

TOWN OF WALLINGFORD, CONNECTICUT

TOWN COUNCIL MEETING

Town Council Chambers

October 26, 2010

The following Minutes are a record of the Regular Meeting of the Wallingford Town Council held in the Robert Earley Auditorium of the Wallingford Town Hall on Tuesday, September 14, 2010. The Meeting was Called to Order at 6:30 P.M. Responding present to the Roll Call given by Town Clerk Barbara Thompson were Councilors Vincent Cervoni, Nick Economopoulos, Jerry Farrell, Jr., Craig C. Fishbein, John LeTourneau, Robert F. Parisi, Rosemary Rascati, John J. Sullivan and Vincent F. Testa, Jr. Mayor William W. Dickinson, Jr., Town Attorney Janis Small and Comptroller James Bowes were also in attendance.

The meeting began with an Opening Prayer led by Father Gary Simone, Most Holy Trinity Church. Those in attendance recited the Pledge of Allegiance. The Roll Call was taken.

Chairman Parisi announced that Item 3. was removed from the agenda.

2. Consider and Approve Appointment of James D. McManus to Pension Commission for a term effective immediately and expiring 12/31/2011 - Mayor

MOTION

Mr. Farrell moved to Approve the Appointment of James D. McManus to Pension Commission for a term effective immediately and expiring 12/31/2011 as requested by the Mayor.

SECOND

Mrs. Rascati seconded.

After discussion with respect to 'conflict of interest' of the prospective appointee observed as a possibility by Robert Gross, Long Hill Road, it was decided to look into the question. Mayor Dickinson stated that if there is a question, then it needs to be resolved. He stated that it will be handled by the Administration with the assistance of the Town Attorney. The Town Council agreed to table the item.

Mr. Farrell removed his motion. Mrs. Rascati removed her second.

MOTION

Mr. Farrell moved to table the item.

SECOND

Mrs. Rascati seconded.

VOTE

All Councilors present (9) voted Aye.

3. Consider and Approve the Appointment of Debra Buckman to the Wallingford Housing Authority as Tenant Commissioner for a five-year term effective immediately and expiring 10/31/15 – Robert F. Parisi, Chairman

Withdrawn

Mr. Farrell read a proclamation from Mayor Dickinson that declared October 20, 2010 as "Domestic Violence Awareness Month."

Wallingford Town Hall, 45 South Main Street

4. Consent Agenda

- 4a. Consider and Approve Tax Refunds (#326 - #427) totaling \$16,380.45 Acct. # 001-1000-010-1170 - Tax Collector**
- 4b. Acceptance of Donation to Youth & Social Services Special Fund from Operation Fuel and Appropriation in the Amount of \$147 to Donations Acct # 213-1042-070-7010 and to Expenditures Acct # 213-3070-600-6000 - Youth & Social Services**
- 4c. Consider and Approve a Budget Amendment in the Amount of \$188,000 to Outside Contractors Acct # 001-2005-101-1800 and to Charges for Current Services (Revenue) Acct # 001-1065-060-6020 – Police Chief**
- 4d. Acceptance of 2010 Comprehensive DUI Enforcement Program Safety Grant and Appropriation in the Amount of \$1,476 to Revenue Highway Safety Acct # 001-1050-050-5883 and to Police Overtime Acct # 001-2005-101-1400 – Police Chief**
- 4e. Consider and Approve adding Hedge & Mattheis Company and W. H. Rose to 2010-2011 Bid Waiver list – Public Works**
- 4f. Approve Adopting the Town Council Calendar of Meetings for 2011**

MOTION Mr. Farrell moved to Approve Consent Agenda Items 4a. to 4f.
SECOND Mrs. Rascati seconded.
VOTE All Councilors present (9) voted Aye.

The motion passed unanimously.

MOTION Mr. Fishbein made a motion to take-up Item 14 at this time.
SECOND Mrs. Rascati seconded.

There were no comments.

VOTE All Councilors present (9) voted Aye.

The motion passed unanimously and Item 14. was moved up.

14. Consider and Approve a Budget Amendment in the Amount of \$2,120,000 to Structures & Improvements Acct # 433-9012-390 and to Appropriations from Major Capital Replacement Fund – Water Division

MOTION Mr. Farrell made a motion to Approve a Budget Amendment in the Amount of \$2,120,000 to Structures & Improvements Acct # 433-9012-390 and to Appropriations from Major Capital Replacement Fund requested by the Water Division.

SECOND Mrs. Rascati seconded.

*In attendance: George Adair, Director, Public Utilities
Robert Beaumont, Chairman, Public Utilities Commission
David Gessert, Vice-Chairman, Public Utilities Commissioner*

Mr. Farrell commented that there was substantial correspondence. Mr. Adair stated that they are replacing a 50-year old building, which addresses all of the needs of the building, is the center of the department. He listed some of the functions of the building and said that funds for this capital project have been set aside for many years. They have been saving about \$200K per year and expect that the new building will take them 30-50 years into the future. Mr. Adair reported that they worked with CMEEC representatives for a 'green' approach and decided on a geo-thermal, closed-loop heating and cooling system. He explained that this is a most prudent system and is very efficient with less than a five-year payback. A grant award of \$34K through CMEEC will off-set the cost of \$148K for the geo-thermal system, which he said is an effective and reliable system. Mr. Adair did not have calculations a solar system. Mr. Gross responded that Choate, who was recently before a zoning board, decided on using solar.

VOTE All Councilors present (9) voted Aye.

The motion passed unanimously.

MOTION Mr. Economopoulos made a motion to move up Item 13.
SECOND Mr. Sullivan seconded.

There were no comments.

VOTE Six (6) Councilors said Nay and three (3) said Aye.

The motion failed.

5. Items Removed from the Consent Agenda

None

6. PUBLIC QUESTION & ANSWER

Bill Sabo, 222 North Whittlesey Ave. Extension, employee of Cytek, reported on the awful state of the road to the trash burning plant over the last four months. He said that it's a real problem.

