

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

**TUESDAY
NOVEMBER 8, 2022
6:30 P.M.**

RECORD OF VOTES AND MINUTES

The Town Council Meeting on Tuesday, November 8, 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, Thomas Laffin, Joseph A. Marrone, III, Christina Tatta, Jason Zandri, and Chairman Vincent Cervoni. Mayor William W Dickinson, Jr., Town Attorney Gerald E. Farrell, Sr., and Comptroller, Timothy Sena were also present.

1. Pledge of Allegiance
2. Roll Call
3. Consent Agenda
 - 3a. Consider and Approve Tax Refunds totaling \$4,690.98 (#300-#315) Acct. #1001001-41020 – Tax Collector
 - 3b. Acceptance of Federal/State Highway Safety grant 2021/2022 Comprehensive DUI Enforcement Program and consider and approve Appropriation of funds in the amount of \$6,273 to Revenue Highway Safety, Acct. #1002001-45208 and to Police Overtime, Acct. #10020050-51400 – Police Dept.
 - 3c. Acceptance of Donation from Ms. Cynthia Erling 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. Acceptance of Donation from Wallingford Rotary Foundation and consider and approve Appropriation of funds in the amount of \$750 to Revenue Donations-Police, Acct. #2502002-47152 and to Expense Donations-Police, Acct. #25020050-58830-10127 – Police Dept.
 - 3e. Consider and approve a Transfer in the amount of \$3,000 from Regular Salaries & Wages, Acct. #10020100-51000 to Other Pay, Acct. #10020100-51900 – Animal Control
 - 3f. Consider and approve the Appropriation of funds in the amount of \$38,000 from CRRA Reserves, Fund 200 to Capital Acct, Fund #200 – TBD – Public Works
 - 3g. Consider and approve a Resolution authorizing the Mayor to execute all documents for the State of Connecticut Division of Emergency Management and Homeland Security Department of Emergency Services and Public Protection for the FFY 2022 Homeland Security Grant Program in the amount of \$22,840 – Fire Dept.

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- 3h. Consider and approve the Appointment of Robert Prentice to fill the Alternate position on the Zoning Board of Appeals effective immediately and expiring January 8, 2025 – Chairman Cervoni
- 3i. Consider and approve the Appointment of Steve Allinson to the position of Constable effective immediately and expiring January 8, 2024 – Chairman Cervoni
- 3j. Approve Town Council Minutes of October 25, 2022.

**MOTION WAS MADE TO APPROVE OR ACCEPT CONSENT AGENDA
ITEMS 3a through 3j.**

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

4. Items Removed from the Consent Agenda - none

5. PUBLIC QUESTION AND ANSWER PERIOD

Riley O'Connell, Edgerton Road, read a statement by Tom Dacey. Mr. Dacey was contacted by a new resident of 45 Tremper Drive in the Ulbrich Heights Apartments, which are part of the Wallingford Housing Authority. The resident complained about rats and mice in her unit and the traps provided by the Housing Authority were not effective. Mr. Dacey noted that the problem has been ongoing and requested that the Town hire an exterminator for that area to protect the safety and health of the residents.

Bob Gross, Long Hill Road, asked if the Town applied for the Transit Oriented Development Grant program. Mayor Dickinson replied that he is not familiar with that program. He stated that there are several grants open right now. Mr. Gross stated that the program is already closed and grants have been issued. He gave examples of what some other towns did with the money they received. He stated that this is why the Town needs a full-time grant writer. Mr. Gross asked if the Town applied for the Train Station grant. The Mayor replied yes, the Community Development Challenge Grant. Mr. Gross asked if the Town had applied for a Historic Restoration Fund Grant as that could be used for the Train Station as well. He noted that this is another grant left by the wayside. Mr. Gross stated that he hoped the Council would challenge the Mayor to go for more grants to help the Town. There is State money available for projects that the Town needs to have done.

Bob Chapin, 5 East Dayton Hill Road asked about the possible purchase of 3 East Dayton Hill Road and why parking is necessary. He stated that the nearby soccer fields have plenty of parking that will be accessible by paths.

Chairman Cervoni closed the Public Question and Answer Period. He also congratulated Steve Allinson for his appointment as Constable and noted that since the Town Clerk is not available tonight, he will need to go to the Town Clerk's office to be sworn in.

