

TOWN OF WALLINGFORD, CONNECTICUT

REGULAR TOWN COUNCIL MEETING

MAY 14, 2013

RECORD OF VOTES & MINUTES

The Regular Meeting of the Wallingford Town Council was called to order at 6:30 P.M. Following the Opening Prayer by Deacon Eugene Riotte, Most Holy Trinity Church of Wallingford, the Pledge of Allegiance was said. Councilors in attendance were as follows: Vincent Cervoni, Nick Economopoulos, Craig Fishbein, Thomas Laffin, John Letourneau, Chairman Robert F. Parisi, Rosemary Rascati, John Sullivan and Jason Zandri. Mayor William W. Dickinson, Jr., Town Attorney G.E. Farrell, Sr. and Comptroller James Bowes were also present at the meeting.

2. Correspondence

None

3. Consent Agenda

- 3a. Consider and Approve Tax Refunds totaling \$11,520.90 (#595 - #625)  
Acct. # # 1001001-41020 - Tax Collector
- 3b. Consider and Approve a Transfer in the Amount \$1,500 to Fuel Crisis Program  
Acct # 100-4015-58220 - Mayor
- 3c. Acceptance of Donation and Appropriation in the Amount of \$308 for  
*Youth and Social Services Special Fund Relay For Life* to Donations  
Acct # 2134002-47152 and to Expenditures Acct # 21340100-58830  
– Youth and Social Services
- 3d. Acceptance of Donation and Appropriation in the Amount of \$1,040 for *Youth  
and Social Services Special Fund* to Donations Acct # 2134002-47152 and to Expenditures  
Acct # 21340100-58830 – Youth and Social Services
- 3e. Consider and Approve a Budget Amendment in the Amount of \$16,050 to Appropriation from  
Cash to Nine (9) Various Accounts – Water Division
- 3f. Consider and Approve a Transfer in the Amount \$2,500 to Regular Wages Acct  
# 10020100-51000 from Insurance Deductible Acct # 10020100-55915 \$2,000  
and from Telephone Acct # 10020100-53000 \$500 – Animal Control
- 3g. Consider and Approve a Transfer in the Amount \$5,000 to Office Expenses  
& Supplies Acct # 10010300-56100 from Professional Services-Lawyers  
Acct # 10010300-56710 – Corporation Counsel
- 3h. Consider and Approve a Transfer in the Amount \$350 to Gas & Diesel Acct  
# 10010800-53100 from Maintenance of Vehicle Acct # 10010800-54320  
– Fire Chief
- 3i. Consider and Approve a Transfer in the Amount \$2,000 to Wage Differentials  
Acct # 10020150-51450 from Utilities Acct # 10020150-53010 – Fire Chief
- 3j. Consider and Approve Bid Waiver for Shipman’s Fire Equipment breathing apparatus repair  
\$7,862 – Fire Chief

- 3k. Acceptance of Donation from Masonicare Ashlar Village \$5,000 – Fire Chief
- 3l. Consider and Approve Appropriation of Grant Funds- *Misc Grant Funds #250* in the Amount of \$15,396 to Program Expenses-Helmets Acct # 250-20150-58830-10104 from Federal Grant-Fire Acct # 2502002-45200 – Fire Chief
- 3m. Consider and Approve Resolution authorizing the Mayor to execute and deliver in the name of and on behalf of the Town of Wallingford, a contract with the Connecticut State Library for a Historic Document Preservation Grant in the Amount of \$6,500 – Grants Administrator
- 3n. Consider and Approve Confirmation of Reappointment of Iris Papale as an Alternate to the Board of Ethics for a three-year term effective immediately and expiring March 1, 2016 – Mayor
- 3o. Consider and Approve a One-Year Lease Extension for twenty-two (22) farmland properties – Conservation Commission Chairman
- 3p. Schedule a Public Hearing for May 28, 2013 at 6:45 P.M. to be held in connection with an Ordinance entitled:  
AN ORDINANCE AMENDING AN ORDINANCE APPROPRIATING \$13,352,000 FOR THE TOWN OF WALLINGFORD 2011 SCHOOL ROOF PROGRAM AND AUTHORIZING THE ISSUE OF \$13,352,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE  
(The purpose of the amendment is to increase the appropriation and bond authorization by \$2,813,000, from \$13,352,000 to \$16,165,000, and to ratify, confirm and adopt all prior authorizations and ordinances in connection therewith)
- 3q. Schedule a Public Hearing for May 28, 2013 at 7:00 P.M. to consider and act upon the repeal of Chapter 62 “Alcoholic Beverages,” Article IV, “Seasonal Outdoor Sidewalk Dining” and the adoption of the substituted Chapter 62 “Alcoholic Beverages,” Article IV, “Seasonal Outdoor Sidewalk Dining” of the Code of the Town of Wallingford.  
– Ordinance Committee Co-Chairmen Cervoni and Fishbein
- 3r. Consider and Approve minutes of Special Town Council meeting of April 16, 2013
- 3s. Consider and Approve minutes of Special Town Council meeting of April 17, 2013
- 3t. Consider and Approve minutes of Special Town Council meeting of April 22, 2013
- 3u. Consider and Approve minutes of Regular Town Council meeting of April 23, 2013
- 3v. Consider and Approve minutes of Special Town Council meeting of April 23, 2013
- 3w. Consider and Approve minutes of Special Town Council meeting of April 29, 2013
- 3x. Consider and Approve minutes of Special Town Council meeting of April 30, 2013

**MOTION MADE TO APPROVE CONSENT AGENDA ITEMS 3a. – 3x.**

**MADE BY: CERVONI**  
**SECONDED BY: RASCATI**  
**VOTE: ALL AYE (9)**  
**MOTION PASSED.**

4. PUC will convene their meeting and take action as shown on their agenda. During the PUC meeting, the Council will discuss and take possible action on the following subjects related to the approval by the PUC of a Purchase Power Agreement with Energy New England (ENE)

The PUC meeting was called to order at 6:34 P.M. by Chairman Robert Beaumont. Others in attendance included: Richard Nunn, David Gessert and George Adair. When the PUC completed their agenda items, the Town Council took Items 4A. and 4B.

- 4A. Approval of bid waivers to enter into master agreements with the attached list of power supply counter-parties

**MOTION WAS MADE TO APPROVE BID WAIVERS FOR THE PUBLIC UTILITIES COMMISSION TO ENTER INTO MASTER AGREEMENTS WITH THE LIST OF POTENTIAL EEI COUNTER-PARTIES AS PROVIDED TO THE COUNCIL. (Attached as Appendix I.)**

**MADE BY: CERVONI  
SECONDED BY: RASCATI**

**ROLL CALL VOTE:**

<b>CERVONI: YES</b>	<b>ECONOMOPOULOS: YES</b>	<b>FISHBEIN: YES</b>
<b>LAFFIN: YES</b>	<b>LETOURNEAU: YES</b>	<b>RASCATI: YES</b>
<b>SULLIVAN: YES</b>	<b>ZANDRI: YES</b>	
<b>CHAIRMAN PARISI: YES</b>		

**9-AYE**

**THE MOTION PASSED.**

- 4B. Approval of the establishment of \$5 million dollar line of credit for protection of the Town of Wallingford and the Electric Division in the event collateral must be posted pursuant to purchase power agreements  
– George Adair, Director, PUC

**MOTION WAS MADE TO APPROVE THE ESTABLISHMENT OF A \$5 MILLION DOLLAR LINE-OF-CREDIT FOR PROTECTION OF THE TOWN OF WALLINGFORD AND THE ELECTRIC DIVISION IN THE EVENT COLLATERAL MUST BE POSTED PURSUANT TO PURCHASE POWER AGREEMENTS.**

**MADE BY: CERVONI  
SECONDED BY: RASCATI**

**ROLL CALL VOTE:**

<b>CERVONI: YES</b>	<b>ECONOMOPOULOS: NO</b>	<b>FISHBEIN: YES</b>
<b>LAFFIN: ABSENT</b>	<b>LETOURNEAU: YES</b>	<b>RASCATI: YES</b>
<b>SULLIVAN: YES</b>	<b>ZANDRI: YES</b>	<b>CHAIRMAN PARISI: YES</b>

**8-AYE; 1-NAY (Economopoulos)**

**THE MOTION PASSED.**

The PUC adjourned their meeting at 8:25 P.M.

Town Clerk, Barbara Thompson, swore in Iris Papale as an Alternate to the Board of Ethics for a three-year term expiring March 1, 2016.