Mark Rolan, 590 Ward Street Extension, President, AFSCME, Local 1183, representing 125 town employees including clerical, police dispatchers, public works and the sewer department, who have been working without a contract since July 1, 2008. He said members were proud to serve the Town of Wallingford and that they provide services that are both effective and efficient for the taxpayers. He asked the Council to realize that it is important to look at the numbers, and not just in the cost of the raises. He reported that the Town prevailed on 19 out of 31 issues that were reviewed by the panel. He made note that the union was patient, played by the rules and honored the system. He thinks that the arbitration panel reached a fair and reasonable conclusion that makes sense for the taxpayers and for the employees. He observed that the FY 2009-10 the wage increase is less than one-tenth (1/10) of 1% of the town's budget for that year. This contract has cost-saving measures for the town that include increased cost-sharing for insurance; significantly increased co-pays for medical care which results in cost savings for the town, but which increases out-of-pocket expenses for the employees.

He stated that he sincerely hopes that the Mayor and the members of the Town Council will recognize the value of the savings that the town will realize with this award as well as the reduction of the workforce in this unit. He said that Public Works, which is down four (4) people and that two of those positions are no longer funded. This represents money no longer being spent on payroll. He also noted that the Sewer Department is down one position. These are as recently as 2008 when the negotiation process started. He asked that the Town Council and the Mayor consider this reduction of staff that has already occurred as a means to avoid layoffs and cuts in services to the taxpayers. He asked that the Town Council approve the award as it is, and said let's all get back to work providing the services that the town has become accustomed to receiving.

Wendy Lisso, Resident of Wharton Brook Drive, was optimistic that the Council might consider a special meeting for the Wallingford Housing Authority item, since so many people have waited now through two meetings.

Gray Lindsley, 520 Ward Street Extension, asked when the town would deal with the charges he has made against the Health Department. Mayor Dickinson said that there has been a hearing and that an inspection has been scheduled, the result of which should solve all of the matters. Chairman Parisi explained that there is a process that is being followed.

John Gervasio, Jodi Drive, reading from a prepared statement urged the Council to conduct a joint meeting with commissioners of the town's Planning and Zoning boards and to hold public hearings with regard to the incentive housing zone. He feels that the Council has been by-passed and that a public forum is needed to understand all of the ramifications of the impact of this zone on the Town of Wallingford. Chairman Parisi offered to attempt to formulate such a meeting. Mr. Fishbein said that he is fully in favor of such a meeting and that he has an inordinate knowledge of the IH Zone and the procedure.

Jim Duffy, Shift Commander, Wallingford Fire Department, said that it is his distinct pleasure to supervise the men and women that will be addressed in item #8. He said that they are all compassionate, caring and professional and have been without a raise or a contract for the last year. If the arbitration came back with zeroes they would still continue to be compassionate, caring and professional individuals. He urged the Council to approve the arbitration award and to fund it.

Bob Gross, 114 Long Hill Road, asked why Covanta is not here. Chairman Parisi said that they will be here at a future meeting. Mr. Gross asked if the DEP could also be invited.

Don Savage, 2 Jenna Road, asked about the reason and logic in interviewing the prospective tenant commissioner for the Wallingford Housing Authority. Chairman Parisi said that it is part of the rules of the Council if a Councilor or Councilors so desire.

Bill Comerford, 5 Broadview Drive, stated that the town has the responsibility for the fiscal viability of the Housing Authority, and accordingly, should have the control of the supervisory function for the Housing Authority, and should have a role in the determination of the Authority's expenses. He asked if that was fact. Town Attorney Janis Small said, "No." He submitted a letter from M. Jodi Rell, Governor, State of Connecticut, which is part of the record.

Frank Ricci, 46 Chimney Sweep Road, thanked the Council and all of the firefighters. He referred to his letter to the Town Council. He enumerated Wallingford's 5,919 calls per year and in those calls are included 500 difficulty in breathing, 40 cardiac arrest, 300 chest pain, 140 seizures, 100 diabetic emergencies, 100 strokes. He stated that the other 1,900 calls are fire related. He reported that Wallingford has over 400 vehicle accidents per year. He said that he finds it disturbing that 30% of

the calls that occur in Wallingford occur at the same time and because of the arbitrator's award, if paramedic service is cut it will leave Wallingford unprotected. He said that statistics indicate that we need another ambulance in town. He commented on the town's budget and stated that he broke it down by taking the Fire Department's budget and the town's population of 44, 872. He said that it costs \$.38 per day for everyone in town, man, woman and child. He continued that the \$110,000 that needs to be covered because of the award comes to \$.39 per day for fire protection. He offered his opinion on what was awarded by the arbitrator and said that for what they provide that it is unconscionable for the town to expect zero percent raises. He said that their job is even more dangerous than a firefighter's job in New Haven because for the same type of fire in New Haven, twenty four (24) firefighters show up, and in Wallingford, depending on the time of day, eleven (11) could show up. Mr. Ricci said that he supports the North Farms Fire Station site and that the Council needed to be aware that another ambulance will need to be funded in the next budget cycle.