- 6. Consider and approve the new proposed Agreement for the Town's purchase of 3 Dayton Hill Road – Law Dept.

**MOTION WAS MADE TO approve the new proposed agreement for the Town's purchase
of 3 Dayton Hill Road.
MADE BY: LAFFIN**

SECONDED BY: ALLINSON

Atty. Farrell explained that the Law Department has reworked the proposed agreement to reflect the environmental issues that the Town and Council were concerned with. The Town can withdraw if not satisfied with what is discovered in further inspections. He noted that the cost of the property is the same. He stated that he is aware that some neighbors are not happy with the possible use of parking. He reported that an adjacent subdivision has restrictions for residential use and they were contacted. A majority of the property owners consented to the transfer of the property for a park.

Councilor Marrone asked if the Council had voted to reject this at a prior meeting. Chairman Cervoni agreed but replied that the administration is presenting it with different terms. Councilor Marrone noted that the property has been for sale for more than a year and even though the Town would pay less than the advertised price (\$60,000 vs. \$100,000) he doesn't think it's worth that much. He doesn't see a compelling argument to change the earlier decision.

Councilor Zandri stated that he can understand the desire to purchase the property because it abuts open space. He agreed that since it didn't sell in the recent real estate market, we should have the opportunity to negotiate a better price. He stated that there is already street parking and barriers there. He stated that a parking lot may cause a traffic problem. He recommended not going forward.

PUBLIC COMMENT

Don Lennon, 2 East Dayton Hill, stated that he lives across the street from this property and first heard of the issue two days ago. He noted that this is a very dangerous intersection and is in a quiet neighborhood. He believes a parking lot would be dangerous. An easy alternative would be to park at the soccer field up the street and improve the trails. You could make a nice trailhead just off the existing lot. He is in favor of buying the land as a buffer between the residential area and the park but not for parking.

Kathy Dringoli, 551 Woodhouse Avenue, agreed that it is a dangerous intersection. The entrance to the lot would be on the curve. Most people overshoot the stop sign on East Dayton Hill so they can see what's coming on Woodhouse. So a parking lot entrance there is not feasible. She agreed that it would be great for the Town to purchase the property.

Charlene Jablonski, 546 Woodhouse Avenue, stated that she lives around the bend and there is a lot of traffic on that corner. It would be dangerous to place a parking lot entrance there. She also noted that none of the neighbors she spoke to had been asked. Chairman Cervoni clarified that the Association for the sub-division on East Dayton Hill was surveyed due to a deed restriction.

Jeff Borne, Chair of the Land Acquisition Committee of the Conservation Commission, stated that they thought this would be a good addition to the Tyler Mill Preserve. This will secure both sides of the entrance. He stated that they did not analyze parking but due to the dangerous curve, parking could be moved further up Tyler Mill Road. He stated that acquiring the property is a good opportunity.

Debbie Gross, Long Hill Road, and 580 Woodhouse Avenue stated that this is a secluded spot and is dark. Parking would be a hazard. If the Town is going to have to maintain and monitor a lot there it will be a burden. She is not opposed to purchasing it for a buffer. She fears that it will end up as a parking lot anyway unless it is deeded as open space so it can't be used for anything else. She asked how many landowners are in the Association that was surveyed. Atty. Farrell replied there are 9 lots. Ms. Gross said that she spoke to the people on East Dayton Hill, Woodhouse Avenue, and Signal Hill, and all expressed traffic concerns. Regardless of where the entrance to the parking lot is, it will

still be dangerous. She suggested parking at the soccer field and making a pathway. Maybe there could be additional parking there. She asked if the barriers at the end of East Dayton Hill Road near the street can be removed as they are an eyesore. It was noted that they were installed to keep the 4-wheelers out. Ms. Gross reiterated that the land should be deeded as open space only.

Hearing no further public comment, Chairman Cervoni brought it back for Council discussion.

Councilor Tatta reviewed the history of this item. Back in March, there was a 7-1 vote to purchase the land. At the April 26th meeting, it was added to the agenda under a wave rule 5, which is where a time-sensitive issue is proposed as a last-minute addition to the agenda. At that time the vote was for a 60-day contract extension for the sellers to address environmental issues that arose after the vote to purchase the property. That motion was voted down. At the same meeting, Council decided to terminate the contract by a vote of 8 – 1. She noted that this looks like the same proposal with only minor changes.