5. Items removed from the Consent Agenda

*None*

6. Public Question & Answer Period

Robert Gross spoke.

7. Conduct a Public Hearing for May 14, 2013 at 7:00 P.M. to be held in connection with an Ordinance entitled:

ON ORDINANCE APPROPRIATING \$2,861,550 FOR THE PLANNING ACQUISITION AND CONSTRUCTION OF VARIOUS MUNICIPAL IMPROVEMENTS 2013-2014 AND AUTHORIZING THE ISSUE OF \$2,861,550 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE USUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

At 8:35 P.M. Chairman Parisi convened the Public Hearing and stated that the \$2,861,550 2013-2014 Capital Improvement Program Bond Ordinance, which is the subject of this Public Hearing, is available to the public and may be obtained at this meeting from the Town Clerk.

**MOTION & 2<sup>nd</sup>**

**Councilor Cervoni moved, and the motion was seconded by Councilor Rascati, to read the Title and Section 1 of the Ordinance as proposed in its entirety and to Waive the reading of the remainder of the Ordinance, incorporating its full text into the Minutes of this meeting.**

**ROLL CALL VOTE:**

<b>CERVONI:</b>	<b>YES</b>	<b>ECONOMOPOULOS:</b>	<b>YES</b>	<b>FISHBEIN:</b>	<b>YES</b>
<b>LAFFIN:</b>	<b>YES</b>	<b>LETOURNEAU:</b>	<b>YES</b>	<b>RASCATI:</b>	<b>YES</b>
<b>SULLIVAN:</b>	<b>YES</b>	<b>ZANDRI:</b>	<b>YES</b>		
<b>CHAIRMAN PARISI:</b>	<b>YES</b>				

**9-AYE**

**THE MOTION PASSED.**

**The Ordinance and Section 1.**

AN ORDINANCE APPROPRIATING \$2,861,550 FOR THE PLANNING ACQUISITION AND CONSTRUCTION OF VARIOUS MUNICIPAL IMPROVEMENTS 2013-2014 AND AUTHORIZING THE ISSUE OF \$2,861,550 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Section 1. The sum of \$2,861,550 is appropriated for the planning, acquisition and construction of municipal capital improvements 2013-2014 consisting of: (i) Closeout to State—Pent Highway and N. Plains Road; QRLT Phase II Construction; (ii) Hall Avenue Streetscape/Senior Center Trail; (iii) Town Wide Paving Program – Washington Street, Old Durham Road, Chimney Hill Road (part. 14 miles), Susan Lane, Tammy Hill Road, High Street (Yale), Buttonwood Drive, Weathersfield Drive, Christian Street (Rte. 5 to N. Main), S. Cherry Street (Hall to Quinn.), Quinnipiac Street (Rte. 5 to S. Cherry); (iv) Internally Illuminated Signs; (v) Town-wide sidewalk installation and replacement; (vi) Parking Lot – Quinn. to Hall Ave. – Paving and Lighting Upgrade; (vii) Whirlwind Hill Road – Barn new roof; (viii) Quinnipiac River Linear Trail-Phase III Construction; (ix) Vietnam Veteran's Park – Operational and Safety Improvement; and for appurtenances, equipment and services related thereto, or for so much thereof or such additional improvements as may be accomplished within such appropriation, including administrative, advertising, printing, legal and financing costs to the extent paid therefrom. Said appropriation shall be in addition to all prior appropriations for said purpose and inclusive of any and all State and Federal grants-in-aid, as set forth in the Capital Improvement Plan 2013-2014, as amended.

Public discussion-

Geno Zandri, 9 Balsam Ridge Circle, inquired with regard to the number of projects to which Mr. Bowes said that there were nine projects.

Robert Gross, 114 Long Hill Road, made comments with respect to the attendance of Attorney Fasi, the town's bonding attorney, as it costs the town money.

As there were no other comments, Chairman Parisi closed the Public Hearing at 8:40 P.M.

**MOTION WAS MADE THAT THE ORDINANCE ENTITLED:**

**AN ORDINANCE APPROPRIATING \$2,861,550 FOR THE PLANNING ACQUISITION AND CONSTRUCTION OF VARIOUS MUNICIPAL IMPROVEMENTS 2013-2014 AND AUTHORIZING THE ISSUE OF \$2,861,550 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE BE ADOPTED. (A copy of which is attached hereto as Appendix II.)**

**MADE BY: CERVONI**

**SECONDED BY: RASCATI**

Council discussion-

Councilor Sullivan was interested in the barn roof. Mayor Dickinson explained that this is an old barn is of architectural interest near Scard Road on Whirlwind Hill Road that is used for storage. It needs a roof. It is on sixty acres of town property on the old Cooke property.

Councilor Zandri asked if the money for these projects is already set aside. Mr. Bowes said it was not but that it is budgeted to be received from the Electric Division PILOT and that the Charter quotes the process of developing the Capital and Non-Recurring, or Six-Year Capital Plan, through an Ordinance and that this is the mechanism that the town has issued since the sixties. Councilor Zandri stated that this gives us the ability to bond if the town saw need. Mr. Bowes concurred.

Mayor Dickinson stated that this gives authorization from Cap & Non for the expenditure to do these projects; it's not just the borrowing, and it is not contained in the regular budget. He

said that whether or not the money is there that without this being passed, there is no authority to spend money on these projects. He added the projects occur either through borrowing or through the use of cash. It's a Finance Department determination. It's a two-part thing.

Councilor Economopoulos expressed his concerns with regard to completion of projects from prior years. He recalled a \$750,000 spillway, included one year, thinks this project has not commenced. He spoke of the the resident disposal. He asked about the change in costs of projects when the project completion is delayed. He mentioned a \$125,000 parking lot, which is still being worked on. He commented that the notice of funding sources for the Hall Avenue Streetscape came very late, and while he likes the project, he has concerns with the notification process.

Mayor Dickinson added that the Resident Disposal was never part of Cap & Non and that projects are funded differently. He said that all of our projects are not listed here.

**ROLL CALL VOTE:**

<b>CERVONI:</b>	<b>YES</b>	<b>ECONOMOPOULOS:</b>	<b>NO</b>	<b>FISHBEIN:</b>	<b>YES</b>
<b>LAFFIN:</b>	<b>YES</b>	<b>LETOURNEAU:</b>	<b>YES</b>	<b>RASCATI:</b>	<b>YES</b>
<b>SULLIVAN:</b>	<b>YES</b>	<b>ZANDRI:</b>	<b>YES</b>		
<b>CHAIRMAN PARISI:</b>		<b>YES</b>			

**8-AYE; 1-NAY (Economopoulos)**

**THE MOTION PASSED.**

Chairman Parisi stated the Ordinance to be adopted.

- 8. Conduct a Public Hearing for May 14, 2013 at 7:15 P.M. to consider and act upon the repeal of Chapter 156 "Blighted Properties" and the adoption of the substituted Chapter 156 "Blighted Properties" – Ordinance Committee Co-Chairmen Cervoni and Fishbein**

Co-Chairman Fishbein stated that this is a revised Ordinance that came to the committee from the Law Department with the diligent efforts of various department heads and Chairman Parisi, who was instrumental in getting this drafted. He added that it is clearer, broader and gives more power to the various department heads with regard to enforcement. He said that it is in the best interests of our town.

**COUNCILOR FISHBEIN MOVED THE ADOPTION OF THE ORDINANCE.  
COUNCILOR RASCATI SECONDED. (Appendix III)**

Public Hearing began at 8:50 P.M.

Wes Lube, Montowese Trail, inquired about the Blight Committee. Mayor Dickinson interjected that this is not a committee as it does not meet any of the definitions of a committee. It is a group of various offices with authority with regard to various issues surrounding the maintenance of property. He continued that when they get together they discuss their various complaints and who had jurisdiction over the issue, whether it's Health or Planning & Zoning or possible Building. The group is not under Freedom of Information

or any other statutory definition. Mr. Lube asked for the difference between the old and the new. Chairman Parisi said it is more specific in each area and clarifies what their job is and their authority. It is well done and it is going to assist the group in the future.

Councilor Fishbein reported that they recently adopted a revised automobile ordinance addressing those issues.

There were no more comments. The Public Hearing was closed at 8:55 P.M.  
Chairman Parisi complimented the Chairmen for the improvement in the Ordinance.