7. **Executive Session pursuant to §1-200 (6)(D) of the Connecticut General Statutes with respect to the purchase, sale and/or leasing of property – Mayor**
8. **Executive Session to discuss strategy and negotiation with respect to Collective Bargaining pursuant to Connecticut General Statutes §1-200(2), §1-200(6)(B) and §1-225 (f) regarding Town of Wallingford and Local 1326, IAFF Interest Arbitration Award – Personnel**
9. **Executive Session to discuss strategy and negotiation with respect to Collective Bargaining pursuant to Connecticut General Statutes §1-200(2), §1-200(6)(B) and §1-225 (f) regarding Town of Wallingford and Local AFSCME, Council 4, Local 1183 Interest Arbitration Award -Personnel**

MOTION Mr. Farrell moved to go into Executive Session pursuant to:

7. §1-200 (6)(D) of the Connecticut General Statutes with respect to the purchase, sale and/or leasing of property – Mayor
8. to discuss strategy and negotiation with respect to Collective Bargaining pursuant to Connecticut General Statutes §1-200(2), §1-200(6)(B) and §1-225 (f) regarding Town of Wallingford and Local 1326, IAFF Interest Arbitration Award – Personnel
9. to discuss strategy and negotiation with respect to Collective Bargaining pursuant to Connecticut General Statutes §1-200(2), §1-200(6)(B) and §1-225 (f) regarding Town of Wallingford and Local AFSCME, Council 4, Local 1183 Interest Arbitration Award – Personnel

SECOND VOTE Mrs. Rascati seconded.
All Councilors present (9) voted Aye.

The motion passed unanimously.

The Town Council entered Executive Sessions at 6:29 P.M.

MOTION SECOND VOTE At 8:12 P.M., Mr. Farrell made a motion to come out of Executive Session.
Mrs. Rascati seconded.
All Councilors present (9) voted Aye. The motion passed unanimously.

The Town Council exited Executive Sessions at 8:12 P.M.

EXECUTIVE SESSIONS ATTENDANCE

- 8. *Executive Session to discuss strategy and negotiation with respect to Collective Bargaining pursuant to Connecticut General Statutes §1-200(2), §1-200(6)(B) and §1-225 (f) regarding Town of Wallingford and Local 1326, IAFF Interest Arbitration Award – Personnel*

7:30 P.M. to 7:55 P.M.

Nine (9) Town Councilors; Mayor Dickinson; Town Attorney Janis Small; Terence Sullivan, Personnel Director; Peter Struble, Fire Chief; Richard Heidgerd, Deputy Fire Chief; Attorney Dennis Ciccarillo

- 9. *Executive Session to discuss strategy and negotiation with respect to Collective Bargaining pursuant to Connecticut General Statutes §1-200(2), §1-200(6)(B) and §1-225 (f) regarding Town of Wallingford and Local AFSCME, Council 4, Local 1183 Interest Arbitration ward – Personnel*

7:55 P.M. to 8:00 P.M.

Nine Town Councilors; Mayor Dickinson; Town Attorney Janis Small; Terence Sullivan, Personnel Director; Attorney Dennis Ciccarillo

- 7. *Executive Session pursuant to §1-200 (6)(D) of the Connecticut General Statutes with respect to the purchase, sale and/or leasing of property – Mayor*

8:00 P.M. to 8:10 P.M.

Nine (9) Town Councilors; Mayor Dickinson; Town Attorney Janis Small; Peter Struble, Fire Chief; Richard Heidgerd, Deputy Fire Chief

10. Discussion and Possible Action with regard to the Town of Wallingford and Local 1326, IAFF Interest Arbitration Award as discussed in Executive Session – Personnel

MOTION Mr. Farrell read the item and made a motion to not appeal the award.
SECOND Mrs. Rascati seconded.

There were no comments from the town Council or from the Public.

ROLL CALL VOTE

Cervoni	Yes	Letourneau	Yes
Economopoulos	Yes	Rascati	Yes
Farrell	Yes	Sullivan	Yes
Fishbein	Yes	Testa	Yes
Chairman Parisi	Yes		

The motion passed unanimously.

11. Discussion and Possible Action with regard to the Town of Wallingford and Local AFSCME, Council 4, Local 1183 Interest Arbitration Award as discussed in Executive Session – Personnel

MOTION Mr. Farrell read the item and made a motion to not appeal the award.
SECOND Mrs. Rascati seconded.

There were no comments from the Town Council or from the Public.

ROLL CALL VOTE

Cervoni	Yes	Letourneau	Yes
Economopoulos	Yes	Rascati	Yes
Farrell	Yes	Sullivan	Yes
Fishbein	Yes	Testa	Yes
Chairman Parisi	Yes		

The motion passed unanimously.

Chairman Parisi stated that as a clarification on the contracts that the Town Council voted upon to not appeal that the funding will be considered at a later meeting. He said that the action was to act upon what was presented. These items are complete for tonight.

12. Discussion and Possible Action regarding purchase of a site for the North Farms Volunteer Fire Station:

a. Approval of contract to purchase 864-866 North Farms Road

b. Approval of acquisition of the reversionary interest of Barnes Road Firehouse property – Mayor

Mr. Farrell read the items-12a. and 12b.

*In attendance: Peter Struble, Fire Chief
Richard Heidgerd, Deputy Fire Chief*

Chairman Parisi asked for comments on Item 12.

John Bee, 8 Saddlebrook Drive, asked about an ‘open land’ deed restriction. Chairman Parisi said that he was pretty sure that the Council has a similar concern and that they would act upon it at the appropriate time but not now. He said that it is a very strong consideration.

Ken Daly, North Elm Street, listed the ways that the North Farms Road will cost the town financially, environmentally, ethically and philosophically. He urged the Council to revisit the Stein report and to weigh the advantages and the disadvantages of all of the information.

John Benham, 861 North Farms Road, wanted to know why is the town purchasing this property before there is a plan. Mayor Dickinson explained the process of acquiring property and subsequent development. Town Attorney Janis Small explained that approval process that needs to be in place. She commented on deed restrictions.

Wes Lube, Montowese Trail, wanted to know why reversionary interest is needed with respect to the Barnes Road site. Attorney Small said that the new portion of the road at the Barnes Road site is subject to reversionary interest. Chief Struble stated that they are aware of the restrictions with the new road and of the wetlands.

Mr. Benham asked if anyone has been on the North Farms Road property. Town Attorney Small assured Mr. Benham that if the present owners cannot remedy problems after the property has been assessed, then the town does not have to purchase the property.

Councilor LeTourneau commented that the Council favors deed restrictions but that is for the future and that the whole neighborhood should be involved with the plans for the site with the architect involved. He said that he now prefers the North Farms site and that it is important to have a building constructed for the future with room for expansion.