Councilor Carmody asked about the environmental issues on the property. Atty. Farrell replied that there are things that need to be investigated. If problems are discovered, the seller would be responsible for remediation or the deal would not proceed. Councilor Carmody asked why it was decided the property would be used for parking. Mayor Dickinson explained that in early conversations it was suggested that a small parking lot be added to alleviate the issue of street parking on that curve. The proposal is back in front of the Council because Atty. Small made some changes regarding the environmental issues and the need to determine the support of the subdivision. Councilor Carmody asked how many residents were notified and surveyed. Atty. Farrell replied that there are 9 properties. Five have signed their consent, two are in agreement but have not yet signed and two are opposed. Councilor Carmody noted that there are more than that in the audience and that a number of the neighbors will be impacted. Everyone should have been notified. He agrees with the concerns about a parking lot. He also agrees that if purchased it should be for open space or passive recreation, not parking.

Councilor Zandri asked if there are still materials to be removed from the property. Atty. Farrell replied that issues are being investigated. The solid waste has not been determined to need remediation and does need to be removed, which the owner has agreed to do. If there is further remediation needed, the owner has the obligation to remove it for the sale to go through. They can decide not to sell. Councilor Zandri asked if we know there are environmental issues why not make an effort to get it cleaned up anyway. Atty. Farrell stated that the Town can't investigate every property and force owners to clean them up. Councilor Zandri replied but if the problem is discovered as part of the process why not take action. Atty. Farrell stated that it has not been determined that there is an environmental issue. All that can be seen from the road are some bulky items. Councilor Zandri asked about using Blight rules.

Councilor Carmody asked if the current owner is a construction company. Atty. Farrell stated that he doesn't know and that we don't know what the property was used for. Any property that is considered for purchase has an environmental inspection. Councilor Carmody asked if we would offer to purchase it before the investigation. Atty. Farrell replied yes but subject to any environmental issues being examined and discussed. Mayor Dickinson stated that he understands the concerns about parking and agrees that the property has value as open space. We can put in the Motion that it not be used for parking.

**MOTION WAS MADE TO amend the motion to include that the parcel not be used for parking and remain open space.
MADE BY: LAFFIN**

SECONDED BY: ALLINSON

Councilor Marrone stated that he is in favor of the amendment but he still thinks it is irresponsible to spend \$60,000 on land that is not worth that. There are many other ways to use that money.

Councilor Zandri asked if this can be a deed restriction. Chairman Cervoni replied that the seller writes the deed. Atty. Farrell state that it could be put in the contract that the deed has to have the restriction as required by the Town Council. Councilor Zandri stated that he would like it done so no future administration can change their minds. It is a benefit to the area to clean that lot up. If we let it go, it will be harder to get it cleaned up.

Councilor Carmody clarified that the seller has to do the remediation. Atty. Farrell confirmed.

MOTION TO amend the motion

ROLL CALL VOTE:	MARRONE:	YES	
ALLINSON:	YES	TATTA:	YES
CARMODY;	YES	ZANDRI:	YES
LAFFIN:	YES	CERVONI:	YES

7 – AYE

0 – NAY

0 - ABSTAIN

MOTION: PASSES

MOTION TO approve the Town's purchase of 3 Dayton Hill Road

ROLL CALL VOTE:	MARRONE:	NO	
ALLINSON:	NO	TATTA:	NO
CARMODY;	YES	ZANDRI:	YES
LAFFIN:	YES	CERVONI:	YES

4 – AYE

3 – NAY

0 - ABSTAIN

MOTION: FAILS

7. Discussion and possible action regarding modification of the 7-vote requirement for ARPA Committee decisions to a possible requirement that the Committee decisions pass by a vote of at least a majority plus one of those present and able – Chairman Cervoni
In attendance: Mike Brodinski, Chair of the ARPA Review Committee

MOTION WAS MADE TO approve a change to the 7-vote requirement for the ARPA Review Committee decision so that the committee decisions are passed by a vote of a majority plus one of those present and able.
SECONDED BY: ALLINSON

Chairman Cervoni opened the public hearing.

