

TOWN OF WALLINGFORD, CONNECTICUT

REGULAR TOWN COUNCIL MEETING

Town Council Chambers

June 25, 2013

RECORD OF VOTES & MINUTES

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The Regular Meeting of the Wallingford Town Council was called to order at 6:32 P.M. Following the Opening Prayer given by Reverend Margaret Jay, First Congregational 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 \$6056.37 (#656 - #688)  
Acct. # # 1001001-41020 - Tax Collector

**3b.** Consider and Approve a Transfer in the Amount \$4,283  
\$3,568 to Office Expenses Supplies for Acct #10010650-56100  
from Election Material Supplies Acct #10010650-56105 and  
\$715 to Codification Acct # 10010650-56798  
from Vital Statistics Acct #10010650-58850  
-Town Clerk

**3c.** Consider and Approve a Transfer in the Amount \$8,400 to Regular Salaries  
& Wages Acct # 50020155-51000 from Wage Differentials for \$5,400 Acct  
# 50020155-51450 and from Replacement Pay for \$3,000 Acct # 50020155-51500  
-Fire Chief

**3d.** Consider and Approve a Transfer EMS Transport Division Enterprise Fund  
in the Amount \$5,000:  
\$2,400 to Contractual Clothing Expense Acct # 50020155-56190 and  
\$2,300 to Operating Expenses Acct # 50020155-58735 and  
\$300 to Utilities Acct # 50020155-53010 and  
\$5,000 from Professional Services-Ambulance Billing Acct # 50020155-56778  
-Fire Chief

**3e.** Consider and Approve a Bid Waiver Request to Purchase a Used Ambulance  
in the Amount of \$86,000 – Fire Chief

**3f.** Consider and Approve a Transfer EMS Transport Division Enterprise Fund  
in the Amount \$86,000 to Capital Expenditures-Ambulance Acct 5002015-5700-  
New Line to be Established from Fringe Benefits Acct # 50020155-52050 – Fire Chief

- 3g. Consider and Approve a Transfer in the Amount \$1,020 to Other Pay Acct # 10030000-51900 from Overtime Acct # 10030000-51400- Public Works
- 3h. Consider and Approve an Appropriation in the Amount \$190,000 to Fund Balance -F/Y/E 2012 Surplus Acct # 100-NEW LINE and to Public Works-Snow Plow Truck Acct # 10030000-57000-NEW – Public Works
- 3i. Consider and Approval of a Parking Agreement between the town of Wallingford and the High Road Academy for a Term from August 26, 2013 through December 31, 2013 -Parks & Recreation
- 3j. Consider and Approve Minutes of Regular Town Council meeting of June 11, 2013

**MOTION WAS MADE TO APPROVE THE CONSENT AGENDA 3a. – 3j.**

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

4. Items Removed from the Consent Agenda

*None*

5. Executive Session pursuant to §1-200 (6)(B) of the Connecticut General Statutes regarding strategy and negotiations with respect to the pending Workers' Compensation case of Jay Mason – Personnel

**MOTION WAS MADE TO GO INTO EXECUTIVE SESSION PURSUANT TO §1-200 (6)(B) OF THE CONNECTICUT GENERAL STATUTES REGARDING STRATEGY AND NEGOTIATIONS WITH RESPECT TO THE PENDING WORKERS' COMPENSATION CASE OF JAY MASON**

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

Town Attorney Gerald E. Farrell, Sr. asked for the question to be delayed until another attorney arrives. Councilor Cervoni removed his motion, followed by Councilor Rascati, who removed her second. The meeting progressed to Item 7.

7. **PUBLIC QUESTION & ANSWER PERIOD**

Geno Zandri, 9 Balsam Ridge Circle, talked of budget cuts locally in relationship to funds coming from the state to the town and how those funds will be used. He was interested to know if the BOE cuts could be restored. Mr. Zandri then turned to the graffiti that he has been seeing along South Colony road in the area of Ward Street. Since the Chief of Police, Douglas Dortenzio, was present, he responded by reporting that the issue was 'solved'.