Councilor Cervoni shares the same concerns and considers that the neighbors are primary. He commented that he would like to see a conservation area. He noted the value of the volunteers and the volunteer system and has respect for the volunteer/career structure of the Fire Department.

Councilor Sullivan recalled farmland days of his youth and the Pelloni farm and said that he visited Mr. Grasso on Saddlebrook Drive, noting that his backyard borders the horse farm. He stated that Saddlebrook Drive has a water problem. He wants the town to be frugal in how the CRRA funds are spent. He said it doesn't make sense to spend \$350k on Barnes when the site already has big sewer problems. He said that he is in favor of the North Farms site.

Councilor Economopoulos stated that he will support the North Farms site.

Councilor Farrell remarked that it seems that the Barnes Road spot is dead and that even though he wanted further research on the North Farms location that he will now reluctantly vote for the North Farms Fire Station site.

Councilor Testa supports a conservation easement and will ask the engineers and the architect for water management at the North Farms location that may improve the plight the neighbors have with water.

Councilor Rascati talked to many people in the neighborhood and will vote yes for North Farms.

Chairman Parisi commended the Town Council, the Fire Department, the Mayor and the Town Attorney saying that he thinks that they have exhausted every effort to accommodate the Fire Department, the neighbors and the future of Wallingford in that area. He supports this site. He reminisced telling of his experience living on Northford Road in a wild area that turned into a subdivision.

Councilor Fishbein said that originally he was against the North Farms property and said that he was very cynical with the consultant's report in the questions that he asked. He said that someone said that this money would be better used for wages and philosophically using money that is not raised by tax revenues but money that is a one time shot should be spent on capital projects. He said that he supports that and that this is an effective use of that money. He doesn't see planning for the future on the Barnes Road site. He has concerns with both sites but many more with Barnes Road, especially with the addition of the \$350K. He is fully in favor of a conservation easement. He hopes that this avails any concerns that the residents have about this project.

MOTION Mr. Fishbein made a motion to approve the contract for the purchase of 864-866 North Farms Road and reject Section (b) of Item 12. *[Item 12 Section (b)- Approval of acquisition of the reversionary interest of Barnes Road Firehouse.]*

SECOND Mrs. Rascati seconded.

There were no comments from the Council.

Bob Hogan, Grieb Road, asked if the firehouse located at Barnes Road would have to be demolished at a cost to the town. Chairman Parisi said, "No."

ROLL CALL VOTE:

Cervoni Yes Chairman Parisi Yes

Economopoulos	Yes	Rascati	Yes
Farrell	Yes	Sullivan	Yes
Fishbein	Yes	Testa	Yes
LeTourneau	Yes	Chairman Parisi	Yes

The motion passed unanimously.

Chief Struble expressed his appreciation to everyone. Chairman Parisi addressed the neighbors and the public thanking them for their attendance and their respect to everyone.

RECESS At 9:07 P.M., Chairman Parisi announced a recess.
He reconvened the meeting at 9:15 P.M.

There was some discussion as to whether this Item 13. would go forward with only the Tenant Commissioner in attendance. Chairman Parisi said that we can invite the Commissioners to attend. The Town Attorney stated that the Town Council can appoint and that there is a statutory route by which the Commissioner(s) can be removed. It was decided to continue the discussion with the lone Commissioner and the Attorney for the Housing Authority.

13. Continuation of Housing Authority Discussion – Councilor Nick Economopoulos

*In attendance: Patricia Hogan, Tenant Commissioner
E. James Loughlin, Counsel for the Housing Authority*

Attorney Loughlin said that he is not present to testify, that he is not licensed to testify, that he is not a member of the Commission, but rather, he is there to offer his own observations as Counsel for the Housing Authority for fifteen (15) years. He reported that he is also Counsel for two other medium-size Housing Authorities in the state as well as two or three others where he works on a case by case basis.

Attorney Loughlin addressed questions from the prior Town Council meeting that included three main areas: Oversight; Office structure; and Section 8.

Regarding oversight, he reported that there are five Commissioners; one of them is the Tenant Commissioner. They work with the Executive Director, Steve Nere. He said that the Housing Authority has operated well for over 50 years. He explained the credentials of the Commission and the Executive Director. He said that Mr. Nere has been advised to not testify due to a pending lawsuit but he will speak with the Councilors at his Housing Authority office. He explained that the agency reports to many town and state agencies including Freedom of Information Commission, the Commission on Human Rights and Opportunities, to the Fair Housing Commission, Connecticut Housing Authority Finance Authority(CHAFA), DECD and the courts. He said that all of these governing bodies have within their ranks educational arms that can help the authority in understanding what their responsibilities are.

He gave an example that happened on this date when the Executive Director called the Freedom of Information office in Hartford to get an answer with regard to an agenda item.

He addressed the structure of the Housing Authority including two who manage leasing and rent collections; the comptroller; two other part-time people who are funded by the state, who work tying

up loose ends. He stated that this office structure is similar in structure and responsibility to the other two authorities for whom he works. He added that Wallingford Housing Authority office staff is larger because they manage more units.

He addressed Section 8 stating that Section 8 was sub-contracted to the Hamden Housing Authority within the last 10 years. He said that the Wallingford Housing Authority found that managing Section 8 was a losing proposition, so they gave it to the Hamden Housing Authority, one of the three big players in the State of Connecticut. He talked about the Hamden Housing Authority's structure which mirrors that of the Wallingford Housing Authority. The Wallingford Housing Authority subbed out Section 8 because it was a losing proposition, and now the Wallingford Housing Authority receives \$6,000 or \$7,000 in return.

He asked the Council to remain open to both sides of the argument in going forward and to be willing to come down from your loft where the context may be different. He urged the Council to speak with Mr. Nere and to come to a board meeting. He recalled that in the past there was a Council liaison for the Wallingford Housing Authority and suggested reinstating that person because they made a difference.

