

35.

TOWN OF WALLINGFORD, CONNECTICUT
TOWN COUNCIL MEETING
Town Council Chambers
May 23, 2017

RECORD OF VOTES & MINUTES

The Meeting of the Wallingford Town Council on Tuesday, May 23, 2017 was called to order at 6:33 P.M. There was a moment of silence and the Pledge of Allegiance was said. Councilors in attendance were: Chairman Vincent Cervoni, Thomas Laffin, John LeTourneau, Joseph A. Marrone, III (arrived late), Christopher K. Shortell, Vincent F. Testa and Jason Zandri. Councilors Craig C. Fishbein and John J. Sullivan were absent. Mayor William W. Dickinson, Jr. and Town Attorney Gerald E. Farrell, Sr. were also present at the meeting.

1. Pledge of Allegiance

2. Roll Call

3. Consent Agenda

3a. Consider and Approve Tax Refunds totaling \$10,223.24 (#796-839)
Acct. #1001001-41020 – Tax Collector

3b. Consider and Approve Appropriation of funds in the amount of \$450 to Revenue, Acct. No. 2264002-47152 and to Expenditures, Acct. #22640150-58830 – Y&SS

3c. Consider and Approve Appropriation of funds in the amount of \$740 to Revenue, Acct. #2264002-47152 and to Expenditures, Acct. #22640150-58830 – Y&SS

3d. Consider and Approve Appropriation of funds in the amount of \$595 to Revenue, Acct. #2264002-47152 and to Expenditures, Acct. #22640150-58830 Y&SS

3e. Consider and Approve a Transfer in the amount \$5,000 from Salaries & Wages, Acct. #10040100-51000 to Youth Projects, Acct. #10040100-58272 – Y&SS

3f. Consider and Approve a Transfer in the amount of \$3,700 from Regular Salaries & Wages, Acct. #10010200-51000 to Regular Salaries & Wages, Acct. #10011050-51000– EDC

3g. Consider and Approve a Budget Amendment in the amount of 30,000 to Injuries and Damages, Acct. #43100925 and to Appropriation from Cash. – Water-Sewer Division

3h. Consider and Approve Appropriation of funds in the amount of \$4,749 – 350th Celebrations Committee

\$4,000	From Rev-Donations & Sales	Acct. #2524002-47152
\$ 749	From Rev-Donations & Sales	Acct. #2524002-47152
\$4,749	To Expenses	Acct. #25240150-58830

3i. Consider and Approve a Transfer in the amount of \$360 from Office Expenses & Supplies, Acct #10011100-56100 to Purchased Services – Natural Resources, Acct. #10011100-56704 - Conservation Commission

3j. Consider and Approve a Transfer in the amount of \$1,500 from Contingency-General, Acct. #10019000-58820 to telephone, Acct. #10020050-53000 – Police Dept.

3k. Acceptance of Donations for Fireworks Display from:

Live Nation Oakdale	\$8,000
Ulbrich Specialty Metals	\$5,000
Choate Rosemary Hall	\$5,000
Carolyn Greenspan and Marshall Ruben	\$5,000
United Concrete Products, Inc.	\$5,000
The Latimer Group	\$1,000
Polylok, Inc.	\$1,000

and amending appropriation to the FY 2017-2018 Budget of \$30,000 - Chairman Cervoni

\$30,000	From Rev-Donations	Acct. #1009052-47040
\$1,022	To Rec.- Port-o-Lets	Acct. #10050050-56782
\$3,290	To Rec.- Entertainment	Acct. #10050050-56746
\$12,176	To Social Svc. Contr. – Holidays & Celeb.	Acct. #10040150-58234
\$ 9,412	Police – O/T	Acct. #10020050-51400
\$ 3,600	Fire – O/T	Acct. #10020150-51400
\$ 500	P. Works – O/T	Acct. #10030000-51400

3l. Consider and Approve a Resolution authorizing Mayor William W. Dickinson, Jr., to submit an application to the State of Connecticut’s Responsible Growth and Transit Oriented Development (TOD) Grant for the Downtown Wallingford Transit Oriented Development Facilitation Project and authorize the Mayor to sign the grant application and to sign any other documents associated with administering the grant including the final grant agreement and any amendments – Mayor

3m. Consider and Approve FY 2017-2018 Bid Waiver request for Board of Education - Mayor

3n. Consider and Approve FY 2017-2018 Bid Waiver request for Animal Control – Mayor

