

TOWN OF WALLINGFORD, CONNECTICUT

TOWN COUNCIL MEETING

February 5, 2008

6:30 P.M.

MINUTES

The following is a record of the minutes of the Wallingford Town Council at its regular meeting held on Tuesday, February 5, 2008, in the Robert Earley Auditorium of the Wallingford Town Hall. Town Council Chairman Mike Brodinsky called the meeting to order at 6:42 P.M. Responding present to the Roll Call given by Town Clerk Barbara Kapi were Councilors Vincenzo M. DiNatale, Nick Economopoulos, Gerald E. Farrell, Jr., John LeTourneau, Bob Parisi, Rosemary Rascati, Michael T. Spiteri, Vincent F. Testa, Jr. and Chairman Mike Brodinsky. Mayor William W. Dickinson, Jr. and Town Attorney Janis Small were also present. Mr. DiNatale left the meeting at 8:36 P.M.

A Moment of Silence began the meeting. The Pledge of Allegiance was said and the Roll Call was taken.

2. Report from the Town Council Chairman

*None*

3. Presentation and Acceptance of \$500,000 raised by Library Association towards cost of furniture and equipment in conjunction with the Library Addition/Renovation Project – Library Association

Appearing to present the checks was Karen Kaplan, President of the Board of Managers of the Library. Ms. Kaplan presented Chairman Brodinsky with two checks totaling \$500,000 and thanked the Board of Directors of the Library for their hard work, and the donors for their contributions. Ms. Kaplan stated that the library will continue fundraising through the sale of tiles which will depict the town of Wallingford.

4. PUBLIC QUESTION AND ANSWER PERIOD

The following people spoke at the public session:

RECEIVED FOR RECORD 2/8/08 Bill Comerford, 5 Broadview Drive, presented the Town Council with a  
handout regarding maintenance of town buildings and stated that he would  
like the town to adopt a written maintenance policy for town-owned  
buildings. Mr. Comerford also said that he is concerned about the  
potential hazards of the U-Verse systems.

1 H 25 M P M AND RECORDED BY  
Barbara A. Kapi TOWN CLERK

Bob Gross, 114 Long Hill Drive, asked if the town plans to maintain the building at 390 Center Street. Mayor Dickinson stated that the town has no plans to maintain the building, and originally purchased the building for access to the Caplan-Wooding property.

Wes Lube, Montowese Trail asked about a health insurance report issued by the Segal Company in 1995, and stated that neither the Personnel office nor the Mayor's office have copies of this report. Mr. Lube suggested that the town commission such a report in order to make sure Anthem is providing a good value to the town.

**5. Consent Agenda**

- 5a.** Consider and Approve Tax Refunds (#415 - #429) totaling \$7,710.81  
Acct #001-1000-010-1170 – Tax Collector
- 5b.** Consider and Approve Merit Review for John Gawlak – Personnel
- 5c.** Consider and Approve authorizing the Mayor to sign the lease and supervisory agreement by and between the Greater New Haven Transit District and the Town of Wallingford for two passenger vehicles  
– Town Attorney
- 5d.** Consider and Approve authorizing of the Mayor to sign a lease agreement for two passenger vehicles between the Town of Wallingford and the Wallingford Committee on Aging – Town Attorney
- 5e.** Consider and Approve the reappointment of the Community Lake Restoration Committee per the attached letter  
– Chairman Mike Brodinsky
- 5f.** Approve minutes of Town Council Meeting of November 27, 2007.
- 5g.** Approve minutes of Town Council Meeting of December 11, 2007.
- 5h.** Approve minutes of Town Council Meeting of January 22, 2008.
- 5i.** Approve minutes of Special Town Council Meeting of January 24, 2008.

Mr. Testa made a motion, seconded by Mr. Farrell, to accept the Consent Agenda Items 5a – 5e, 5h and 5i.

Eight (8) Councilors present voted aye. Mr. Parisi abstained from voting as he was not present for the January Town Council meetings.

The motion passed.

Mr. Testa made a motion to accept Consent Agenda Items 5f and 5g.  
Mr. Farrell seconded.

Six (6) Councilors present voted aye. Mr. Economopoulos, Mr. LeTourneau and Spiteri abstained from voting as they were not members of the Town Council for the meetings held in 2007.

The motion passed.