Councilor Economopoulos announced that he would discuss four categories that he charges as a problem at the Housing Authority: property management; ethics and morality; policies and internal control; and a successful business, to which Attorney Loughlin referred in his statement.

Councilor Economopoulos stated that painting the Wallingford Housing Authority as a successful business is an illusion. He reported that he has all of the past audits, except the year 2008, and that all of the numbers that he will quote come from those audits. He said that in all years, every year the authority extended or went two or three times the amount of 'estimated vacancy loss.' He explained stating that every year they were asked to budget what the vacancy loss would be and in each year it was doubled but in some years it was tripled. There had to be a declaration of net income or net loss yet in every year, they had an operating loss from 2003 – negative \$73,000 loss to 2004 \$399,861 (he rounded this to a negative \$400,000 loss), then negative \$105,000 loss.

He said that in year 2006, there was a net income of \$46,778 but that 2006 was the year they received a grant of \$357,793, so the \$46,778 is actually a loss of \$311,000. He stated that in 2007, it was a loss of \$101,000, no audit for 2008, and in 2009 the loss was \$172,000. He asked that in this regard how is it called a successful business.

Councilor Economopoulos stated that the authority sold Ridgeland because he said the authority could not make a balloon payment to a bank for \$800,000 for two property loans. He recalled that the new owner wanted the tenants out. This caused Representative Mushinsky, Representative Fritz and Senator Fasano to come in to 'save the tenants.' He said that some people thought that the money was a grant and not a loan, so he said he called CHAFA because he cannot understand the confusion that one Commissioner had between a grant and a loan.

Mr. Economopoulos made a statement with regard to successful business and Section 8. He said that the Wallingford Housing Authority pays the Section 8 managing company \$86,000, and the managing company returns to the Wallingford Housing Authority 8%, or \$6,800. He asked how this is called a gain. He talked about three bids opening for Section 8, and all of them are under \$70,000.

Chairman Parisi asked that as he brings up each item, would Councilor Economopoulos for time to allow others to respond to his comments. Mr. Economopoulos said that he was addressing the statement that the Wallingford Housing Authority is a 'successful business'.

Councilor Fishbein wanted to know where this was going. He remarked that if we have a problem with the Housing Authority, there is a statutory procedure to compel them to be here. He stated that if we are going to make accusations against people that we appoint, they have a right to due process to answer the charges that are being levied upon them by implication. In a statutory procedure, you can lodge a complaint. Councilor Economopoulos replied that it had just been stated that we can't make them be here. Councilor Fishbein said that the Chairman said that there was a procedure. Councilor Economopoulos observed that if he wanted to start an investigation, that he would need three (3) Councilors to say that they wanted to have an investigation. He said that he does not want to have an investigation. Councilor Fishbein stated that, instead, we are lodging accusations, and the Council does not have backup for this, and he doesn't know what Councilor Economopoulos is going by. Councilor Economopoulos reminded him that he had already identified the Housing Authority's own audits and that he just wanted them here to answer the questions that he has. Councilor Fishbein that he wants answers and that there is a procedure to go by. Chairman Parisi suggested looking into the procedure, and then the Council decides if that is what it wants to do. Councilor Fishbein said that he has no problem following the procedure. He said again that he wants answers, and the people are not here to answer.

Councilor Economopoulos asked the Town Attorney how to dismiss the Commissioners. Attorney Small asked if he wanted to do an investigation into the removal of the Commissioners. Councilor Economopoulos said yes. She said that you can do an investigation into the removal of the Commissioners, and she asked if he had an allegation at this point. She referred to the statute that she had with her. She read reasons for dismissal - inefficiency, neglect of duty, misconduct in office, and said that from what she has heard so far, there is inefficiency. She said that there is case law that the Council not only has the power to appoint and remove officers but you also have the power create and uncreate housing authorities. The Housing Authority is a separate legal entity, so you can't tell them how to run it but you can investigate those commissioners. She said that if the allegation is at a minimum *an inefficiency*, and she remarked that it sounds like you have a list of things. Councilor Economopoulos stated that he has four categories, and that he began with the one that Mr. Loughlin brought up.

Chairman Parisi asked the Town Attorney if Councilor Economopoulos would have to put together some sort of presentation. Attorney Small said that she does not know if they are at that position or not. She said that you have the right to remove them, so she would infer that they have the right to do this investigation, or how else are you supposed to do that. She stated that at some point it becomes a formal charge, and there is due process, and they are entitled to come before you, etc.

Chairman Parisi thought she was too far ahead and asked about the very beginning of this and would he present information to us and ask us to support him. Attorney Small said that if you have done your research, and you have laid these out, then all of the Council should get them because if they are going to make a decision as a group as to whether they will be making an investigation, and possibly remove these officers, then you need to start with something. She said that for those of you who have not done what Councilor Economopoulos has done, then you should lay it out to create a foundation, so that further investigation can take place. Councilor Economopoulos stated that he has everything that he needs to go forth, and he thought that there are people who want to hear what those things are, which is what he thought would happen tonight. Attorney Small said that she thinks that everyone needs to get that and then go from there. Councilor Economopoulos said that he is sharing right now.

Chairman Parisi said that you have to give us something. Councilor Testa interjected that it is very difficult because we appoint the commission, and they oversee the operation of the Housing Authority through an Executive Director. He said that Mr. Economopoulos had been tireless in reviewing the audits, and he has a lot of really serious concerns. He said that he commends Mr. Economopoulos. We

are in this what-do we-do situation, and you are seeing the result of getting to the bottom of some questions that he has, so he has asked the Commissioners and the Executive Director to come here, so he can publicly question them, and they don't show up, or as at the last meeting, they were not extremely cooperative. He questioned the authority to investigate and question the Executive Director. We only have the ability and the authority to investigate the Commissioners. He continued that if the Commissioners aren't going to be here voluntarily, and they have been invited twice, then we have to go by the Charter, which says that we can initiate a formal investigation in which case they have to be here because we are going to potentially remove them, when that was never necessarily the intent in the first place. He said he wants to see the answers too.