Mike Brodinski, 45 Valley View Drive, Chair of the ARPA Committee, stated that the committee is a solid, thoughtful group. A meeting was held on October 21st to start thinking about the mechanics of

the decision-making process for reviewing and scoring applications. The committee agreed that they need to know how many applications there will be and how much money would be requested. They focused on figuring out the procedural hiccups that could slow them down. One question was what to do if not enough members are present due to absences or recusals. What if they can't meet the 7-vote minimum until after they've spent time reviewing applications and interviewing applicants? They want to stay faithful to the supermajority that the Town Council wanted, so are asking to change the rule to a majority plus 1.

Councilor Allinson noted that they hadn't considered that all the committee members would not be able to attend. She asked about meetings on Fridays and Saturdays. Mr. Brodinski stated that the meeting dates for December, January, and February are set with none on Fridays or Saturdays. All the members agreed to all the meeting dates. Councilor Allinson asked if the committee preferred a simple majority or a supermajority. Mr. Brodinski replied that they have no preference.

Councilor Zandri noted that one reason for a supermajority of 7 was the anticipation of some absences. Mr. Brodinski replied that he provided all the scenarios in his memo. He stated that he expects some recusals. He stated that if the Council wants to stay with the 7-vote requirement they will make it work. Councilor Zandri asked if it comes to Council if the committee can't decide on an application. Chairman Cervoni said yes, as we are the charging group. Councilor Zandri stated that he likes the idea of a supermajority to help keep politics out of the process. He is comfortable with a majority plus 1.

Councilor Marrone stated that he is amenable to doing a simple majority plus one. Mr. Brodinski noted that the quorum is 7. He stated that they will have all the applications on or before December 15th, so their next meeting is December 21st.

PUBLIC COMMENT: None

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

ROLL CALL VOTE:	MARRONE: NO
ALLINSON: YES	TATTA: NO
CARMODY: YES	ZANDRI: YES
LAFFIN: YES	CERVONI: YES

5 – AYE

2 – NAY

0 - ABSTAIN

MOTION: PASSES

8. Discussion regarding Doolittle Park – Councilor Zandri

In attendance: John Ventura, Chief of Police, Kenny Michaels, Director, Parks & Recreation, Joseph Czentnar, Fire Chief

Councilor Zandri mentioned the recent incident at Doolittle Park and asked for an outline of where we stand. Chief Ventura explained that last Saturday night the playscape at Doolittle Park was set on fire, the case is open but the individuals responsible have been identified. They are all under 18. Chief Czentnar stated the investigation has determined that the fire was caused by an incendiary and was intentional. Chief Ventura added that once the case is closed an arrest warrant will be sent to the New Haven Juvenile Court. That court decides on whether to sign the warrants. Chief Ventura shared

some statistics showing how juvenile incidents and arrests have increased in the past year. He explained that the mindset has changed from punitive to diversion programs for juvenile offenders. He stated that there is a core group that causes disturbances around town after school lets out. The changes in juvenile law over the last few years have eliminated consequences. Chief Ventura noted that he has never seen this level of disrespect shown to officers. This will continue to escalate. Counselor Zandri stated that this is not a situation where more services, events, or parks will solve the problem. This has moved beyond bored kids causing mischief. It's also a lack of fear. He stated that the incident at Doolittle Park raised this to another level. He asked Chief Ventura for suggestions. Chief Ventura stated that they damaged property and put themselves and others in danger. He suggested looking at ordinances creatively, such as reckless use of bicycles on a town road. He stated that there is a task force working on getting the kids on the edges of this group separated before they get into trouble. Chief Ventura noted that laws are changing on January 1st that require risk assessments before referral to juvenile court. That will not help. He has a list of suggestions for actions other towns are taking. Councilor Zandri will bring that list to the Ordinance Committee.

Mr. Michaels stated that there have been no reports of groups of kids hanging around parks other than Doolittle. He has seen only the usual vandalism. He reported that the Town's insurance provider has all the information on the damage in Doolittle Park. They need to wait until the insurance company says it's okay to remove the damaged equipment. He doesn't know the timeline. They do intend to replace it with the same playscape which costs \$49,758 plus \$17,000 or \$18,000 for installation. Mr. Sena noted that even though it will be purchased with insurance money it has to go through the Town Purchasing procedures.