**ROLL CALL VOTE:**

<b>CERVONI:</b>	<b>YES</b>	<b>ECONOMOPOULOS:</b>	<b>YES</b>	<b>FISHBEIN:</b>	<b>YES</b>
<b>LAFFIN:</b>	<b>YES</b>	<b>LETOURNEAU:</b>	<b>YES</b>	<b>RASCATI:</b>	<b>YES</b>
<b>SULLIVAN:</b>	<b>YES</b>	<b>ZANDRI:</b>	<b>YES</b>		
<b>CHAIRMAN PARISI:</b>	<b>YES</b>				

**9-AYE**

**THE MOTION PASSED.**

**9. BUDGET ADOPTION FY 2013-2014  
Beginning JULY 1, 2013**

**Mayor's Comments**

Mayor Dickinson stated that the Council has received recommendations to cover the perceived gap in revenues of about approximately \$500,000 to \$600,000, identified as potentially not being received as opposed to what the Governor had indicated in his proposed budget. Since that time, the \$500,000 seems to be approximately what the town will be at risk for as not receiving. He also reported that there is an additional \$1.2 million that is still in discussion. He said that so far it appears that parties are well aware that this needs to be 'unrestricted' funds not dedicated to particular purposes. He continued saying that if there are 'restricted' funds then we should be fine with the changes that are suggested. He said but if those funds come in in the ultimate budget as restricted for particular purposes that will produce another gap. If it's \$1.2 million, this will be out gap. If it's \$300,000, that's the gap we will need to deal with because at that point we will not have revenue as projected by this budget. He said that the budget the Council has at this point with those changes, the \$500,000 is not what he sees as an ideal budget. He said he has had to react to what they were hearing from the state and produce some reductions that are not ideal but necessary in order to again respond to the reduction in revenue that they are hearing from our state representatives and senator.

Comptroller James Bowes commented on the timing and his disappointment in it. He reported that the department heads did a pretty good job on the budget as did the School Board being realistic of some of the economic uncertainties. He said that he and the Mayor like to get it a lot closer before it comes before the Council. He said that in his twenty-two (22) years of experience, he has never seen the Appropriations Committee of the State of Connecticut deviate so much from the Governor's budget with a potential loss of \$1.8 million. He said that's steep. He said that if you are off \$100,000 then there are reserves to take care of that.

- I. MOTION TO ADOPT THE TOTAL GENERAL FUND REVENUE BUDGET OF \$147,427,315 FOR THE FISCAL YEAR BEGINNING JULY 1, 2013. SEE ATTACHED RECONCILIATION. *(Appendix IV)*  
MOVED BY: COUNCILOR PARISI  
SECONDED BY: COUNCILOR RASCATI

AMENDMENT

MOTION TO ADD \$100,000 TO MOTOR VEHICLE LINE 41008.

MADE BY: FISHBEIN

SECONDED BY: ZANDRI

ROLL CALL VOTE ON THE AMENDMENT

CERVONI: NO ECONOMOPOULOS: YES FISHBEIN: YES

LAFFIN: NO LETOURNEAU: NO RASCATI: NO

SULLIVAN: NO ZANDRI: YES

CHAIRMAN PARISI: NO

6-NAY; 3-AYE

THE MOTION FAILED.

ROLL CALL VOTE ON THE MOTION

CERVONI: YES ECONOMOPOULOS: NO FISHBEIN: YES

LAFFIN: YES LETOURNEAU: YES RASCATI: YES

SULLIVAN: YES ZANDRI: NO

CHAIRMAN PARISI: YES

7-AYE ; 2-NAY

THE MOTION PASSED.

- II. MOTION TO ADOPT THE TOTAL GENERAL FUND EXPENDITURE BUDGET OF \$147,427,315 FOR THE FISCAL YEAR BEGINNING JULY 1, 2013. SEE ATTACHED RECONCILIATION.

MOVED BY: COUNCILOR CERVONI

SECONDED BY: COUNCILOR RASCATI

Councilor Fishbein proposed six (6) amendments to the motion of the floor as follows:

AMENDMENT 1.

MOTION TO CUT PLANNING AND ZONING BUDGET FOR ASSISTANT TOWN PLANNER/ZONING ENFORCEMENT OFFICER AND TO CUT PURCHASED-SERVICES POCD CONSULTANT AND TO RESTORE TO THE BUDGET THE FTE ASSISTANT TOWN PLANNER LINE, AN OVERALL EFFECT OF THE BUDGET OF \$13, 309.

MADE BY: FISHBEIN

SECONDED BY: ZANDRI



**ROLL CALL VOTE FOR AMENDMENT 1.**

CERVONI:	NO	ECONOMOPOULOS:	YES	FISHBEIN:	YES
LAFFIN:	NO	LETOURNEAU:	NO	RASCATI:	NO
SULLIVAN:	NO	ZANDRI:	YES		
CHAIRMAN PARISI:	NO				

6-NAY; 3-AYE

THE MOTION FAILED FOR AMENDMENT 1.

**AMENDMENT 2.**

MOTION TO ADD TO THE PLANNING & ZONING BUDGET \$10,600 TO PURCHASED SERVICES-TRAFFIC STUDY (LINE 56702) AS IT RELATES TO THE IHZ.

MADE BY: FISHBEIN  
SECONDED BY: ZANDRI

**ROLL CALL VOTE FOR AMENDMENT 2.**

CERVONI:	NO	ECONOMOPOULOS:	NO	FISHBEIN:	NO
LAFFIN:	NO	LETOURNEAU:	NO	RASCATI:	NO
SULLIVAN:	NO	ZANDRI:	NO		
CHAIRMAN PARISI:	NO				

9-NAY

THE MOTION FAILED FOR AMENDMENT 2.

**AMENDMENT 3.**

MOTION TO ADD TO THE PLANNING & ZONING BUDGET \$250 TO PC ACCESSORIES TO ALLOW THE ADITION OF THE INTERNET IN THIS OFFICE AREA.

MADE BY: FISHBEIN  
SECONDED BY: ZANDRI

**ROLL CALL VOTE FOR AMENDMENT 3**

CERVONI:	NO	ECONOMOPOULOS:	NO	FISHBEIN:	YES
LAFFIN:	NO	LETOURNEAU:	NO	RASCATI:	NO
SULLIVAN:	NO	ZANDRI:	NO		
CHAIRMAN PARISI:	NO				

8-NAY; 1-AYE

THE MOTION FAILED FOR AMENDMENT 3

**AMENDMENT 4.**

MOTION TO REDUCE THE TOWN COUNCIL BUDGET BY \$1,000 MAINTENANCE OF EQUIPMENT (LINE 54325).

MADE BY: FISHBEIN  
SECONDED BY: ZANDRI

**ROLL CALL VOTE FOR AMENDMENT 4**

CERVONI:	NO	ECONOMOPOULOS:	NO	FISHBEIN:	YES
LAFFIN:	NO	LETOURNEAU:	NO	RASCATI:	NO
SULLIVAN:	NO	ZANDRI:	YES		
CHAIRMAN PARISI:	NO				

7-NAY; 2-AYE

THE MOTION FAILED FOR AMENDMENT 4.

**AMENDMENT 5.**

**MOTION TO REDUCE THE WALLINGFORD PUBLIC LIBRARY BUDGET (LINE 5823) BY \$200,000.**

**MADE BY: FISHBEIN**

**SECONDED BY: ZANDRI**

**ROLL CALL VOTE FOR AMENDMENT 5**

<b>CERVONI:</b>	<b>NO</b>	<b>ECONOMOPOULOS:</b>	<b>ABSTAIN</b>	<b>FISHBEIN:</b>	<b>YES</b>
<b>LAFFIN:</b>	<b>NO</b>	<b>LETOURNEAU:</b>	<b>NO</b>	<b>RASCATI:</b>	<b>NO</b>
<b>SULLIVAN:</b>	<b>NO</b>	<b>ZANDRI:</b>	<b>YES</b>		
<b>CHAIRMAN PARISI:</b>	<b>NO</b>				

**6-NAY; 2-AYE; 1-ABSTAIN**

**THE MOTION FAILED FOR AMENDMENT 5.**

**AMENDMENT 6.**

**MOTION TO RESTORE TO THE BOARD OF EDUCATION BUDGET \$279,411.**

**MADE BY: SULLIVAN**

**SECONDED BY: ZANDRI**

**ROLL CALL VOTE ON THE AMENDMENT 6**

<b>CERVONI:</b>	<b>NO</b>	<b>ECONOMOPOULOS:</b>	<b>YES</b>	<b>FISHBEIN:</b>	<b>NO</b>
<b>LAFFIN:</b>	<b>NO</b>	<b>LETOURNEAU:</b>	<b>YES</b>	<b>RASCATI:</b>	<b>NO</b>
<b>SULLIVAN:</b>	<b>YES</b>	<b>ZANDRI:</b>	<b>YES</b>		
<b>CHAIRMAN PARISI:</b>	<b>NO</b>				