Chairman Parisi said that he would like to get something that he can read pertaining to what his concerns are, then he can sign on or not. Councilor Testa said that his point is that if he is going to ask you to support his investigation and a removal, then you will get a lot of stuff from him. Councilor Testa said that up to tonight, it wasn't up to Mr. Economopoulos to put all of his notes together and share with everyone ahead of time because he had a plan to do something. He was going to get his information, his answers, like everyone else in response to his questions but he is being stonewalled because they aren't here to answer them. He said that the next stage is probable, what you are asking for, and it is a big move. He has to come forward with accusations that he wasn't intending or preparing to do.

Councilor Economopoulos said that he was hoping that after you heard it all, you (the Council) would say we could do this or that. He said he was looking for guidance. Chairman Parisi said that he could listen to it but that he would prefer to read it. Councilor Economopoulos said he would put it all in writing after tonight, and he said that he has tons of pages, and you are asking him to put it into a brief, He said that this was not his intent and that he could put it into a simple form, stating that this agency takes in \$1.2 million to \$1.5 million per year in rents. He said that they have fixed expenses of salaries of \$550,000. Councilor Economopoulos stated that he would like to know where the other \$950,000 goes.

Councilor Fishbein interjected isn't that the intent of the \$10,000 forensic 'whateveritis' that is being done. Councilor Economopoulos responded that the \$10,000 whateveritis is basically just another audit that tells you what they are spending money on but all of the numbers that they got were supplied from the authority. He (*the forensic auditor*) wasn't allowed to go in and see their books; they provided him with the numbers. Chairman Parisi commented that this doesn't sound like a very in depth study. Councilor Economopoulos said let's talk about it when we get it.

Attorney Small thinks that it should be outlines and shared with all of the Council. She stated you appoint them, and you may remove them, so the Council should tell the Commissioners that they are expected to be here, and not just invited them. She said that you are the appointing authority, and if they don't come, then there is a consequence to that. They are a separate legal entity, and by statute the Commissioners are the authority, so while you can't tell them how to run the housing authority, you can evaluate them, because you appointed them, and you can say that they are not efficiently doing their job, or they are neglectful, or there is misconduct.

Councilor Fishbein asked that if we demand that they come here, and they don't come, he doesn't want anybody to think that the Council can remove them for not showing up at a meeting because there is a procedure. He said that we can say that there is negligence of duty but they are still entitled to due process and a hearing.

Attorney Small agreed and stated that if the Council is getting to the point of removal, she hopes that there would be something more than they didn't show up for a meeting. She said that your request, or your insistence, that they come before you is legitimate, and she thinks that they should come before you. She

said someone said that the Chairman is out of state. She said care should be taken in defining what is at issue, and it is critical to do so because if we don't define what we are talking about, then someone has a challenge on the due process claim of 'what are you doing to me' and 'how are you doing it to me' and 'I don't know what you are doing to me.' She said that the sooner we start the process in defining the issues, the better.

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Councilor Economopoulos stated that the Commissioners have never been evaluated, and they have never evaluated the Executive Director, formally or even if evaluations are in their files.

Mayor Dickinson suggested that if you want answers to questions, then arrive at what the questions are, and that the Council agrees on the questions, then send them to the Housing Authority that you want answers to these questions and to come to a certain meeting prepared to answer these questions. He stated that that way there isn't this issue over being surprised suddenly. He said that the Council does have questions that need to be answered, they can have documentation. He said that if they refuse to give you answers, then you get into the more formal stuff of we are entitled to receive information, if not under FOI, then because they have been appointed. He added that it puts everyone on the same page as to what is at issue.

Councilor Sullivan stated that he appreciates the answers provided by Attorney Loughlin and said that there are a couple of comparisons made by Attorney Loughlin with which he does not agree, one was Executive Director Nere's relationship with the Commission to the Council's relationship to the Mayor in that we work for the Mayor. He said that he doesn't work for the Mayor. He remarked that he respects the Mayor but he was voted to this Council by people like you and all of the folks out there and the people watching on television. He said those are the people I represent and some of those people actually live in the Housing Authority properties. Councilor Sullivan stated the Council didn't ask Mr. Nere to testify, we only asked him to come in and answer questions and that we would respect his right of counsel in that he should not be talking about the issue he is having with the car. That's fair, and any other issues that are currently being litigated, and that was fair.

Councilor Sullivan reported that he does not have any ax to grind; he doesn't buy into all of the conspiracy theories that are out there about Mr. Nere, about counsel, about the Commissioners. He said that he doesn't care if the Commissioners are Republican or Democrats or Tea Party. What he does care about is that the Commissioners care about the tenants and the properties that they are charged to manage. That is his concern. He wishes there was an easy solution but it seems like there is an adversarial relationship, bad mix of Commissioners. He is not knocking any one Commissioner because he respects them all. He reviewed the qualifications of the Commissioners. He thinks what this Council wants is not an investigation, or an adversarial relationship with the Commission of the Housing Authority. The Council wants to know that things are being done right, that the Commission is working together for the residents of the housing units, both the elderly and the low-income. That is what we should all be striving for.

Councilor Sullivan said that he attended two Wallingford Housing Authority meetings and anybody who did the same would say that the Commission was adversarial and dysfunctional. He was sorry to see that. They are taking our eye off the ball, and they need to get back to the basics of why they were initially appointed as a Commissioner of this board. He encouraged the Commissioners to do some soul searching to make sure that this Housing Authority is run efficiently, honestly and for the benefit of the citizens that live there. He said it would have gone a great distance if the Commissioners had shown up tonight, and we could have had a question and answer. We do need changes. He thinks that the Wallingford Housing Authority is in trouble. He sees many vacancies and only a few workers and is being told that it is up to

four months to refurbish one apartment. He said that the math says that we are looking at seven years before we get those apartments done. He remarked that this is just not acceptable.