Robert Gross, 114 Long Hill Road, spoke about the resident oil disposal site and its shutdown. He also spoke about DEEP.

Cathy Granucci stated that she is a neighbor to 58 Prince Street and 60 Prince Street. She urged the Council to approve acquiring the two properties.

Bill Comerford, 5 Broadview Drive, asked about the playground at Doolittle Park, which is noted in a report about the town's play areas. He also asked when the water problems in Town Hall would be fixed.

Dana Camp, Lee Avenue, asked for more details with regard to the resident oil disposal site and the cost of cleaning it up. He was referred to the Director of Public Works.

5. Executive Session pursuant to §1-200 (6)(B) of the Connecticut General Statutes regarding strategy and negotiations with respect to the pending Workers' Compensation case of Jay Mason – Personnel

**AT 6:57 P.M. A MOTION WAS MADE TO GO INTO EXECUTIVE SESSION PURSUANT TO §1-200 (6)(B) OF THE CONNECTICUT GENERAL STATUTES REGARDING STRATEGY AND NEGOTIATIONS WITH RESPECT TO THE PENDING WORKERS' COMPENSATION CASE OF JAY MASON**

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

**MOTION TO COME OUT OF EXECUTIVE SESSION.**

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

**EXECUTIVE SESSION ATTENDANCE:  
9 COUNCILORS, MAYOR DICKINSON, TOWN ATTORNEY G.E. FARRELL, SR.,  
KURT TREIBER, RISK MANAGER AND ATTORNEY COLETTE GRIFFIN.**

**AT 7:13 P.M. COUNCILOR CERVONI MADE A MOTION TO COME OUT OF EXECUTIVE SESSION. COUNCILOR RASCATI SECONDED THE MOTION. THE COUNCIL VOTED UNANIMOUSLY.**

6. Motion to Consider and Approve the Settlement of the pending Workers' Compensation matter of Jay Mason as discussed in Executive Session  
- Personnel

**MOTION MADE TO APPROVE THE SETTLEMENT WORKERS' COMPENSATION MATTER OF JAY MASON AS DISCUSSED IN EXECUTIVE SESSION.**

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

There was no discussion of this item.

**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>

**UNANIMOUS; (9AYE)**

**THE MOTION PASSED.**

**WAIVE RULE V**

**MOTION WAS MADE TO WAIVE RULE V TO ALLOW THE COUNCIL TO TAKE UP A BID WAIVER REQUEST BY THE POLICE DEPARTMENT FOR THE DISPATCHING SOFTWARE SYSTEM THAT IS REFERRED TO IN ITEMS 8a. AND 8b.**

**MADE BY: CERVONI**

**SECONDED BY: RASCATI**

**UNANIMOUS; (9AYE)**

**THE MOTION PASSED.**

**MOTION WAS MADE TO APPROVE A BID WAIVER FOR NEW WORLD SYSTEMS FOR THE DISPATCHING SOFTWARE SYSTEM FOR THE POLICE DEPARTMENT.**

**MADE BY: CERVONI**

**SECONDED BY: RASCATI**

*In attendance: Douglas Dortenzio, Chief of Police  
William Wright, Deputy Chief of Police*

Chief Dortenzio addressed the highlights of his lengthy memorandum to Mayor Dickinson. He explained that the requests of the bid waiver and the next two items on the agenda will allow the Police Department to take on updating the department in a nearly one-year transition that will serve the community for the next ten years. He stated that the software is complex with regard to the type of information it stores and shares in many distant locations as well as regionally. He said that the product will interface with equipment the department now uses. In response to questions from the Council, he listed other towns in Connecticut and states who are served by NWS and that his department has a fifteen-year relationship with the company. He said that the new system will show a savings on the annual maintenance fee.