6. Items removed from Consent Agenda

*None*

7. Discussion and Possible Action on the advisability of forming a Charter Revision Commission – Chairman Mike Brodinsky

Public Session:

Robert Sheehan, 11 Cooper Avenue, said that he does not think a Commission should be formed because the Town Council has not given any guidance as to the issues the Council would like to see addressed.

Sharon Sanders, South Cherry Street, stated that she does not support charter revision.

William Bernie, 153 East Main Street, said that there is no need for a charter revision.

Sandy Pagers, 617 North Elm Street, said that she supports charter revision.

Phil Wright, Sr., 160 Cedar Street, said that the last charter review commission was worthwhile.

Mr. Brodinsky said that he supports charter review because there are many arcane points in the charter that are out of date, such as allowing the Town Council to fix rates. Mr. Brodinsky said that the charter allows the Town Council to appoint the Town Clerk, and perhaps there are other options, such as electing a Town Clerk. The Town Council is also able to appoint a Fire Marshall, which the Council does not do. The charter review commission, should one be appointed, would lead the discussions regarding review.

Mr. Spiteri said that the charter was ratified in 1961, and he thinks there should be a charter review commission because it has been

almost 20 years since the last review commission. Mr. Spiteri said that the charter provides for the by-laws under which the town operates, and these by-laws should be up-to-date. Mr. Spiteri stated that he would be interested in reviewing the length of term for Town Council members because running for reelection every two years can be costly and distracting; he said he would support a staggered, four year term. This staggering would prevent a situation where there was an entirely new Town Council or Board of Education.

Mr. Testa said that he has no strong issues with the charter as is, but agreed that perhaps revision is wise to consider, especially regarding the appointment of the Town Clerk.

Mr. DiNatale asked how the commission process would develop. Mr. Brodinsky said that it would take a vote of six members of the Town Council to establish a charter review commission, and the Council would appoint the commission, which could range from five to fifteen members. Attorney Small stated that this information is included in the memo submitted to the Town Council dated January 18, 2008.

Ms. Rascati stated that she feels the charter is working fine, and is against opening the charter for revision. She said that the appointment of the Town Clerk doesn't have to be a political process, and that electing a Town Clerk would not make this position apolitical.

Mr. Economopoulos said that the Town Council has a very full agenda of issues for the immediate future, and wondered whether this is the most pressing concern for the Council to focus on.

Public Session:

Jason Zandri, Lincoln Drive, asked whether a commission can be formed without opening the charter, and asked what would be the harm in forming a commission. Mr. Zandri also said that he feels the charter should be posted on the town's website.

Steve Knight, 289 Ivy Street, said that he is concerned that this is a solution looking for a problem, and that the appointment of the Town Clerk doesn't seem like a problem because many qualified candidates have held the position over the years. Mr. Knight said that other issues are more important for the Council to consider, and is worried that once the charter is opened, every word is subject to change. Mr. Knight also stated that he is concerned that the charter revision would focus on the number of Councilors necessary to override a mayoral veto of a Town Council budget.

Wes Lube, Montowese Trail, said that times and standards change, and that the town needs an ombudsman.

Sharon Sanders, South Cherry Street, stated that there is no need for term limits for the Mayor or Council members, and that she is against charter revision.

Lucille Trzcinski, 25 Turnberry Road, said that she feels a charter revision is long overdue because the Mayor has too much power.

Bob Hogan, Grieb Road said that he is in favor of charter revision.

Robert Sheehan, 11 Cooper Avenue said that charter review will not solve all of the town's problems.

Allen Banko, 39 Calhoun Road asked if the charter could be opened for only specific purposes. Mr. Brodinsky responded that once the charter is opened, everything is open to review. Mr. Blanco said that because of this, he does not favor charter review because the process could be too subject to politics.

Jason Zandri, Lincoln Drive said that the checks and balance system in the town is abnormal because an override of a mayoral veto requires more than a 2/3 vote of the Council. Mr. Zandri asked if the public has an option if the Council chooses not to revise the charter. Mr. Brodinsky stated that there is a petition provision in the statutes.

Ben Martin, 329 Ward Street asked who would be on the commission. Mr. Brodinsky said that there are provisions to prevent political stacking on the commission, and a limit on public office holders. Mr. Brodinsky said that any resident of the town would be eligible for membership. Mr. Ward said that he is in favor of forming a charter review commission.

Noma Beaumont, 25 Maplewood Ave said she does not support charter revision.