**5-NAY; 4-AYE**

**THE MOTION FAILED FOR AMENDMENT 6.**

**ROLL CALL VOTE ON THE ORIGINAL MOTION**

<b>CERVONI:</b>	<b>YES</b>	<b>ECONOMOPOULOS:</b>	<b>NO</b>	<b>FISHBEIN:</b>	<b>NO</b>
<b>LAFFIN:</b>	<b>YES</b>	<b>LETOURNEAU:</b>	<b>YES</b>	<b>RASCATI:</b>	<b>YES</b>
<b>SULLIVAN:</b>	<b>NO</b>	<b>ZANDRI:</b>	<b>NO</b>		
<b>CHAIRMAN PARISI:</b>	<b>YES</b>				

**5-AYE; 4-NAY**

**THE MOTION PASSED.**

**III. MOTION TO ESTABLISH THE PROPERTY TAX RATE FOR THE FISCAL YEAR BEGINNING JULY 1, 2013 AT 26.22 MILLS.**

**REAL ESTATE AND PERSONAL PROPERTY TAXES IN EXCESS \$100 SHALL BE MADE IN TWO INSTALLMENTS. THE FIRST OF WHICH IS DUE JULY 1, 2013, PAYABLE ON OR BEFORE AUGUST 1, 2013. THE SECOND INSTALLMENT SHALL BE DUE JANUARY 1, 2014, PAYABLE ON OR BEFORE FEBRUARY 1, 2014. REAL ESTATE AND PERSONAL PROPERTY TAXES OF \$100 OR LESS SHALL BE PAID IN ONE INSTALLMENT DUE JULY 1, 2013 AND PAYABLE ON OR BEFORE AUGUST 1, 2013 AS PROVIDED BY CONNECTICUT STATUTE, CHAPTER 204, SECTION 12-144.**

MOTOR VEHICLE TAXES SHALL BE MADE IN ONE INSTALLMENT DUE JULY 1, 2013 AND PAYABLE ON OR BEFORE AUGUST 1, 2013 AS PROVIDED BY CONNECTICUT GENERAL STATUTE, CHAPTER 204, SECTION 12-144A. DELINQUENT MOTOR VEHICLE TAXES SHALL

BE PAID ONLY IN CASH OR BY CERTIFIED CHECK OR MONEY ORDER AS PROVIDED BY CONNECTICUT GENERAL STATUTE, CHAPTER 204, SECTION 12-146.

PROPERTY TAXES IN AN AMOUNT OF LESS THAN FIVE DOLLARS SHALL BE WAIVED.

CHECKS IN PAYMENT OF PROPERTY TAXES WHICH HAVE BEEN RETURNED BY THE BANK SHALL BE SUBJECT TO A TWENTY-FIVE DOLLAR (\$25.00) FEE.

MOVED BY: COUNCILOR CERVONI  
SECONDED BY: COUNCILOR RASCATI

ROLL CALL VOTE

CERVONI:	YES	ECONOMOPOULOS:	NO	FISHBEIN:	NO
LAFFIN:	YES	LETOURNEAU:	YES	RASCATI:	YES
SULLIVAN:	YES	ZANDRI:	NO		
CHAIRMAN PARISI:	YES				

6-AYE; 3-NAY

THE MOTION PASSED.

IV. MOTION TO ADOPT THE BUDGETS OF THE DIVISIONS OF THE DEPARTMENT DEPARTMENT OF PUBLIC UTILITIES FOR THE FISCAL YEAR BEGINNING JULY 1, 2013 AS HEREIN STATED:

<u>Electric Enterprise Fund</u>	
Operating Revenues	\$71,136.294
Operating Expenses	<u>70,104,750</u>
Operating Income (Loss)	<u>1,031,544</u>
Non-Operating Revenue	<u>1,140,008</u>
Non-Operating Expenses	<u>178,331</u>
Net Income (Loss) Before Operating Transfers In (Out)	<u>1,993,221</u>
Operating Transfers (Out)	<u>(1,861,550)</u>
Net Income (Loss)	<u>131,671</u>
Working Capital: Sources of Funds	<u>3,763,287</u>
Working Capital: Use of Funds	<u>3,763,287</u>
Re-appropriation of Prior Years Capital Items	-0-

<u>Water Enterprise Fund</u>	
Operating Revenues	<u>\$7,494,351</u>
Operating Expenses	<u>7,623,733</u>
Operating Income (Loss)	<u>(129,382)</u>
Non-Operating Revenue	<u>162,760</u>
Non-Operating Expenses	<u>114,100</u>
Net Income (Loss)	<u>(80,722)</u>
Working Capital: Sources of Funds	<u>2,956,204</u>
Working Capital: Use of Funds	<u>2,956,204</u>
Re-appropriation of Prior Years Capital Items	<u>-0-</u>

NOTE: The Water Fund figures above and in the attached Council Column reflect adjustment due to arbitration awarded pay increase for 2013/14 determined after Mayor's budget submitted.

<u>Sewer Enterprise Fund</u>	
Operating Revenues	<u>\$7,113,200</u>
Operating Expenses	<u>7,847,937</u>
Operating Income (Loss)	<u>(734,737)</u>
Non-Operating Revenue	<u>345,527</u>
Non-Operating Expenses	<u>37,400</u>
Net Income (Loss)	<u>(426,610)</u>
Working Capital: Sources of Funds	<u>2,053,190</u>
Working Capital: Use of Funds	<u>2,053,190</u>
Re-appropriation of Prior Years Capital Items	<u>-0-</u>

NOTE: The Sewer Fund figures above and in the attached Council Column reflect adjustment due to arbitration awarded pay increase for 2013/14 determined after Mayor's budget submitted.

MOVED BY: COUNCILOR CERVONI  
SECONDED BY: COUNCILOR RASCATI

**ROLL CALL VOTE**

CERVONI: YES	ECONOMOPOULOS: NO	FISHBEIN: YES
LAFFIN: YES	LETOURNEAU: YES	RASCATI: YES
SULLIVAN: YES	ZANDRI: NO	
CHAIRMAN PARISI: YES		

7-AYE; 2-NAY

THE MOTION PASSED.

- V. MOTION TO ADOPT THE BUDGET OF THE CAPITAL AND NON-RECURRING EXPENDITURES FUND FOR THE FISCAL YEAR BEGINNING JULY 1, 2013 IN THE AMOUNT OF \$2,861,550 REVENUES AND \$2,861,550 EXPENDITURES.

MOVED BY: COUNCILOR CERVONI  
SECONDED BY: COUNCILOR RASCATI

ITEM V. CONTINUED

ROLL CALL VOTE

CERVONI:	YES	ECONOMOPOULOS:	NO	FISHBEIN:	YES
LAFFIN:	YES	LETOURNEAU:	YES	RASCATI:	YES
SULLIVAN:	YES	ZANDRI:	NO		
CHAIRMAN PARISI:	YES				

7-AYE; 2-NAY

THE MOTION PASSED.

- VI. MOTION TO ADOPT THE BUDGET OF THE AMBULANCE TRANSPORT ENTERPRISE FUND FOR THE FISCAL YEAR BEGINNING JULY 1, 2013 IN THE AMOUNT OF EXPENDITURES OF \$2,143,650 REVENUES AND \$2,143,650 EXPENDITURES.

MOVED BY: COUNCILOR CERVONI  
SECONDED BY: COUNCILOR RASCATI

ROLL CALL VOTE

CERVONI:	YES	ECONOMOPOULOS:	NO	FISHBEIN:	YES
LAFFIN:	YES	LETOURNEAU:	YES	RASCATI:	YES
SULLIVAN:	YES	ZANDRI:	NO		
CHAIRMAN PARISI:	YES				

7-AYE; 2-NAY

THE MOTION PASSED.