Councilor Fishbein expressed concern with the process in that he would like to see comparisons with other companies to feel comfortable in approving the bid waiver. But, he said, he has none. Councilor Economopoulos agreed that he is also concerned with the process. Councilor Laffin, on the other hand, was happy with the bid waiver. In response to Councilor Cervoni who summarized the Chief's presentation, the Chief stated that his department employs a professional Network Manager, a civilian, and the town also employs a professional, who is a second resource for the Police Department. He said that an independent consultant reviewed the system; that there is minimal training involved with no 'down time' to accomplish the training. Councilor LeTourneau acknowledged the due diligence performed by the Chief in this matter. He said that he was impressed and satisfied that many eyes have been on this system. He expressed interest in the training. Councilor Rascati said she supports the bid waiver. Chief Dortenzio

*Wallingford Town Hall, 45 South Main Street*

added that the system is a robust product that fulfills and serves the quality of the service that the Wallingford Police Department provides. Chairman Parisi said that he was not disappointed in that the Chief was well-prepared.

Dana Camp, 19 Lee Avenue, had some general questions about the make-up of the system.

**ROLL CALL VOTE**

**CERVONI: YES ECONOMOPOULOS: NO FISHBEIN: NO**  
**LAFFIN: YES LETOURNEAU: YES RASCATI: YES**  
**SULLIVAN: YES ZANDRI: NO CHAIRMAN PARISI: YES**  
**AYES-6; NAYS-3 (ECONOMOPOULOS, FISHBEIN AND ZANDRI)**

**THE MOTION PASSED.**

- 8a.** Consider and Approve a Transfer of Funds in the Amount of \$120,425 from Police- Regular Wages Acct #10020050-51000 to Police: CAD/RMS Software & Support for \$113,600 Acct #10020050-57000-00178 and to Network Hardware for \$6,825 Acct # 10020050-57000-00179 – Police Chief

**MOTION MADE TO APPROVE A TRANSFER OF FUNDS IN THE AMOUNT OF \$120,425 FROM POLICE REGULAR WAGES ACCT # 10020050-51000 TO POLICE: CAD/RMS SOFTWARE & SUPPORT FOR \$113,600 ACCT # 10020050-57000-00178 AND TO NETWORK HARDWARE FOR \$6,825 ACCT # 10020050-57000-00179**  
**MADE BY: CERVONI**  
**SECONDED BY: RASCATI**

*In attendance: Douglas Dortenzio, Chief of Police  
William Wright, Deputy Chief of Police*

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

**ROLL CALL VOTE**

**CERVONI: YES ECONOMOPOULOS: NO FISHBEIN: YES**  
**LAFFIN: YES LETOURNEAU: YES RASCATI: YES**  
**SULLIVAN: YES ZANDRI: NO CHAIRMAN PARISI: YES**  
**AYES-7; NAYS-2 (ECONOMOPOULOS AND ZANDRI)**

**THE MOTION PASSED.**

- 8b.** Consider and Approve an Appropriation in the Amount of \$475,506 to Fund Balance-F/Y/E 2012 Surplus and to Police: CAD/RMS Software & Support for \$301,900 Acct #10020050-57000-00178 and to Network Hardware for \$173,606 Acct # 10020050-57000-00179 – Police Chief

**MOTION MADE TO APPROVE AN APPROPRIATION IN THE AMOUNT OF \$475,506 TO FUND BALANCE F/Y/E/2012 SURPLUS ACCT # 100-NEW LINE AND TO POLICE: CAD/RMS SOFTWARE AND SUPPORT FOR \$301,900 ACCT #10020050-57000-00178 AND TO NETWORK HARDWARE FOR \$173,606 ACCT # #10020050-57000-00179**  
**MADE BY: CERVONI**  
**SECONDED BY: RASCATI**

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

**ROLL CALL VOTE**

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

**AYES-7; NAYS-2 (ECONOMOPOULOS AND ZANDRI)**

**THE MOTION PASSED.**

9. Consider and approve a Contract for the purchase of 58 Prince Street for a purchase price of \$148,000 – Law Department

*In attendance: Peter Gouveia, President, Center Street Cemetery Association  
Tony LaRosa, Vice-President, Center Street Cemetery Association  
Robert Devaney, Sexton, Center Street Cemetery Association*

Councilor Fishbein announced that he would be abstaining from this question.