Asked about restitution, Chief Ventura replied that the adult court system stipulates paying back the cost of repairs and that this needs to be expressed to the juvenile prosecutor.

Councilor Zandri stated that he understands that the neighbors of the park are hesitant to call in complaints about the kids. When should they call the non-emergency line? Chief Ventura stated that they have instituted a Selective Enforcement Program. Residents should call and an officer will come and talk to the kids. It's okay to call and let the officer assess. He also encouraged residents to call back or email to find out what the result was. The 2800 number goes to dispatch and 2805 goes to the shift supervisor. All calls are dispatched. Chief Ventura stated that he is in full support of the reinstatement of the Neighborhood Watch Program. There is a formal process to institute it and it includes meetings with the Police Department. Councilor Zandri noted that this is not a vigilante group. He supports getting the program back up.

Chairman Cervoni noted that there was approximately \$65,000 to \$70,000 in damage. How does that factor into the seriousness of the crime? Chief Ventura stated that it makes it a felony. Chairman Cervoni stated that he has seen the dangerous behavior of bicyclists on North Main Street. He asked what the interaction has been with parents/guardians when they come to pick up confiscated bicycles. Chief Ventura replied that it is not always positive. He stated that an ordinance would allow them to take the bike and charge a fine.

Councilor Allinson asked if the School Resource Officers have been useful. Chief Ventura replied that there is one in each high school and the Superintendent supports the program. They are there more for positive interactions with the kids than security. He believes they are valuable and has been talking with the Superintendent about expanding the program. Councilor Allinson asked if he has the appropriate budget or if will they need more to expand the program. Chief Ventura replied that he would like to expand to the middle schools. He noted that retired police officers are being used as security in other towns and we should have both.

Chairman Cervoni asked if other towns are having similar issues. Chief Ventura replied that the cities are having gang issues. Kids are stealing cars that are later used in crimes. All towns are seeing the same things. He stated that he believes it is due to the lack of consequences.

Councilor Carmody asked about the possibility of installing cameras as a deterrent at Doolittle Park. He understood that neighbors were concerned with privacy. Chief Ventura stated that the cameras help document activities. They put out a bid but found the park was too big and that getting the images to the Police Department will be a challenge. He worked with the Electric Division to get more power lines and poles installed. There are three options to get the signal to the Police Department. The easiest is the least secure and the most expensive is fiber runs, but it is the most secure. He stated that they have reworked the project and are going back out to bid. Regarding privacy, he stated that the camera angles would all face toward the park.

PUBLIC COMMENT

Shauna Glidden, 28 Pomeroy Avenue, noted that this is not just a policing issue, but a community issue. She is meeting with the YMCA, Youth and Social Services, Park & Rec, and others to come up with solutions which will be presented at another meeting. She stated that the Police need more support and she supports the idea of School Resource Officers in Middle Schools.

Councilor Carmody asked what the optimal level of staffing would be for the Police Department. Chief Ventura replied that based on a formula relating to population and call volume, it would be 85. They are budgeted for 78 and are at 73 right now. They have a certified police officer testing process open right now and have 4 academy seats in the spring. His goal is to get to 78 by June. He noted that the new building will be able to hold 85 officers. Counselor Carmody commended Chief Ventura's accomplishments while being short-staffed.

Councilor Zandri asked how many officers will be in the budget request. Chief Ventura replied that he needs to look at whether he can recruit. It is hard to find police officers these days. A test that used to generate 50 applicants now gets 1 or 2. Councilor Zandri asked Chief Ventura to tell the Council what he needs for staffing.

On behalf of the Council, Chairman Cervoni thanked Chief Ventura, Mr. Michaels, and Chief Czentnar for their time and hard work.

Hearing no further public comment, Chairman Cervoni closed the public hearing and with no further business called for a motion to adjourn.

MOTION WAS MADE TO adjourn at 8:30 pm.

MADE BY: ZANDRI

SECONDED BY: ALLINSON

Respectfully submitted,
Cheryl-Ann Tubby
Recording Secretary

Vincent Cervoni, Chair

Date

Deborah McKiernan, Town Clerk

Date