- VII. MOTION TO APPROVE AND ADOPT THE SPECIAL FUNDS OF THE BOARD OF EDUCATION OF THE TOWN OF WALLINGFORD FOR THE FISCAL YEAR BEGINNING JULY 1, 2013 AS ATTACHED HERETO AND MADE A PART HEREOF. (*Appendix V*)

MOVED BY: COUNCILOR CERVONI  
SECONDED BY: COUNCILOR RASCATI

ROLL CALL VOTE

CERVONI:	YES	ECONOMOPOULOS:	YES	FISHBEIN:	YES
LAFFIN:	YES	LETOURNEAU:	YES	RASCATI:	YES
SULLIVAN:	YES	ZANDRI:	YES		
CHAIRMAN PARISI:	YES				

9-AYE

THE MOTION PASSED.

- VIII. MOTION TO APPROVE AND ADOPT THE SPECIAL FUNDS OF THE TOWN OF WALLINGFORD FOR THE FISCAL YEAR BEGINNING JULY 1, 2013 AS ATTACHED HERETO AND MADE A PART HEREOF. (Appendix VI)

MOVED BY: COUNCILOR CERVONI  
SECONDED BY: COUNCILOR RASCATI

ROLL CALL VOTE

CERVONI:	YES	ECONOMOPOULOS:	NO	FISHBEIN:	YES
LAFFIN:	YES	LETOURNEAU:	YES	RASCATI:	YES
SULLIVAN:	YES	ZANDRI:	NO		
CHAIRMAN PARISI:	YES				

7-AYE; 2-NAY

THE MOTION PASSED.

- IX. MOVED: TO APPROVE CAPITAL APPROPRIATIONS RESERVE FUND FOR THE FISCAL YEAR BEGINNING JULY 1, 2013 IN THE AMOUNT OF \$1,090,212 REVENUES AND \$1,090,212 EXPENDITURES.

MOVED BY: COUNCILOR CERVONI  
SECONDED BY: COUNCILOR RASCATI

ROLL CALL VOTE

CERVONI:	YES	ECONOMOPOULOS:	NO	FISHBEIN:	YES
LAFFIN:	YES	LETOURNEAU:	YES	RASCATI:	YES
SULLIVAN:	YES	ZANDRI:	YES		
CHAIRMAN PARISI:	YES				

8-AYE; 1-NAY

THE MOTION PASSED.

- X. MOTION TO AUTHORIZE THE CHAIRMAN TO SIGN THREE COPIES OF THE FINALIZED BUDGET. TWO TO BE FILED WITH THE TOWN CLERK AND ONE TO BE PLACED ON FILE IN THE WALLINGFORD PUBLIC LIBRARY.

MOVED BY: COUNCILOR CERVONI  
SECONDED BY: COUNCILOR RASCATI

ROLL CALL VOTE

CERVONI:	YES	ECONOMOPOULOS:	YES	FISHBEIN:	YES
LAFFIN:	YES	LETOURNEAU:	YES	RASCATI:	YES
SULLIVAN:	YES	ZANDRI:	YES		
CHAIRMAN PARISI:	YES				

9-AYE

THE MOTION PASSED.

10. 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

**MOTION TO GO INTO EXECUTIVE SESSION PURSUANT TO §1-200 (6)(D) of the Connecticut General Statutes with respect to the purchase, sale and/or leasing of property.**

**MADE BY: CERVONI  
SECONDED BY: RASCATI  
VOTE: 9-AYE  
MOTION PASSED.**

**MOTION TO COME OUT OF EXECUTIVE.**

**MADE BY: CERVONI  
SECONDED BY: RASCATI  
VOTE: 9-AYE  
MOTION PASSED.**

**TIME OF EXECUTIVE SESSION: 12:30 P.M. TO 12:45 P.M.**

**EXECUTIVE SESSION ATTENDANCE:  
8 COUNCILORS. 1-ABSENT (COUNCILOR FISHBEIN RECUSED HIMSELF.),  
MAYOR DICKINSON, TOWN ATTORNEY G.E. FARRELL, SR., COMPTROLLER  
JAMES BOWES.**

**MOTION TO ADJOURN  
MADE BY: CERVONI  
SECONDED BY: RASCATI  
VOTE: 8-AYE; 1-ABSENT (FISHBEIN)  
MOTION PASSED.**

**The meeting adjourned at 12:45 P.M.**

Respectfully submitted,

Sandra R. Weekes  
Town Council Secretary  
Meeting digitally recorded

---

Robert F. Parisi, Chairman

Date

---

Barbara Thompson, Town Clerk

Date

*Appendix I*

Potential EEI Counterparties

Original names:	Marketing trading names:
British Petroleum	BP Energy Company
Capital Power Corporation	Capital Power Corporation
Constellation Energy Commodities Group/Exelon Corporation	Exelon Generation Company LLC
Dominion Energy Marketing	Dominion Energy Marketing Inc
Electricite De France (EDF) Trading North America, LLC	EDF Trading North America, LLC
Energy Capital Partners/EquiPower	Energy Capital Partners owns EquiPower Resources Corp.
Entergy Wholesale Commodities	Entergy Wholesale Commodities
Gas De France (GDF) Suez Trading	GDF SUEZ Energy Resources
Hydro Quebec US	H.Q. Energy Services U.S. Inc
Integrus	Integrus Energy Services Inc
JP Morgan	JP Morgan Ventures Energy Corporation
Macquarie Energy	Macquarie Energy LLC
Morgan Stanley	Morgan Stanley Capital Group Inc
NextEra Power Marketing	NextEra Energy Power Marketing LLC
NRG Energy	NRG Energy
Pennsylvania Power & Light (PPL) EnergyPlus	PPL Energy Plus LLC
Powerex	Powerex Corp
Public Service Electric & Gas (PSEG) Energy Resources and Trade, LLC	PSEG Energy Resources & Trade LLC
TransCanada Power Marketing Limited	TransCanada Power Marketing Limited

*Rec'd from George Adair  
5/14/17 Tower Council  
Meeting*



AN ORDINANCE APPROPRIATING \$2,861,550 FOR THE PLANNING, ACQUISITION AND CONSTRUCTION OF VARIOUS MUNICIPAL CAPITAL IMPROVEMENTS 2013-2014 AND AUTHORIZING THE ISSUE OF \$2,861,550 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Section 1. The sum of \$2,861,550 is appropriated for the planning, acquisition and construction of municipal capital improvements 2013-2014 consisting of: (i) Closeout to State-Pent Highway and N. Plains Road; QRLT Phase II Construction; (ii) Hall Avenue Streetscape/Senior Center Trail; (iii) Town Wide Paving Program- Washington Street, Old Dunham Road, Chimney Hill Road (part. 14 miles), Susan Lane, Tammy Hill Road, High Street (Yale), Buttonwood Drive, Weatherside Drive; Christian Street (Rte. 5 to N. Main); S. Cherry Street (Hall to Quinn.); Quinn. Street (Rte.5 to S. Cherry); (iv) Internally Illuminated Signs; (v) Town wide sidewalk installation and replacement; (vi) Parking Lot- Quinn. to Hall Ave.- Paving and Lighting Upgrade; (vii) Whirlwind Hill Road Property- Barn-new roof; (viii) Quinnipiac River Linear Trail- Phase III Construction; (ix) Vietnam Veteran's Park- Operational and Safety Improvements, and for appurtenances, equipment and services related thereto, or for so much thereof or such additional improvements as may be accomplished within such appropriation, including administrative, advertising, printing, legal and financing costs to the extent paid therefrom. Said appropriation shall be in addition to all prior appropriations for said purpose and inclusive of any and all State and Federal grants-in-aid, as set forth in the Capital Improvement Plan 2013-2014, as amended.

Section 2. To meet said appropriation \$2,861,550 bonds of the Town or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the twentieth year after their date. Said bonds may be issued in one or more series as determined by the Mayor, the Comptroller, and the Town Treasurer, or any two of them (the Town Officials), and the amount of bonds of each series to be issued shall be fixed by the Town Officials. Said bonds shall be issued in the amount necessary to meet the Town's share of the cost of the project determined after considering the estimated amount of the State and Federal grants-in-aid of the project, or the actual amount thereof if this be ascertainable, and the anticipated times of the receipt of the proceeds thereof, provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. Capital project revenues, including bid premiums and investment income derived from investment of bond proceeds (and net investment income derived from note proceeds) are authorized to be credited by the Comptroller to the project account and expended to pay project expenses customarily paid therefrom. The remaining appropriation and bond authorization shall be reduced by the amount of capital project revenues so credited. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, or, be combined with other bonds of the Town and such combined issue shall be in the denomination per aggregate maturity of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the Town by the

manual or facsimile signatures of the Town Officials, bear the Town seal or a facsimile thereof, be certified by a bank or trust company designated by the Town Officials, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the Town Officials, and be approved as to their legality by Joseph Fasi LLC Attorneys-at-Law, Bond Counsel of Hartford. They shall bear such rate or rates of interest as shall be determined by the Town Officials. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon and will be paid from property taxation to the extent not paid from other sources. The aggregate principal amount of the bonds to be issued, the annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds, shall be determined by the Town Officials, in accordance with the General Statutes of the State of Connecticut, as amended.