3o. Consider and Approve FY 2017-2018 Bid Waiver request for Engineering – Mayor

3p. Consider and Approve FY 2017-2018 Bid Waiver request for Finance – Mayor

3q. Consider and Approve FY 2017-2018 Bid Waiver request for Fire Department – Mayor

- 3r. Consider and Approve FY 2017-2018 Bid Waiver request for Personnel – Mayor
- 3s. Consider and Approve FY 2017-2018 Bid Waiver request for Police Department – Mayor
- 3t. Consider and Approve FY 2017-2018 Bid Waiver request for Public Works – Mayor
- 3u. Consider and Approve FY 2017-2018 Bid Waiver request for Town Attorney – Mayor
- 3v. Consider and Approve FY 2017-2018 Bid Waiver request for Public Utilities – Mayor
- 3w. Consider and Approve FY 2017-2018 Bid Waiver request for Water/Sewer Division – Mayor
- 3x. Consider and Approve FY 2017-2018 Bid Waiver request for Electric Division – Mayor
- 3y. Consider and Approve FY 2017-2018 Bid Waiver request for EDC – Mayor
- 3z. Consider and Approve FY 2017-2018 Bid Waiver request for Town Clerk – Mayor
- 3aa. Consider and Approve FY 2017-2018 Bid Waiver request for Hardware items; Frontier Telecommunications – Mayor
- 3bb. Consider and Approve Appointment of Larry Russo to the Public Celebrations Committee for a two year term effective immediately and expiring February 1, 2018 – Chairman Cervoni
- 3cc. Consider and Approve Appointment of Marla Buono to the Public Celebrations Committee for a two year term effective immediately and expiring February 1, 2018 – Councilor Fishbein
- 3dd. Consider and Approve Appointment of Erin Maghery to the Public Celebrations Committee for a two year term effective immediately and expiring February 1, 2018 – Councilor Fishbein
- 3ee. Set a Public Hearing for 6:30 p.m. for June 13, 2017 regarding the 2017 Neighborhood Assistance Program – Mayor
- 3ff. Approve Town Council Minutes of May 9, 2017 and Budget Workshop Minutes of May 4, 2017.

Addendum to Consent Agenda

- 3gg. Consider and Approve a bid waiver for the services of Yale Occupational Health Plus to administer a series of Hepatitis B vaccinations to staff as required by the Occupational Safety and Health Administration's Blood Borne Pathogens standard (29 CFR 1910, 1030)(OSHA) at an estimated cost of \$12,000 – Board of Education

MOTION WAS MADE TO APPROVE CONSENT AGENDA ITEMS 3a- 3l and 3bb-3gg.

MADE BY: LAFFIN
SECONDED BY: LETOURNEAU
VOTE: 7 AYE
2 ABSENT: FISHBEIN & SULLIVAN
MOTION: PASSED

MOTION WAS MADE TO WITHDRAW THE VOTE TO APPROVE ITEMS 3a. – 3l and 3bb-3gg ON THE CONSENT AGENDA.

MADE BY: LAFFIN
SECONDED BY: LETOURNEAU
VOTE: 7 AYE
2 ABSENT: FISHBEIN & SULLIVAN
MOTION: PASSED

MOTION WAS MADE TO APPROVE CONSENT AGENDA ITEMS WITH THE EXCEPTION OF ITEMS 3bb, 3cc and 3dd.

MADE BY: LAFFIN
SECONDED BY: LETOURNEAU
VOTE: 7 AYE
2 ABSENT: FISHBEIN & SULLIVAN
MOTION: PASSED

Chairman Cervoni stated there would be Notice of a special meeting to discuss items 3bb 3cc and 3dd.

Councilor Zandi questioned if an ad would be put in the paper for the Notice of the special meeting. Mayor Dickinson responded no and stated that a special meeting would be posted as ordinarily done.

Councilor Testa asks for clarification that items 3bb, 3cc and 3dd will not be acted upon at this time but will be acted upon in the future at a special meeting.

Mayor Dickinson confirmed his understanding that these items were not acted upon at this meeting.

MOTION WAS MADE TO APPROVE ITEMS 3m THROUGH 3aa on CONSENT AGENDA.