Patricia Hogan stated that if everyone was sincere, regarding the concerns and well-being of the tenants, then why aren't they here tonight. If Commissioners have full authority over the Director and full power over the Director, who is an employee of the Housing Authority, that would be well and sufficient. She told of making 15-17 requests, asking for the workings of the Housing Authority because she wanted to find out for herself, first-hand, how everything was run. She said that as treasurer, she requested cost analysis reports and found discrepancies in the billing section of the vouchers for vendors, and of who is billed, and who is not billed. She asked for many, many reports and documentation of what has transpired. She reported that from day one, there was always a condescending, arrogant response, and she was never treated as a Commissioner. She thinks that the new Commissioners on the board are not treated as a Commissioner. She thinks it's a great mistake allowing Commissioners to have a 25-year tenure because when new Commissioners come in, they have no real say. She reported that the attitude is 'this is the way things are done, and it's done our way, and if you don't like it, then take the highway.' She said the documents she received weren't sufficient, or full disclosure, and she knows that she has not been provided with full information because in comparing what others, who have requested the same documentation through FOI, have received.

Councilor Sullivan asked Ms. Hogan if she made her request to the Commission Chairman, Mr. Fischer, when her requests fell short of her expectations or that she just had not received. She said that when it was something that needed full disclosure pertaining the Commission's agenda, they would discuss it in caucus. At one meeting, she copied all of her 15 or 16 requests with all of the responses and brought it all with her to the meeting and gave to the Commissioners and asked them to look through it and to give her feedback. She said that not one Commissioner responded to her.

Councilor Sullivan stated that it has been made clear that Mr. Nere works for the Commission, yet when the Commission makes these requests -he interjected that he does not know if she requests through the Chairman or not - that it seems like she is not getting responses, so maybe there is an issue in the relationship between the Chairman and Mr. Nere, and that it promptly needs to be made very clear to Mr. Nere, who he works for, and then if the Commission is asking for documentation, and Mr. Nere is not presenting it, then they probably need to go down another path with Mr. Nere. The Commission in fact manages him as an employee and do exactly as Attorney Loughlin stated. He works for the Commissioners. He said he is sorry if that is not happening but that is Basic Management 101, and if that is not happening, then it is not being managed properly. If there is not compliance, then there are consequences. Councilor Sullivan cares about the people. He said that the Commissioners are there, and they need to understand their roles and responsibilities, and who reports to them.

Chairman Parisi asked Ms. Hogan if they have a procedure for getting information, and if they don't get information, don't they submit it to the Chairman for his help? Ms. Hogan said no. He said that on the Council there are times when the Chairman gets involved and sometimes when it isn't necessary.

Councilor Economopoulos read a letter from Ms. Hogan at the request of Ms. Hogan (*The letter is part of the record of the meeting.*).

Ms. Hogan stated that she has truly tried to reach out to all of the residents because of all of the things that she has seen first-hand and the things that she personally has experienced and the things that the residents have reported to her. The one thing that many of the residents have said is that they are afraid of housing, and they are afraid of retaliation. This is what she has heard.

Councilor Sullivan interjected that her term will not end on Thursday but will last until another tenant commissioner is appointed.

Councilor Economopoulos said that she has served well, and he will respect whoever is the next tenant Commissioner.

Ms. Hogan stated that following her visits with the tenants, and her interviews with the tenants that she co-founded the resident-tenant association. She said despite the newspaper her first and only concern have been the residents. She said that it has been a pleasure being their tenant commissioner this past year. She thanked the Council for the opportunity.

Councilor Economopoulos stated that he still had a lot to say and stated that if this goes nowhere that he will be ashamed of his ability to lead and his ability to let people understand what is truly happening. He said that there were community members here tonight who have beautiful homes, and they are concerned about their property values. He said that in April he was talking about people with water in their basements, and he was led to believe the problem had been taken care of, yet after we met with them last time, and we asked, the Commission talked about 47 water problems. He said that he knows for a fact that the branches and twigs in the gutters have been removed but also said that those gutters are still fertile in that the soil remains in the gutters. He said that unless we as the Town Council exercise what powers and rights we have to make that Commission work the way it is supposed to work, we are letting down our fellow community members.

Chairman Parisi said that he takes exception to being admonished because you have the information and you can be the driver. He said that he would like to see what we are going to go with, so then he can feel comfortable or not. Councilor Economopoulos stated that he has been working on this for 5 hours a day for ten days and still does not know where he is going

Councilor Sullivan suggested that Councilor Economopoulos will make copies and give them to the Council so we know that we have a plan and that the information will be shared. He said to share all his notes and all of the information. Councilor Economopoulos said that he would do that.

Councilor Fishbein asked to speak and question Ms. Hogan. He inquired about her statement in her letter that there are no job descriptions and wanted to know what job description. Ms. Hogan stated that she asked for an accounting of all the employees. Mr. Fishbein wanted to know if there was anyone specifically. Ms. Hogan repeated *all* of them. She said she got a job description from the Executive Director but she also asked for the job descriptions of all in-house and maintenance people, and she did not receive any information in return. Councilor Fishbein asked if she motioned or suggested to the body that they draft up job descriptions for these people. Ms. Hogan said that she was told by Mr. Nere that there were none. Councilor Fishbein stated that Mr. Nere works for the Commission. Ms. Hogan said 'exactly' but he doesn't accept that. Councilor Fishbein asked again if she made a motion under her power as a Commissioner to draft or to suggest job descriptions, and asked her if she did that. She said that she didn't, and he wanted to know why not.