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

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

Section 5. Resolution of Official Intent to Reimburse Expenditures with Borrowings. The Town (the "Issuer") hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and after the date of passage of this ordinance in the maximum amount and for the capital project defined in Section 1 with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the Issuer. The Bonds shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the project, or such later date the Regulations may authorize. The Issuer hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Comptroller or his designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration.

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

Section 7. It is hereby found and determined that it is in public interest to issue all, or a portion of, the Bonds, Notes or other obligations of the Town as qualified private activity bonds, or with interest that is includable in gross income of the holders thereof for purposes of federal income taxation. The Town Officials are hereby authorized to issue and utilize without further approval any financing alternative currently or hereafter available to municipal governments pursuant to law including but not limited to any "tax credit bonds" or "Build America Bonds" including Direct Payment and Tax Credit versions.

**BLIGHTED PROPERTIES**

BE IT ENACTED BY THE TOWN COUNCIL IN SESSION:

That Chapter 156, "Blighted Premises", of the Code of the Town of Wallingford is hereby repealed and the following Chapter 156, "Blight Properties" is substituted in lieu thereof.

**§156-1. Findings.**

It is hereby found and declared that blighted properties adversely affect the economic well-being of the community, contribute to the decline of neighborhoods, and jeopardize the health, safety, welfare and/or quality of life of persons within the Town of Wallingford. It is further found that properties in a blighted condition can be rehabilitated and rehabilitation would eliminate, remedy and prevent the adverse effects previously described. This Chapter is enacted pursuant to §7-148, et seq, §7-148(c)(7)(H)(xv), §7-148aa and §7-152c of the State of Connecticut General Statutes.

This ordinance provides minimum standards governing the condition and maintenance of real property and establishes reasonable safeguards for the health, safety and welfare of the occupants, neighborhood and community. This ordinance is intended to maintain and preserve the quality of life in neighborhoods and control/remediate blighted properties.

**§156-2. Definitions.**

For the purposes of this Chapter, the following words, terms and phrases shall have the following meanings:

**ABANDONED:** Generally, abandoned means the intentional relinquishment of a property and/or control thereof. Abandonment is based upon the given facts of a particular case and may include an act or omission of an act. A property unoccupied and left unprotected, exposed and/or deteriorating may be found to be abandoned.

**BLIGHTED:** Deteriorating, in a state of ill repair, filth or decay. As further defined in this Ordinance.

**BUILDING OR STRUCTURE:** An edifice of any kind or any piece of work artificially built or composed of parts joined together in some form which is built or constructed on any real property. The words "building" or "structure" shall be construed as if followed by the words "or part(s) thereof." Accessory buildings or structures, canopies, awnings, permanent signs, marquees, and each and every type of portable equipment shall be considered "building" or "structures" within the meaning of this definition.

**GARBAGE:** Any rotting vegetable and animal wastes, excluding sewage and body waste, but shall not include properly maintained compost.

**LITTER:** Any discarded substance or waste material that is thrown or scattered about such as but not limited to any tobacco or cigarette product, paper, plastic, bottle or part thereof or similar.

**REAL PROPERTY OR PREMISES** shall mean:

- A. Any dwelling or dwelling unit including one-family, two-family and multiple-family dwellings, whether vacant or occupied;
- B. Any lot, plot or parcel of land, whether vacant or occupied;
- C. Any building of non-dwelling use, including commercial properties, whether vacant or occupied;
- D. Any mixed use, commercial and residential building, whether vacant or occupied;
- E. Any accessory structure accessory to any building, whether vacant or occupied; and
- F. Any apartments, boardinghouses, group homes, lodging homes, rooming houses, tenement houses or dormitories, or other similar buildings, whether vacant or occupied.

**RUBBISH:** Non-rotting combustible and noncombustible waste such as but not limited to paper, cardboard, wood, metal, glass, bedding, furniture, refrigerators, demolition material or similar items

**STATE OF DISREPAIR or BECOMING DILAPIDATED:** In a physically deteriorating condition which, if left unabated, would cause an unsafe or unsanitary condition or a nuisance to the general public which may be evidenced by one or more of the conditions set forth in §156-3 of this Chapter.

**YARD:** An open parcel of land on the same lot with a principal building, extending along a property line or street line and inward to the principal building.

**§156-3. Blighted Premises Prohibited.**

No owner or occupant of any real property shall permit, cause, keep, maintain, or create a blighted premises. Any building, accessory structure or parcel of land, including single family, multi-family residential or commercial, whether occupied or vacant, in which at least one of the following conditions exists is a blighted premises:

1. The condition of the premises poses a serious or immediate danger to the health, safety or general welfare of the community;
2. One or more of the following conditions exist as determined by the Building Department:
  - a. Multiple missing, broken windows or doors or abandoned boarded structures;
  - b. Collapsing, missing or damaged walls, floors or roofs; dilapidated chimney;
  - c. Seriously damaged or missing siding or the building is otherwise dilapidated;
  - d. Structurally faulty foundation or walls which contain substantial open cracks or breaks;
  - e. Accessory structures not structurally sound or in good state of repair;
  - f. Neglectful exterior property maintenance or abandonment resulting in deterioration of the property and/or having an adverse effect on the neighborhood including but not limited to graffiti; accumulation of rubbish, litter; severely unkempt/out of control brush/weeds on any land abutting a paved public street (agricultural land exempted);
  - g. Incomplete residential exterior construction, renovation or repairs, which remain incomplete for a year following the issuance of a building permit;
  - h. Any parking lots where a major portion of which is left in a state of substantial disrepair (numerous potholes, broken asphalt, etc.);
  - i. Outside storage/accumulation of junk, materials, boxes, paper, plastics, metals and/or refuse of any kind. Accumulation/excessive collection of a large number of possessions including items having little value or of little usefulness. Clutter of items that impede or prevent movement around the property and/or prevent the outside of the property from being used for its intended purpose.
3. One or more of the following conditions exist, as determined by the Health Department:
  - a. Unsanitary conditions including rodent harborage or infestation caused by improper storage or accumulation of garbage, trash, and/or litter or any other cause;
  - b. Stagnant water in artificial pools or ponds or discarded tires or other objects capable of maintaining stagnant water;
  - c. Infestation by rodents or other pests.

4. The following condition exists as determined by the Police Department:
  - a. Any building, structure or parcel of land attracting criminal activity as documented by police authority. The Police Department must make a determination that the condition of the property contributes to the criminal activity occurring on said property.
  
5. The following conditions exist, as determined by the Fire Marshal:
  - a. Any premises or structure that is deemed a fire hazard as documented by the Fire Marshal.

**§156-4. ENFORCEMENT.**

1. Enforcement of this Chapter shall be the responsibility of the Building Department, Health Department, Police Department and Fire Prevention Bureau as provided in the preceding §156-3, acting separately or jointly. Nothing contained herein shall prohibit/limit the enforcement powers of any official as provided by state law and/or other local laws.
2. The Mayor may designate additional enforcement officers as deemed appropriate.

**§156-5. NOTICE OF VIOLATION.**

1. Upon determination of violations of this chapter, the designated code enforcement officer shall issue a written notice of violation to the owner and occupants of the property. Notice shall be delivered by certified mail, return receipt requested, and/or personal service by a state marshal or as otherwise permitted by law.
2. Said notice shall state the violation(s) and provide for a reasonable opportunity for the owner/occupant to remediate the blighted conditions prior to any further enforcement/penalty.
3. Upon request and for good cause shown, said enforcement official may grant additional time for remediation.
4. As provided in Connecticut General Statutes §7-148, a new owner or new occupant shall, upon request, be granted a thirty-day extension of the notice and opportunity to remediate. "New owner" is any person or entity who has taken title to a property within thirty (30) days of the notice and "new occupant" is any

person who has taken occupancy of a property within thirty (30) days of the notice.

