

**TOWN OF WALLINGFORD, CONNECTICUT
REGULAR TOWN COUNCIL MEETING
Town Council Chambers**

January 28, 2014

RECORD OF VOTES AND MINUTES

The Regular Meeting of the Wallingford Town Council was called to order at 6:31P.M. The Opening Prayer was offered by Deacon Eugene Riotte of the Most Holy Trinity Church of Wallingford, and the Pledge of Allegiance was said. Councilors in attendance were as follows: Chairman Vincent Cervoni, Craig Fishbein, Thomas Laffin, John Letourneau, Christine Mansfield, Robert F. Parisi, Larry Russo, John Sullivan and Vincent F. Testa, Jr. Mayor William W. Dickinson, Jr., and Town Attorney G.E Farrell, Sr. were also present at the meeting.

- 3.** Consent Agenda
 - 3a.** Consider and Approve Tax Refunds totaling \$5,362.39 (#477-503)
Acct. #1001001-41020 – Tax Collector
 - 3b.** Consider and Approve the Appointment of Tom Vitali at to serve as a Regular Member to the Board of Assessment Appeals for a three-year term expiring January 7, 2017– Chairman Vincent Cervoni
 - 3c.** Consider and Appointment of Timothy Wall, Samuel Carmody and Joseph DaCunto as Constables for two-year terms which expire January 7, 2016 – Chairman Vincent Cervoni
 - 3d.** Consider and Appointment of Chester Miller, Robert Jacques, Sr., Armand Menard and John LeTourneau as Constables for two-year terms which expire January 7, 2016 – Chairman Vincent Cervoni
 - 3e.** Consider and Approve the Appointment of James Fitzsimmons at to serve as a Regular Member of Planning and Zoning Commission for a five-year term expiring January 8, 2019- Chairman Vincent Cervoni
 - 3f.** Consider and Approve the Appointment of Rocco Matarazzo at to serve as an Alternate to the Planning and Zoning Commission for a three-year term expiring January 8, 2017- Chairman Vincent Cervoni
 - 3g.** Consider and Appointment of Joe Rusczek as an Alternate to the Zoning Board of Appeals for a three-year term expiring January 8, 2017 - Chairman Vincent Cervoni
 - 3h.** Acceptance of Donation and Appropriation in the Amount of \$80 from Registration Fees for *Youth and Social Services Special Fund-STEM ACADEMY* to Donations Acct # 2264002-47152 and to Expenditures Acct # 2264015058830 – Youth and Social Services
 - 3i.** Acceptance of Donation and Appropriation in the Amount of \$100 from Quinnipiac Chamber of Commerce for *Youth and Social Services Special Fund-Holiday for Giving* to Donations Acct # 2134002-47152 and to Expenditures Acct # 21340100-58830 – Youth and Social Services

- 3j. Acceptance of Donation and Appropriation in the Amount of \$120. from Registration Fees for *Youth and Social Services Special Fund-STEM ACADEMY* to Donations Acct # 2264002-47152 and to Expenditures Acct # 2264015058830 – Youth and Social Services
- 3k. Acceptance of Donation and Appropriation in the Amount of \$180. from Registration Fees for *Youth and Social Services Special Fund-STEM ACADEMY* to Donations Acct # 2264002-47152 and to Expenditures Acct # 2264015058830 – Youth and Social Services
- 3l. Acceptance of Donation and Appropriation in the Amount of \$240 from Registration Fees for *Youth and Social Services Special Fund-STEM ACADEMY* to Donations Acct # 2264002-47152 and to Expenditures Acct # 2264015058830 – Youth and Social Services
- 3m. Consider and Approve an Appropriation of Funds in the Amount of \$2,100 to Revenue-Miscellaneous Reimbursement Acct #100- TBD and to Continuing Education & Training Acct #10020100-55700– Animal Control Officer
- 3n. Consider and Approve a Budget Amendment in the Amount of \$18,000 to Transportation Equipment Acct # 43300392 and from Maintenance Structures & Improvements-Treatment Acct # 43100651 for \$6,000 and from Meter Expenses Acct # 43100663 for \$ \$12,000 – Water Division
- 3o. *Consider and Approve acquisition of Property at 237 Pond Hill Road – Water Division*

Removed
- 3p. *Consider and Approve Amended Memorandum of Agreement with South Central Connecticut Regional Water Authority – Water Division*

Removed
- 3q. Approve Minutes of Regular Town Council meeting of January 14, 2014

MOTION WAS MADE TO APPROVE CONSENT AGENDA ITEMS 3a. -3n. and 3q.

MADE BY: LAFFIN
SECONDED BY: FISHBEIN
VOTE: ALL AYE (9)
MOTION PASSED.

The Town Clerk, Barbara Thompson swore in Samuel Carmody, Joseph DaCunto, Robert Jacques, Sr. and John LeTourneau as Constables for two years; and James Fitzsimmons at to serve as a Regular Member of Planning and Zoning Commission.

4. Items Removed from the Consent Agenda

Discussion ensued for both 3o. and 3p.