MADE BY: LAFFIN
SECONDED BY: LETOURNEAU
VOTE: 6 AYE
2 ABSENT: FISHBEIN & SULLIVAN
1 NAY: ZANDRI
MOTION: PASSED

4. **Items Removed from the Consent Agenda and were not voted on:**

- 3bb. Consider and Approve Appointment of Larry Russo to the Public Celebrations Committee for a two year term effective immediately and expiring February 1, 2018 – Chairman Cervoni
- 3cc. Consider and Approve Appointment of Marla Buono to the Public Celebrations Committee for a two year term effective immediately and expiring February 1, 2018 – Councilor Fishbein
- 3dd. Consider and Approve Appointment of Erin Maghery to the Public Celebrations Committee for a two year term effective immediately and expiring February 1, 2018 – Councilor Fishbein

5. **PUBLIC QUESTION & ANSWER PERIOD**

Opened Public Question and Answer Period at 6:45 p.m.

Mr. Gross, Long Hill Road, stated that he would like fireworks to be put back into the budget. He does not want corporations to pay for fireworks. He went on to say that he does not like the perception of Council asking for donations.

Chairman Cervoni stated he does not derive any personal benefit from donations of firework money.

Larry Morgenstein, South Main Street, questioned availability of funds for TOD grant.

Mayor Dickinson stated money is available for the study of the downtown railroad project.

Mr. Gross questioned Mayor Dickinson about the pension fund. Mayor Dickinson explained that the pension fund is based on actuary standards and 100 percent employment.

Closed Public Question and Answer Period at 7:05 pm.

- 8. Executive Session pursuant to Section 1-200(6)(D) of the Connecticut General Statutes with respect to the purchase, sale and/or leasing of property – Mayor - *Withdrawn*
- 9. Executive Session pursuant to Connecticut General Statutes Sections 1-225(f), 1-200(6)(B), 1-200(6)(E), 1-210(b)(4) and (10) to discuss pending litigation/claim involving CMEEC arbitration and legal advice related hereto – Electric Division

MOTION WAS MADE TO MOVE INTO EXECUTIVE SESSION AT 7:08 P.M.

MADE BY: LAFFIN
SECONDED BY: LETOURNEAU

VOTE: 7 AYE
2 ABSENT – FISHBEIN & SULLIVAN
MOTION: PASSED

MOTION WAS MADE TO MOVE INTO EXECUTIVE SESSION pursuant to Connecticut General Statutes Sections 1-225(f), 1-200(6)(B), 1-200(6)(E), 1-210(b)(4) and (10) to discuss pending litigation/claim involving CMEEC arbitration and legal advice related hereto.

MADE BY: LAFFIFN
SECONDED: LETOURNEAU
VOTE: 7-AYE
2 ABSENT – FISHBEIN & SULLIVAN
MOTION PASSED

MOTION WAS MADE TO MOVE OUT OF EXECUTIVE SESSION AT 7:18 P.M.

MADE BY: LAFFIN
SECONDED BY: LETOURNEAU
VOTE: 7 AYE
2 ABSENT – FISHBEIN & SULLIVAN
MOTION: PASSED

Time of Executive Session: 7:08 p.m. to 7:18 p.m.

Attendance at Executive Session

LAFFIN	MAYOR WILLIAM W. DICKINSON, JR.
LETOURNEAU	TOWN ATTORNEY GERALD E. FARRELL, SR.
MARRONE	ROBERT BEAUMONT, CHAIR, PUC
SHORTELL	GEORGE ADAIR, EXEC. DIRECTOR, PUC
TESTA	
ZANDRI	
CERVONI	

6. Report from Jubilee 350th Committee - Chairman Cervoni

Christine Mansfield and Bob Devaney gave a presentation on the 350th Jubilee Celebration.

Councilor Zandri thanks Christine Mansfield and Bob Devaney for the update.

7. Public Hearing to Consider and Act on the Proposed Changes to the Town Charter Recommended by the Charter Revision Commission.

James Vitale, Chairman, Inland Wetlands & Watercourse Commission thinks it's a mistake for the Environmental Planner to report to the Mayor.

Ms. McKeen agrees with Mr. Vitale.

Lucille Casagrande asked a question regarding the Inland Wetland and Watercourse Commission and Chairman Cervoni stated that Council will not answer questions tonight.

Mr. Gross, Long Hill Road, asked when the public will be able to speak. Chairman Cervoni stated the public can present recommendations at the meeting on June 6th.