**§156-6. CITATIONS AND CIVIL PENALTIES.**

1. If the owner and/or occupant fails to correct the violation(s) after the period stated in the notice of violation (or any extension period granted by the enforcement official), the enforcement officer may issue a citation.
2. Violations of the provisions of this chapter shall subject the owner and/or occupant to a civil penalty of \$100.00 for each day a violation continues to exist beyond the required remediation period as stated in the written notice of violation.

**§156-7. CITATION APPEALS PROCEDURES.**

Any person may contest the citation for violation(s) of this chapter as per Connecticut General Statutes §7-152c, as amended, and as provided herein.

1. The Mayor shall appoint one or more Citation Hearing Officers other than an employee from any of the departments with responsibility as a Code Enforcement Official, who shall serve until a successor is appointed.
2. The person aggrieved may contest his liability by delivering in person or by mail a completed Citation Appeals Form to the Town Clerk's office, Town Hall, Room 108, 45 South Main St., Wallingford, CT. Citation Appeals must be received within ten (10) calendars days of the date of the issuance of the citation.
3. The hearing shall be conducted in accordance with the procedure set forth in Connecticut General Statutes §7-152c, as amended:

Any person who requests a hearing shall be given written notice of the date, time and place for the hearing. Such hearing shall be held not less than fifteen days nor more than thirty days from the date of the mailing of notice, provided the hearing officer shall grant upon good cause shown any reasonable request by any interested party for postponement or continuance. An original or certified copy of the initial notice of violation issued by the issuing official or policeman shall be filed and retained by the municipality, and shall be deemed to be a business record within the scope of §52-180 and evidence of the facts contained therein. The presence of the issuing official or policeman shall be required at the hearing if such person so requests. A person wishing to contest his liability shall appear at the hearing and may present evidence in his behalf. A designated municipal official, other than the hearing officer, may present evidence on behalf of the municipality. If such person fails to appear, the hearing officer may enter an assessment by default against him



upon a finding of proper notice and liability under the applicable statutes or ordinances. The hearing officer may accept from such person copies of police reports, investigatory and citation reports, and other official documents by mail and may determine thereby that the appearance of such person is unnecessary. The hearing officer shall conduct the hearing in the order and form and with such methods of proof as he deems fair and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. The hearing officer shall announce his decision at the end of the hearing (which may be continued for reasonable cause or in order to inspect the property). If he determines that the person is not liable, he shall dismiss the matter and enter his determination in writing accordingly. If he determines that the person is liable for the violation, he shall forthwith enter and assess the fines, penalties, costs or fees against such person as provided by the applicable ordinances of the municipality.

4. The failure to pay the Citation may result in the entry of a judgment by the Superior Court in accordance with Connecticut General Statutes §7-152c(f), as amended.
5. Nothing herein shall prevent any Town official from pursuing any other remedies, including injunctive relief or a referral to the State's Attorney's Office for enforcement.

#### **§156-8. RECORDING OF LIEN.**

Any unpaid civil penalty imposed shall constitute a lien upon the real estate in accordance with Connecticut General Statutes §7-148aa. Each such lien shall be continued, recorded and released as provided for in Connecticut General Statutes §7-148aa.

#### **§156-9. HOUSING BLIGHT INFRACTION.**

Any person who, after written notice and a reasonable opportunity to remediate blighted conditions, willfully violates this ordinance with respect to housing blight, adopted pursuant to Connecticut General Statutes §7-148(c)(7)(H)(xv) as amended, shall be fined by the State of Connecticut not more than two hundred and fifty dollars (\$250.00) for each day for which it can be shown, based on actual daily inspections, that the blighted conditions continued to exist after written notice to the owner or occupant and the expiration of a reasonable opportunity to remediate.

**§156-10. EFFECT ON EXISTING PROVISIONS.**

The provisions of this chapter shall be supplemental to existing municipal ordinances dealing with building/housing and/or public health or safety and shall not limit the provisions of other local, state, or federal codes, regulations or statutes. Further, if any portion of this ordinance is deemed unenforceable, the remaining provisions shall be in full force and effect.

I HEREBY CERTIFY that this Ordinance was enacted by the Town Council of the Town of Wallingford this \_\_\_\_\_ day of \_\_\_\_\_, 2013, in accordance with the provisions of the Charter of the Town of Wallingford.

\_\_\_\_\_  
Barbara Thompson, Town Clerk

APPROVED: \_\_\_\_\_

William W. Dickinson, Jr., Mayor

DATED: \_\_\_\_\_

**RECOMMENDED CHANGES TO MAYOR'S 2013/2014 BUDGET  
DUE TO STATE APPROP. COMM. ACTION & TOWN COUNCIL CHANGES IN WORKSHOPS**

**I. The following adjustments are needed to adjust for State Approp. Committee actions:**

<b>General Fund Revenue:</b>	<b>Mayor's Budget</b>	<b>State Appro. Committee</b>	<b>Change</b>	<b>Budget Page #</b>	<b>Budget Line #</b>
PILOT - State Property	0	44,677	44,677	9	41114
PILOT - Colleges/Hospitals	340,176	307,848	(32,328)	9	41110
Education Cost Sharing (ECS) Grant	21,826,357	21,740,956	(85,401)	10	45025
Non-Public School Transportation	18,270	3,654	(14,616)	10	45070
Tribal Gaming Funds	0	142,693	142,693	10	45120
Hold Harmless Grant	1,800,000	0	(1,800,000)	10	new
Mun.Rev.Sharing(MRSA)/Manuf.Ex.Trans.	0	1,213,564	1,213,564	10	-t/b/established
<b>Net General Fund reduction of State Aid By Approp. Committee</b>			<b>(531,411)</b>		

<b>General Fund Expenditures:</b>	<b>Mayor's Budget</b>	<b>Adjusted Recommend.</b>	<b>Change</b>	<b>Budget Page #</b>	<b>Budget Line #</b>
Comptroller - Revaluation	110,000	0	(110,000)	21	57100
Engineering- Pur.Svc.- Construct.Inspect.	35,000	18,000	(17,000)	49	new
Engineering - Curbing Repairs	2,000	0	(2,000)	50	57134
Engineering - Highway Guardrail	5,000	0	(5,000)	50	57135
P. Wrks - Small Drainage Projects	75,000	0	(75,000)	54	57149
P. Wrks- SCOW Bldg.Wash/Repoint/etc	23,000	0	(23,000)	54	new
P. Wrks- Civ.Def.Bldg.Wash/Repoint/etc	10,000	0	(10,000)	54	new
P. Wrks-Brick Maint Sidewalks/Edge Areas	10,000	0	(10,000)	54	new
Education	91,534,522	91,255,111	(279,411)	65	total approp.
<b>Expenditure reductions recommended to offset State Aid reduction</b>			<b>(531,411)</b>		

**II. The following adjustments are needed for actions taken by the Town Council during Budget Workshops:**

<b>General Fund Expenditures:</b>	<b>Mayor's Budget</b>	<b>Council Action</b>	<b>Change</b>	<b>Budget Page #</b>	<b>Budget Line #</b>
Mayor - Regular Salaries & Wages	200,914	206,914	6,000	15	51000
Personnel - Pur.Svc. - Insurance	59,000	60,000	1,000	26	56804
Youth & Social Svcs.- Community Grants	14,500	24,500	10,000	42	58201
<b>Expenditure increases by Town Council</b>			<b>17,000</b>		
<b>General Fund Revenue:</b>					
Current Property Taxes	107,307,641	107,324,641	17,000	9	41006

**NOTE: If these adjustments are adopted by the Council, no adjustment to the Mayor's budgeted tax rate of 26.22 mills will be necessary.**