President, Peter Gouveia stated that the *Center Street Cemetery Association* intends on keeping the house for use as an office and as a garage. He imparted other details about the cemetery saying that to be buried in the cemetery, one needs to be a resident for one-year; that the cemetery is about 6 acres and dates from 1670, also the date of the founding of the town; that adjoining the two properties it is likely that burial space will be increased; that the house will be renovated and the cemetery wall in that vicinity will be adjusted to be more suitable for access and that Lyman Hall is memorialized in the cemetery but is buried in Georgia. He added that he would like everyone in town to join the association for a \$10 membership fee.

Mr. Devaney stated that the Wallingford cemetery is the third oldest in the State of Connecticut.

Councilor Zandri made comments with regard to eminent domain.

Councilor LeTourneau commented that he serves on the Cemetery Association Board but that he would participate in the discussion and that he would vote on the question.

Geno Zandri expressed his opinion with regard to properties that are for sale in Wallingford and that they should be given consideration by the Council before they pass on something. He compared this property to another one.

Gina Morgenstein, 177 North Main Street, commented on the announcements of two Councilors with regard to this question.

Sue Marchese, 12 Bruce Lane, said that this is an excellent opportunity to expand the cemetery.

Steven Lazarus, member of the *Center Street Cemetery Association Board and President of Wallingford Center Inc.*, supports the purchase of these properties.

Wes Lube, Montowese Trail, talked about cemetery costs.

Dana Camp, Lee Avenue, expressed the need for more costs, such as the cost to remove the portion of the wall. He expressed his thoughts on ethics and recusals.

Bill Comerford, 5 Broadview Drive, commended both Mr. Gouveia and Mr. Devaney. He also wanted to know about other options and other costs. Mr. Devaney offered that the building would house documents, store equipment and have an office to meet with clients.

**ROLL CALL VOTE**

**CERVONI: YES ECONOMOPOULOS: NO FISHBEIN: ABSTAIN**  
**LAFFIN: YES LETOURNEAU: YES RASCATI: YES**  
**SULLIVAN: YES ZANDRI: YES CHAIRMAN PARISI: YES**  
**AYES-7; NAYS-1 (ECONOMOPOULOS); ABSTENTION-1 (FISHBEIN)**

**THE MOTION PASSED.**

- 10.** Set A Public Hearing for July 16, 2013 for 6:45 P.M. regarding the purchase of 58 Prince Street

AN ORDINANCE APPROPRIATING \$175,000 TO PURCHASE REAL PROPERTY KNOWN AS 58 PRINCE STREET AND AUTHORIZING THE ISSUE OF \$175,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSURANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

**MOTION WAS MADE TO SET A PUBLIC HEARING FOR JULY 16, 2013 AT 6:45 P.M. REGARDING AN ORDINANCE ENTITLED:**

**AN ORDINANCE APPROPRIATING \$175,000 TO PURCHASE REAL PROPERTY KNOWN AS 58 PRINCE STREET AND AUTHORIZING THE ISSUE OF \$175,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSURANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE**

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

*In attendance: Peter Gouveia, President, Center Street Cemetery Association  
Tony LaRosa, Vice-President, Center Street Cemetery Association  
Robert Devaney, Sexton, Center Street Cemetery Association*

**VOTE: ALL COULCILORS PRESENT (9) VOTED AYE.**

**THE MOTION PASSED.**

11. Consider and Approve a Motion to Authorize the taking by eminent domain property located at 60 Prince Street for the sum of \$ (to be provided at the meeting) and to authorize the Law Department to complete the taking process – Law Department

