE OUTSIDE LEGAL COUNSEL pursuant to
Chapter VII, Sec. 4 of the Charter for the purposes of obtaining an independent legal
opinion as to the lawful authority/process authorized by the Charter (as well as any
other controlling law) to expend ARPA funds**

**MADE BY: FISHBEIN
SECONDED BY: CARMODY**

ROLL CALL VOTE:

ALLINSON: NO	TATTA: YES
CARMODY: YES	TESTA: YES
FISHBEIN: YES	ZANDRI: YES
LAFFIN: YES	CERVONI: NO
MARRONE: YES	

7 -AYE

2-NAY

MOTION: PASSED

**MOTION WAS MADE TO SELECT RICHARD P. ROBERTS OF HALLORAN
AND SAGE TO REPRESENT TOWN COUNCIL.**

**MADE BY: FISHBEIN
SECONDED BY: MARRONE**

ROLL CALL VOTE:

ALLINSON: NO	TATTA: YES
CARMODY: YES	TESTA: ABSENT
FISHBEIN: YES	ZANDRI: YES
LAFFIN: YES	CERVONI: YES
MARRONE: YES	

7 -AYE
1-ABSENT
1-NAY
MOTION: PASSED

11. Discussion and possible action regarding the Juneteenth holiday and its recognition by the Town of Wallingford – Councilors Zandri and Allinson

MOTION WAS MADE THAT THERE BE A RESOLUTION FROM THE WALLINGFORD TOWN COUNCIL THAT THE TOWN OF WALLINGFORD LOCALLY RECOGNIZES THE JUNETEENTH NATIONAL INDEPENDENCE DAY ACT, SIGNED INTO LAW ON JUNE 17, 2021, AS A FEDERAL HOLIDAY, AND THAT THE MAYOR SHOULD MAKE ALL EFFORTS TO MOVE FORWARD WITH MAKING JUNETEENTH A PAID HOLIDAY FOR TOWN EMPLOYEES.

**MADE BY: ZANDRI
SECONDED BY: ALLINSON**

ROLL CALL VOTE:

ALLINSON: YES	TATTA: YES
CARMODY: YES	TESTA: YES
FISHBEIN: YES	ZANDRI: YES
LAFFIN: YES	CERVONI: YES
MARRONE: YES	

9 -AYE
MOTION: PASSED

12. Discussion and possible action to approve the job description for a part-time Town Council Secretary and to appoint a committee for the hiring process – Chairman Cervoni - *Withdrawn*
13. Executive Session pursuant to CGS Section 1-225(f) and Section 1-200(6)(B) to discuss pending litigation in the matter of *Godburn v. Town of Wallingford* – Law Dept.

MOTION WAS MADE TO MOVE INTO EXECUTIVE SESSION AT 11:10 P.M.

MOTION WAS MADE TO MOVE INTO EXEXECUTIVE SESSION pursuant to CGS Section 1-225(f) and Section 1-200(6)(B) to discuss pending litigation in the matter of *Godburn v. Town of Wallingford*.

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

VOTE: ALL AYE
MOTION: PASSED

Time of Executive Session: 11:10 p.m. to 11:30 p.m.

Attendance at Executive Session:

ALLINSON	MAYOR WILLIAM W. DICKINSON, JR.
CARMODY	CORPORATION COUNSEL JANIS SMALL
FISHBEIN	ATTORNEY DAVID MONASTERSKY
MARRONE	
TATTA	
ZANDRI	
CERVONI	

15. Executive Session pursuant to CGS Section 1-225(f) and Section 1-200(6)(B) to discuss pending litigation in the matter of *Town of Wallingford v. Henri Bercier* – Law Dept.

MOTION WAS MADE TO MOVE INTO EXECUTIVE SESSION AT 11:10 P.M.

MOTION WAS MADE TO MOVE INTO EXECUTIVE SESSION pursuant to CGS Section 1-225(f) and Section 1-200(6)(B) to discuss pending litigation in the matter of *Town of Wallingford v. Henri Bercier*.

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

Time of Executive Session: 11:31 p.m. to 11:35 p.m.

Attendance at Executive Session:

ALLINSON	MAYOR WILLIAM W. DICKINSON, JR.
CARMODY	CORPORATION COUNSEL JANIS SMALL
FISHBEIN	
MARRONE	
TATTA	
ZANDRI	
CERVONI	

17. Executive Session pursuant to Section 1-200(6)(D) of the CGS with respect to the purchase, sale and/or leasing of property – Mayor

MOTION WAS MADE TO MOVE INTO EXECUTIVE SESSION AT 11:10 P.M.

MOTION WAS MADE TO MOVE INTO EXECUTIVE SESSION pursuant to Section 1-200(6)(D) of the CGS with respect to the purchase, sale and/or leasing of property.

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

Time of Executive Session: 11:36 p.m. to 11:43 p.m.

Attendance at Executive Session:

**ALLINSON MAYOR WILLIAM W. DICKINSON, JR.
CARMODY CORPORATION COUNSEL JANIS SMALL
FISHBEIN
MARRONE
TATTA
ZANDRI
CERVONI**

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

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

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

16. Discussion and possible action regarding the matter of *Town of Wallingford v. Henri Bercier* as discussed in Executive Session – Law Dept.

MOTION WAS MADE TO RESOLVE THE MATTER OF *Town of Wallingford v. Henri Bercier* as discussed in Executive Session.

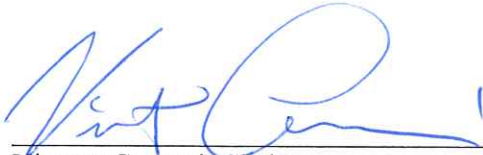
**MADE BY: ZANDRI
SECONDED BY: FISHBEIN
VOTE: ALL AYE
MOTION PASSED**

**MOTION TO ADJOURN
MADE BY: ALLINSON
SECONDED BY: FISHBEIN
VOTE: ALL AYE
MOTION PASSED**

The meeting was adjourned at 11:45 P.M.

Respectfully submitted,

Lisa Moss
Council Staff
Meeting digitally recorded



Vincent Cervoni, Chairman

25 July 2022

Date



Deborah McKiernan, Town Clerk

July 26, 2022

Date

RECEIVED FOR RECORD 7-5-22
AT 3:00 p.m. AND RECEIVED BY
Deborah McKiernan TOWN CLERK