**SPECIAL FUNDS BOARD OF EDUCATION - SUMMARY  
YEAR ENDING JUNE 30, 2014**

*Appendix V*

	FY 6-30-12 ACTUAL	FY 1-31-13 ACTUAL	2012-13 APPROVED	2013-14 REQUEST	MAYOR APPROVED	COUNCIL APPROVED
<u>CAFETERIA</u>						
Revenue	1,708,772	844,741	1,988,353	2,075,916	2,075,916	
Expenditure	1,816,502	864,487	1,988,353	2,075,916	2,075,916	
<u>TITLE I</u>						
Revenue	439,687	16,000	465,961	527,564	527,564	
Expenditure	490,327	219,498	465,961	527,564	527,564	
<u>TITLE II</u>						
Revenue	154,847	45,000	132,829	133,335	133,335	
Expenditure	153,711	44,148	132,829	133,335	133,335	
<u>OUTSIDE SERVICES</u>						
Revenue	82,801	54,150	80,000	83,000	83,000	
Expenditures	72,921	35,295	80,000	83,000	83,000	
<u>INSURANCE CONTRACT</u>						
Revenue	1,123,766	654,942	1,300,000	1,250,000	1,250,000	
Expenditure	1,118,866	790,782	1,300,000	1,250,000	1,250,000	
<u>VOCATIONAL EDUCATION-PERKINS</u>						
Revenue	57,181	46,000	57,181	56,482	56,482	
Expenditure	57,181	19,556	57,181	56,482	56,482	
<u>ADULT EDUCATION TUITION</u>						
Revenue	158,898	113,141	180,000	160,000	160,000	
Expenditure	158,181	81,034	180,000	160,000	160,000	
<u>ADULT BASIC EDUCATION</u>						
Revenue	257,596	167,161	255,108	246,065	246,065	
Expenditures	257,596	127,729	255,108	246,065	246,065	
<u>Adult Ed - English Lit (common ground)</u>						
Revenue	29,400	18,500	29,400	35,000	35,000	
Expenditures	29,400	23,078	29,400	35,000	35,000	
<u>IDEA</u>						
Revenue	1,324,852	1,021,485	1,251,485	1,268,066	1,268,066	
Expenditure	1,331,922	928,173	1,251,485	1,268,066	1,268,066	

MOTION VII

PAGE 1 OF 3

**SPECIAL FUNDS BOARD OF EDUCATION - SUMMARY**  
**YEAR ENDING JUNE 30, 2014**

	FY 6-30-12 ACTUAL	FY 1-31-13 ACTUAL	2012-13 APPROVED	2013-14 REQUEST	MAYOR APPROVED	COUNCIL APPROVED
<u>PRE-SCHOOL</u>						
Revenue	30,000	31,628	40,628	40,408	40,408	
Expenditure	44,278	16,122	40,628	40,408	40,408	
<u>SUMMER SCHOOL</u>						
Revenue	27,696	26,705	30,000	27,000	27,000	
Expenditure	27,696	25,667	30,000	27,000	27,000	
<u>OPEN CHOICE</u>						
Revenue	193,610	48,403	159,000	200,000	200,000	
Expenditure	193,610	8,124	159,000	200,000	200,000	
<u>Magnet School Transportation</u>						
Revenue	120,900	57,200	120,900	117,000	117,000	
Expenditure	120,900	57,200	120,900	117,000	117,000	
<u>BILINGUAL GRANT</u>						
Revenue	11,357	-	11,357	10,039	10,039	
Expenditure	11,357	1,709	11,357	10,039	10,039	
<u>SPECIAL EDUC EXCESS COST</u>						
Revenue	2,148,393	-	2,130,604	1,709,096	1,709,096	
Expenditure	2,148,393	-	2,130,604	1,709,096	1,709,096	
<u>TITLE III</u>						
Revenue	35,237	7,500	35,554	37,016	37,016	
Expenditure	34,590	7,653	35,554	37,016	37,016	
<u>MEDICAID REIMBURSEMENT</u>						
Revenue	70,957	41,908	100,000	80,000	80,000	
Expenditure	165,363	8,122	100,000	80,000	80,000	
<u>WEF</u>						
Revenue	14,970	15,182		15,000	15,000	
Expenditure	14,993	14,770		15,000	15,000	
<u>Admin Interns</u>						
Revenue	15,000	32,500				
Expenditure		47,500				
<u>21st CENTURY WORKFORCE</u>						
Revenue	50,400		50,400			
Expenditure	50,400		50,400			
<u>Education Jobs Grant</u>						
Revenue	1,272,147					
Expenditure	1,272,147					
<u>High School - Pepsi Grant</u>						
Revenue	25,000	25,000				
Expenditure		50,000				

DATE 2-25-14

**SPECIAL FUNDS BOARD OF EDUCATION - SUMMARY**  
**YEAR ENDING JUNE 30, 2014**

	FY 6-30-12 ACTUAL	FY 1-31-13 ACTUAL	2012-13 APPROVED	2013-14 REQUEST	MAYOR APPROVED	COUNCIL APPROVED
<u>Voc Ed - Student Success</u>						
Revenue		21,096				
Expenditure		21,073				
<u>Voc Ed - Agri Stem Grant</u>						
Revenue				33,060	33,060	
Expenditure		11,295		33,060	33,060	
<u>Voc Ed - E Commerce</u>						
Revenue				15,444	15,444	
Expenditure				15,444	15,444	
<u>Adult Ed - PIP</u>						
Revenue		25,000		90,000	90,000	
Expenditure		35,387		90,000	90,000	
<u>VoAG -Add'l Funds</u>						
Revenue		123,626				
Expenditure		24,206				
<u>Stevens School - Toyota</u>						
Revenue	20,250					
Expenditure	20,250					

**SPECIAL FUNDS TOWN GOVERNMENT - SUMMARY**  
**YEAR ENDING JUNE 30, 2014**

*Appendix VI*

	FY 6-30-12 ACTUAL	FY 1-31-13 ACTUAL	2012-13 APPROVED	2013-14 REQUEST	MAYOR APPROVED	COUNCIL APPROVED
<u>SCOW - HRD Grant (2 year grant)</u>						
Revenue	23,862	17,026	77,694			
Expenditure	20,850	26,659	77,694			
<u>COUNCIL ON SUBSTANCE ABUSE</u>						
Revenue	19,931	9,356	25,000	25,000	25,000	
Expenditure	17,260		25,000	25,000	25,000	
<u>Covanta (SERVICE CONTRACT )</u>						
Revenue	62,527		58,262	58,262	59,311	
Expenditure	52,606	26,379	58,262	58,262	59,311	
<u>TOWN AID ROAD</u>						
Revenue	273,774	271,785	273,774	543,569	543,569	
Expenditure	153,507	158,120	273,774	543,569	543,569	
<u>LOCAL CAPITAL IMPROVEMENTS(LOCIP)</u>						
Revenue	242,719		294,525	465,346	465,346	
Expenditure	297,186	351,395	294,525	465,346	465,346	
<u>SCOW - Donations</u>						
Revenue	10,000	10,000	20,000	20,000	20,000	
Expenditure	10,000	10,000	20,000	20,000	20,000	

*MOTION VIII*

*3 Pg. 10P2*

**SPECIAL FUNDS TOWN GOVERNMENT - SUMMARY  
YEAR ENDING JUNE 30, 2014**

	FY 6-30-12 ACTUAL	FY 1-31-13 ACTUAL	2012-13 APPROVED	2013-14 REQUEST	MAYOR APPROVED	COUNCIL APPROVED
<u>DOCUMENT PRESERVATION GRANT</u>						
Revenue	6,000	6,500	6,500			
Expenditure	6,000		6,500			
<u>DOCUMENT PRESERVATION-TOWN SHARE</u>						
Revenue	14,910	9,882	9,000	10,000	10,000	
Expenditure	11,980		9,000	10,000	10,000	
<u>PUBLIC HEALTH GRANT - OBESITY GRANT</u>						
Revenue	5,869					
Expenditure	5,504					
<u>SCOW HHD GRANT (2 year grant)</u>						
Revenue	86,510	42,624	180,464			
Expenditure	107,606	42,203	180,646			
<u>OPEN SPACE RESOURCE MGMT FUND</u>						
Revenue	5,430	5,872	8,000	8,000	8,000	
Expenditure	38,977	11,134	8,000	8,000	8,000	
<u>Federal Fire Act Grant</u>						
Revenue	29,798					
Expenditure	15,000					
<u>RECREATION DEPT PROGRAMS</u>						
Revenue	877,545	416,659	800,000	860,000	860,000	
Expenditure	745,808	441,168	800,000	860,000	860,000	
<u>CRRA Distribution Fund</u>						
Revenue		179,098				
Expenditure - detailed as follows:	1,105,634	196,373		928,268	928,268	
Expenditure - items removed from fiscal year						
2013/2014 budget requests:						
<u>Education</u> - building safety upgrades & mandates				577,268	577,268	
<u>Education</u> - building code mandates				146,000	146,000	
<u>Fire</u> - Shift Command Vehicle				65,000	65,000	
<u>Fire</u> - Generator				70,000	70,000	
<u>Public Works</u> - Generator				70,000	70,000	
Total				<u>928,268</u>	<u>928,268</u>	