**MOTION WAS MADE TO APPROVE AN AUTHORIZING THE TAKING BY EMINENT DOMAIN PROPERTY LOCATED AT 60 PRINCE STREET FOR THE SUM OF \$90,000 AND TO AUTHORIZE THE LAW DEPARTMENT TO COMPLETE THE TAKING PROCESS.**

**MADE BY: CERVONI**

**SECONDED BY: RASCATI**

*In attendance: Peter Gouveia, President, Center Street Cemetery Association  
Tony LaRosa, Vice-President, Center Street Cemetery Association  
Robert Devaney, Sexton, Center Street Cemetery Association*

Councilor Laffin began the discussion stating that while he supports acquiring the property, her does not support taking by eminent domain. He will vote ‘No’ on the question.

Town Attorney Farrell presented the background on this subject. He said that this property was listed for \$95,000 at the time they approached the realtor; the property is vacant; it has been on the market on and off since 2007; the electricity has been off for three years; the seller lives in New York; the sale is a short-sale; one of the mortgage holders disproved of a proposed short-sale and that is the reason that it did not go forward with a potential purchaser. He said they are opposed to selling to the town in a short-sale. He said he understands that the bank previously approved of a sale of \$102,000. The property has two appraisals, one at \$85,000 and one at \$95,000, and the two is required to average the two appraisals and to pay \$90,000. Attorney Small has spoken to the realtor and written to the property owner explaining the taking process. She has called the property owner. The property owner has not returned the call. He gave more of the property history, saying that no matter what happens the property owner will not get any money from this process, and why there is eminent domain. This is the property that borders the street.

Councilor Cervoni asked about the amounts of the loans at the time of the purchase. He stated that he does not like eminent domain, which is a philosophical question, but feels that in this instance, it is a fair use of it. Councilor Zandri commented on eminent domain. Councilor Fishbein asked if we really need 60 Prince Street. He asked for square footage. It was established that the properties are not historic. He said that he is not for this and will not support it.

Wes Lube, Montowese Trail, commented of short-sales and asked if we even want 58 Prince Street, if we can’t get 60 Prince Street.

**ROLL CALL VOTE**

<b>CERVONI:</b>	<b>YES</b>	<b>ECONOMOPOULOS:</b>	<b>NO</b>	<b>FISHBEIN:</b>	<b>NO</b>
<b>LAFFIN:</b>	<b>NO</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>

**AYES-6; NAYS-3 (ECONOMOPOULOS, FISHBEIN AND LAFFIN)**

**THE MOTION PASSED.**



12. Consider and Approve a Transfer for the acquisition of 60 Prince Street, appraisal fees, environmental assessment fees, demolition and incidental expenses – Law Department

**MOTION WAS MADE TO APPROVE A TRANSFER FOR THE ACQUISITION OF 60 PRINCE STREET, APPRAISAL FEES, ENVIRONMENTAL ASSESSMENT FEES, DEMOLITION AND INCIDENTAL EXPENSES IN THE TOTAL AMOUNT OF \$120,000.**

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

*In attendance: Peter Gouveia, President, Center Street Cemetery Association  
Tony LaRosa, Vice-President, Center Street Cemetery Association  
Robert Devaney, Sexton, Center Street Cemetery Association*

Councilor Fishbein said he could support this motion if he could learn the breakdown of the costs. Mayor Dickinson stated \$90,000 amount for eminent domain (to take to court); appraisal about \$1,000, environmental is an estimation and demolition about \$15,000 to \$20,000.

**ROLL CALL VOTE**

<b>CERVONI: YES</b>	<b>ECONOMOPOULOS: NO</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>

**AYES-8; NAYS-1 (ECONOMOPOULOS)**

**THE MOTION PASSED.**

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

**The meeting adjourned at 8:11 P.M.**

Respectfully submitted,

Sandra R. Weekes  
Town Council Secretary  
Meeting digitally recorded

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Robert F. Parisi, Chairman Date

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Barbara Thompson, Town Clerk Date