3o. Consider and Approve acquisition of Property at 237 Pond Hill Road
– Water Division

*In Attendance: George Adair, Director, Public Utilities
Roger Dann, General Manager, Water Division*

3p. Consider and Approve Amended Memorandum of Agreement with South
Central Connecticut Regional Water Authority – Water Division

Councilor Letourneau expressed his disapproval for the plans of the emergency pumping station that might at some time in the future become full-time. He reviewed the Council's past actions on the project and expressed his opinion that the project was not considering the neighbors. He discussed buffering landscaping and roof line. He called for an installation between I-91 ramps on Pond Hill Road. When the church in the area was being considered as a possible location, Councilor Letourneau asked why the Council could not have been presented with a plan for the current location such as the church had received when they were being considered. He explained the information he had received from his telephone calls to the State of Connecticut. He stated that the current location is a bad place for the pumping station.

*In Attendance: George Adair, Director, Public Utilities
Roger Dann, General Manager, Water Division*

Mr. Dann explained to the Council the process through which they arrived at the current plans in the current location approved by the Town Council. The building was designed with a conforming flat roof and with the appropriate landscaping. Because of Mr. Letourneau's interest in this project, they gained a variance to have a peaked roof with increased landscaping, to serve as a deeper buffer to the building. In order to carry out this plan, they need to add more property; hence, the request to purchase more property. Regarding the owner of the newly built house, the owner, even though notified, did not attend meetings with respect for this project.

Mr. Adair concurred with Mr. Dann's statements.

Councilor Fishbein asked about the meetings that have been held on this issue since the Council approved it several months ago. He felt the Council should have been notified. Mr. Adair stated that the scope of the project had not changed and that they are following the regulations. He did not think to invite the Council. Councilor Letourneau further argued his point about location near the I-91 ramps, referring to his conversation with Mr. Holmes from the state and the fact that the boards shown to Planning & Zoning were not shown to the Council.

Mayor Dickinson stated that this is serious 'stuff' linking to another water system and the assignment of the Water Division is to present the best engineering design. The design has to triumph over other factors, and this is coming forward with the best engineering solution.

Councilor Mansfield announced that she is recusing herself on this question for professional reasons in that her company is working with South Central Regional Water Authority.

Robert Gross, 114 Long Hill Road, asked about the use of the interconnection system.

- 3o. MOTION WAS MADE TO APPROVE acquisition of Property at 237 Pond Hill Road.**
MADE BY: LAFFIN
SECONDED BY: PARISI

ROLL CALL VOTE:

FISHBEIN: YES	MANSFIELD: RECUSE	SULLIVAN: YES
LAFFIN: YES	PARISI: YES	TESTA: YES
LETOURNEAU: NO	RUSSO: YES	CHAIRMAN CERVONI: YES

7-AYE; 1- NAY (LETOURNEAU); 1- RECUSE (MANSFIELD)

THE MOTION PASSED.

- 3p. MOTION WAS MADE TO APPROVE Amended Memorandum of Agreement with South Central Connecticut Regional Water Authority.**
MADE BY: LAFFIN
SECONDED BY: FISHBEIN

ROLL CALL VOTE:

FISHBEIN: YES	MANSFIELD: RECUSE	SULLIVAN: YES
LAFFIN: YES	PARISI: YES	TESTA: YES
LETOURNEAU: NO	RUSSO: YES	CHAIRMAN CERVONI: YES

7-AYE; 1- NAY (LETOURNEAU); 1- RECUSE (MANSFIELD)

THE MOTION PASSED.

- 5. PUBLIC QUESTION AND ANSWER PERIOD - None**

- 6. Conduct a Public Hearing for January 28, 2014 at 6:45 P.M. with regard to an Ordinance entitled *Penalties for Violations of Zoning Regulations* – Ordinance Committee**

Councilor Fishbein, Chairman, Ordinance Committee, reviewed the history behind the presentation of the proposed ordinance. He gave some violation examples.

The Public Hearing opened at 7:18 P.M. There were no comments from the public.

MOTION WAS MADE TO CLOSE THE PUBLIC HEARING.

MADE BY: FISHBEIN
SECONDED BY: LETOURNEAU
VOTE: ALL AYE (9)

MOTION PASSED.

THE PUBLIC HEARING CLOSED AT 7:19 P.M.

Councilor Letourneau stated that the Enforcement Officer according to our charter should be the Building Inspector.

Mayor Dickinson stated that because of all of the nuances of the zoning regulations enforcement has always come from the Planning and Zoning office, and that it has never been the building departments.

Kacie Costello, Town Planner, stated that the Planning and Zoning Commission has designated the Town Planner and the Assistant Town Planner as the Zoning Enforcement Officer(s).

Councilor Testa expressed concern that the language of the Ordinance does not mention warnings before citations.

Ms. Costello stated that Planning and Zoning has a procedure that the Planning Office follows for notice of violations and if this is ignored then a citation is considered.