10. Budget Amendment CMEEC Arbitration FY 2016-2017 – Electric Division – *Removed*
11. Executive Session pursuant to Connecticut General Statutes Section 1-225(f) and Section 1-200(6)(B) regarding strategy and negotiations with respect to the following pending litigation:
 - (a) *Infra-Metals v. Town of Wallingford* (8 and 55 Pent Highway); and
 - (b) *Ichiban Properties v. Town of Wallingford* (94-102 South Turnpike Road) – Law Dept.

MOTION WAS MADE TO MOVE INTO EXECUTIVE SESSION AT 7:55 P.M.

MADE BY: LAFFIN
SECONDED BY: LETOURNEAU
VOTE: 7 AYE
2 ABSENT – FISHBEIN & SULLIVAN
MOTION: PASSED

MOTION WAS MADE TO MOVE INTO EXECUTIVE SESSION pursuant to Connecticut General Statutes Section 1-225(f) and Section 1-200(6)(B) regarding strategy and negotiations with respect to the following pending litigation:

- (c) *Infra-Metals v. Town of Wallingford* (8 and 55 Pent Highway); and
- (d) *Ichiban Properties v. Town of Wallingford* (94-102 South Turnpike Road)

MADE BY: LAFFIN
SECONDED BY: LETOURNEAU
VOTE: 7 AYE
2 ABSENT – FISHBEIN & SULLIVAN
MOTION: PASSED

MOTION WAS MADE TO MOVE OUT OF EXECUTIVE SESSION AT 8:05 P.M.

MADE BY: LAFFIN
SECONDED BY: LETOURNEAU
VOTE: 7 AYE
2 ABSENT – FISHBEIN & SULLIVAN
MOTION: PASSED

Time of Executive Session: 7:55 p.m. to 8:05 p.m.

Attendance at Executive Session

LAFFIN
LETOURNEAU
MARRONE
SHORTELL
TESTA
ZANDRI
CERVONI

MAYOR WILLIAM W. DICKINSON, JR.
TOWN ATTORNEY GERALD E. FARRELL, SR.

12. Motion to consider and authorize settlements in the pending tax appeal matters of *Infra-Metals v. Town of Wallingford* (8 and 55 Pent Highway) as discussed in Executive Session – Law Dept.

MOTION WAS MADE TO authorize settlements in the pending tax appeal matters of *Infra-Metals v. Town of Wallingford* (8 and 55 Pent Highway) as discussed in Executive Session.

MADE BY: LAFFIN
SECONDED BY: LETOURNEAU
VOTE: 7 AYE
2 ABSENT – FISHBEIN & SULLIVAN
MOTION: PASSED

13. Motion to consider and authorize settlements in the pending tax appeal matters of *Ichiban Properties v. Town of Wallingford* (94-102 South Turnpike Road) as discussed in Executive Session – Law

MOTION WAS MADE TO AUTHORIZE settlements in the pending tax appeal matters of *Ichiban Properties v. Town of Wallingford* (94-102 South Turnpike Road) as discussed in Executive Session

MADE BY: LAFFIN
SECONDED BY: LETOURNEAU
VOTE: 7 AYE
2 ABSENT – FISHBEIN & SULLIVAN
MOTION: PASSED

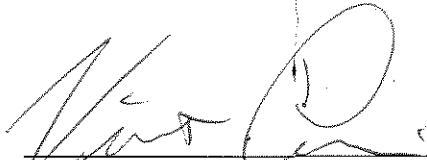
MOTION TO ADJOURN

MADE BY: MARRONE
SECONDED BY: LETOURNEAU
VOTE: 7 AYE
2 ABSENT – FISHBEIN & SULLIVAN
MOTION: PASSED

The Council adjourned the meeting at 8:08 P.M.

Respectfully submitted,

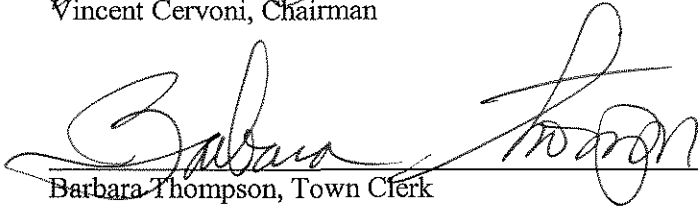
Lisa Moss
Council Staff
Meeting digitally recorded



Vincent Cervoni, Chairman

13 JUNE 2017

Date



Barbara Thompson, Town Clerk

6-14-17

Date

RECEIVED FOR RECORD 5-25-17
AT 4:30 AND RECEIVED BY
Barbara Thompson TOWN CLERK