Ms. Hogan stated that she had to find her own way as a newcomer to the board and to decide what she felt was important or not. She decided that she needed to know information about the employees –their qualifications, their backgrounds, their resumes, etc. She said that one of her biggest concerns was that they have about five (5) people in-house in the office, including Mr. Nere, and that for maintenance there are only three (3) people. She said that she is talking about established employees. Councilor Fishbein asked why she would want a resume of somebody who already works there as opposed to someone who is looking for a job. Ms. Hogan stated to know their qualifications, history and background. Councilor

Fishbein said you mean after they are already hired. Ms. Hogan said yes. Councilor Fishbein asked her about Mr. Fischer, and when she has problems getting information, if she doesn't go to her Chairman.

Councilor Testa interjected stating that this is like a cross-examining. Councilor Fishbein remarked that Councilor Economopoulos was making accusations without people here and said that this whole thing has been ridiculous. Councilor Economopoulos wanted to know why he thinks this is ridiculous when he has presented facts from the Commission's audits and that is all that he has said so far.

Councilor Economopoulos asked Attorney Loughlin asked if the Executive Director determines who has the qualifications to purchase a home at Olde Oak Village. Attorney Loughlin said no. Councilor Economopoulos wanted to know who does make that decision. Attorney Loughlin said that the Executive Director oversees it and works with the developer and the re-sale of those but he doesn't know what role he plays in making that decision. Councilor Economopoulos asked if it was correct that people had to fill out applications and to qualify financially. Attorney Loughlin said that for certain units at Olde Oak that there are financial qualifications. Councilor Economopoulos related a story about someone, a friend's son, who didn't qualify, and another person, an employee of the Commission, who qualified and purchased a home there for \$150,000 and two (2) years later sold the home for \$242,000, and he now lives in Southington.

Councilor Economopoulos asked who allows people to buy that home, who makes the final decision of who buys homes in Olde Oak Village. Attorney Loughlin said that he doesn't know but what he thinks is that the statute requires involvement of some oversight in determining if the qualifications have been satisfied. If the requirements have been satisfied, Steve (Nere), as the Executive Director, serves in that role at the request of the developer. Councilor Economopoulos said so he pretty much makes the final decision. Attorney Loughlin said that he thinks that he just reviews the qualifications and that the realtor just as much as the developer is responsible for making sure that the person who applies for that incentive housing qualifies, and he doesn't think that Steve (Nere) has the final say but rather he oversees it all to make sure that everything was done properly.

Chairman Parisi asked if there was any requirement that if you bought a house and kept it so many years, that you would be allowed to turn it over that quickly. Attorney Loughlin thinks that there is no time constraint on how soon you can flip it, only that it has to be sold to someone with the proper income requirements.

Councilor Rascati reported that Olde Oak Village has affordable units, and regular units. When they were first built, she thinks that the Housing Authority had the last say on who got the affordables because they made their applications there, and they went by those guide lines. She stated that she does not think that the Housing Authority had anything to do with the regular units.

Councilor Economopoulos recalled a lawsuit by a tenant, who had requested a parking space near his home because of a medical need for oxygen. The tenant was denied the request. He asked Attorney Loughlin if it is correct that the Commission was sued. Attorney Loughlin stated that the action was brought by the Commission on Human Rights & Opportunities. Councilor Economopoulos asked if Mr. Loughlin was the attorney for the Housing Authority in that case. Attorney Loughlin said that he was not involved because insurance covered the case. He said that it was a claim filed by Commission on Human Rights & Opportunities, and not a lawsuit. There was an administrative hearing. He stated that the Housing Authority has an insurance policy that covers this type of claim. He does not know if damages were awarded, or not, and added that if there was an award, the costs would have been limited, and no cost for legal fees. Councilor Economopoulos said he thought that about \$10,000 was awarded and added that that comes out of the tenants' money, right? Attorney Loughlin said that he imagined so, but added

that he was speculating because he has no first hand knowledge, that there was probably a deductible in that claim filed through the insurance so that was cost. He added that on the other side of the story, there might have been an administrative reason for not providing the parking spot just because someone asked for it that there would be difficulties if everyone requested a parking spot. Councilor Economopoulos stated that a panel eventually awarded the resident a parking space and as well an award. Councilor Economopoulos said that he has more to talk about but that he would get them on paper for the Council.

Councilor Sullivan thanked Patricia Hogan for serving on the Commission, and that she did a very good job and for standing up on the board rather than just sitting back.

Wes Lubee, Montowese Trail, acknowledged Mrs. Hogan stating that there were only seven meetings in her tenure and that she discovered many problems.

Bob Hogan, Grieb Road, made statements with regard to the 28 vacancies at the Housing Authority and that the problems are with the Executive Director in executing the policies that the Housing Authority Commission establishes.

Bill Comerford, 5 Broadview Drive, made comments with respect to job descriptions and state statute violations.

Don Savage, 2 Jenna Road, stated that there is a separate fund setup for the Commissioners and new employees to attend seminars. He stated that this fund is for training our purposes only. He said that none of the new Commissioners have taken advantage of this training.

Bob Gross, Long Hill Road, commended Mrs. Hogan for the job that she did on the Commission and that many things have been accomplished and brought to light in this past year. He asked the Council to reinstate the Town Council Housing Authority liaison as in the past.

Denise Gomez, 19 Lewis Circle, Wallingford Housing Authority tenant, asked the Town Council to be part of those meetings and to visit the units to see what has not been done. She said that there are trees growing in her gutters and that the crack in her foundation was looked at but that is all. She said that someone is not doing their job and asked the Council to find out who that is. She stated that she is a taxpayer in Wallingford and she expects the Council to be supportive of the people who live in Housing Authority units. Chairman Parisi said that he would come to visit.

Mr. Farrell made a motion to adjourn. Mrs. Rascati seconded. All Councilors present (9) voiced Aye. The motion passed. The meeting was adjourned at 10:50 P.M.

Respectfully submitted,

Sandra R. Weekes
Town Council Secretary
Meeting digitally recorded

Robert F. Parisi, Town Council Chairman

Date

Barbara Thompson, Town Clerk

Date