**MOTION WAS MADE TO ADOPT THE ORDINANCE ENTITLED
PENALTIES FOR VIOLATIONS OF ZONING REGULATIONS.**

**MADE BY: FISHBEIN
SECONDED BY: PARISI**

ROLL CALL VOTE:

FISHBEIN: YES	MANSFIELD: YES	SULLIVAN: YES
LAFFIN: YES	PARISI: YES	TESTA: YES
LETOURNEAU: YES	RUSSO: YES	CHAIRMAN CERVONI: YES

9-AYE

THE MOTION PASSED.

7. Consider and Approve Authorizing the Mayor to sign the Consent Order issued by DEEP to provide municipal drinking water to five properties located on South Broad Street – Mayor

**MOTION WAS MADE TO APPROVE AUTHORIZING THE MAYOR TO SIGN
THE CONSENT ORDER TO PROVIDE MUNICIPAL DRINKING WATER TO
FIVE PROPERTIES LOCATED ON SOUTH BROAD STREET.**

**MADE BY: LAFFIN
SECONDED BY: PARISI**

*In Attendance: George Adair, Director, Public Utilities
Roger Dann, General Manager, Water Division*

Mayor Dickinson opened the discussion referring to his January 17, 2014 *letter (part of the record of the meeting)*.

The Town's intent and the three options were discussed. Mr. Dann stated that preliminary talks with the condo owner. There was a lengthy discussion with regard to the water lines; what the town owns and what the property owner would own if the water lines are extended to the homeowner (s); the costs involved; that reimbursement from the state would not include the cost, if any, of the easements; that the cost of easements are unknown and become complex if a water line crosses another property before reaching if connection site; contaminated wells take out of service so that there is no backflow to the potable water. Mr. Dann considering all of the steps that need to be taken could not offer a timeframe. It was noted that the filtration system is already in force to the named parties, and that it would continue, should a water connection not be made.

Wes Lube, Montowese trail asked about the contamination source; Jason Zandri, 35 Lincoln Drive wanted information with respect to costs and easements; Nicholas Sherwood, 1179 South Broad Street, one of the parties affected, wanted to know timing and asked for notice to attend any meetings. Mr. Dann offered that the Condominium Association needs to move forward with the legal issues.

Mayor Dickinson noted that the lead department in this issue is the Water Division.

Others who spoke included Larry Morgenstein, North Main Street, asked about other wells; Harold Lincoln 1175 South Broad Street asked about the contaminants with respect to the address of Roland Clavet at 1171 South Broad Street; Robert Gross, 114 Long Hill Road, made comments about the storing of materials.

ROLL CALL VOTE:

FISHBEIN: YES

MANSFIELD: YES

SULLIVAN: YES

LAFFIN: YES

PARISI: YES

TESTA: YES

LETOURNEAU: YES

RUSSO: YES

CHAIRMAN CERVONI: YES

9-AYE

THE MOTION PASSED.

8. Consider and Approve Resolution Authorizing the Mayor to apply for the State of Connecticut Potable Water Grant with the Commissioner of DEEP in the Amount of \$225,000 and execute all applications, instruments, contracts and documents, and accept payments and do all other things that may be necessary for state grants and loans relating to said grant - Mayor

MOTION WAS MADE TO APPROVE Resolution Authorizing the Mayor to apply for the State of Connecticut Potable Water Grant with the Commissioner of DEEP in the Amount of \$225,000 and execute all applications, instruments, contracts and documents, and accept payments and do all other things that may be necessary for state grants and loans relating to said grant.

MADE BY: LAFFIN

SECONDED BY: PARISI

*In Attendance: George Adair, Director, Public Utilities
Roger Dann, General Manager, Water Division*

No discussion.

ROLL CALL VOTE:

FISHBEIN: YES

MANSFIELD: YES

SULLIVAN: YES

LAFFIN: YES

PARISI: YES

TESTA: YES

LETOURNEAU: YES

RUSSO: YES

CHAIRMAN CERVONI: YES

9-AYE

THE MOTION PASSED.

9. Consider and Approve a Budget Amendment in the Amount of \$225,000 to Services Acct # 53300345 and to Contribution in Aid – Water Division

MOTION WAS MADE TO APPROVE a Budget Amendment in the Amount of \$225,000 to Services Acct # 53300345 and to Contribution in Aid

MADE BY: LAFFIN

SECONDED BY: PARISI

*In Attendance: George Adair, Director, Public Utilities
Roger Dann, General Manager, Water Division*

No discussion.

ROLL CALL VOTE:

FISHBEIN: YES

MANSFIELD: YES

SULLIVAN: YES

LAFFIN: YES

PARISI: YES

TESTA: YES

LETOURNEAU: YES

RUSSO: YES

CHAIRMAN CERVONI: 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

Withdrawn

MOTION TO ADJOURN

MADE BY: LETOURNEAU

SECONDED BY: FISHBEIN

VOTE: 8-AYE; 1-ABSENT

MOTION PASSED.

The meeting adjourned at 8:22 P.M.

Respectfully submitted,

Sandra Weekes
Secretary to the Town Council
Meeting digitally recorded

Vincent Cervoni, Chairman

Date

Barbara Thompson, Town Clerk

Date