Mark Youngblood, 8 Hayledge Court said that he fully favors a charter review process, but thinks there should be an amendment procedure in the charter. Mr. Brodinsky stated that the procedure for amending the charter is based on state law. Mr. Testa said that the State of Connecticut website contains all of the statutes.

Ms. Rascati said that she worked on a charter revision committee in the 1970s, and the committee spent sixteen months working on the revision. She said that all suggested changes were rejected by the Town Council, so the revision committee seemed like a waste of time. Ms. Rascati stated that when the town decided to change

from a selectman form of government to the charter, the town opted for a strong Mayor/Council form of government. This is the form of government voted on by the public when the first charter was adopted.

Bob Gross, 114 Long Hill Road stated that Mr. Spiteri has the town charter on his website, [www.wlfdgov.com](http://www.wlfdgov.com). Mr. Gross wondered if Independent voters are left out of the process.

Attorney Small said that the Town Council can accept in whole, reject in whole, or accept or reject portions of the final commission report. Attorney Small said that a charter review commission is a substantial amount of work and the process is taken very seriously.

Mr. Spiteri stated that a charter review commission would not be a political play for power because in the past, each Council member appoints one member and the Mayor appoints two members. Mr. Spiteri said that discussion about the Mayor having too much power has not come from the Town Council, but from the public, and the discussion of the charter is to ensure that the charter is up-to-date. The public has the final say in whether changes are made to the charter, and this is not a situation of one political party fighting against the other.

Mr. Brodinsky said that the topic will be brought up at the next Town Council meeting.

Mr. Parisi said that he hopes members of the public will come forward with suggestions and opinions. Mr. Brodinsky thanked Mr. Parisi for his comment, and asked members of the public to send in comments.

*No action was taken.*

8. Discussion and Possible Action on whether the Town Council should take any action with respect to the proposal to add new rail service and a new train station in Wallingford – Councilors LeTourneau and Spiteri

Mr. LeTourneau stated that the commuter rail will have a major impact on the town, and has seen this impact first-hand. Mr. LeTourneau does not see this as a detriment, but as an opportunity. He said that this isn't just an issue for downtown Wallingford, but an issue that will impact the entire town. Wallingford will be a major stop, as will North Haven, Meriden, etc. Mr. LeTourneau said that the railroad could possibly attract new employers because employees could easily commute to Wallingford via the railroad. Mr. LeTourneau said that the railroad will not be functional until 2012 due to state permitting processes, but that the town needs to plan in advance.

Mr. LeTourneau made a motion, seconded by Mr. Spiteri, to create a 9-member Citizens' Advisory Committee, with each Councilor able to appoint one member, to research what the impact will be, what grant money is available, and what happened to other towns when the commuter railroad arrived.

Mr. Spiteri said that other communities are already researching this issue, and it is imperative that Wallingford begins planning now to look to the future to anticipate what is coming. Wallingford should create a transportation plan.

Mr. Brodinsky asked if the committee has a mission statement. Mr. Spiteri suggested that a mission statement be drafted over the coming weeks, and a vote on the creation of the committee could take place at the next Town Council meeting, as no background materials were provided for the other Council members. Mr. LeTourneau said that there is already a motion to form the committee.

Mr. Parisi asked why not just establish the committee and then work out the details after the committee is established.

Mr. Testa said that the Council can approve the concept of a committee and then decide on appointments and a mission statement at a later date. Mr. Testa said that this sounds like a reasonable, good idea and commends Mr. LeTourneau and Mr. Spiteri for bringing this idea forward.

Ms. Rascati asked if the Councilors would need to make recommendations for the commission appointments for the next Council meeting. Mr. Brodinsky said that the Council could vote tonight on creating the commission and then bring forth names for appointments at the next meeting.

Mr. Testa said that appointments at the next meeting could be premature because there needs to be a discussion about how the committee will be appointed.

Mr. Parisi said that the motion would need to be modified because the motion stated that each member will be able to appoint one member to the committee. Mr. Testa said that a nine person commission is fine, but does not want to be rushed in forming the committee.

Public Comment:

Wes Lube, Montowese Trail asked if the Town Planner and Planning & Zoning Committee are involved in this process. Mr. Spiteri responded that both he and Mr. LeTourneau talked to the Town Planner and others involved with town development, and all will move forward together.

Jason Zandri, Lincoln Drive thanked Councilors LeTourneau and Spiteri for bringing this agenda item forward, and thanked the Council for taking the time to consider the issue. Mr. Zandri said that he hopes that the appointment process will be made available so that people can make their interest in the committee known.

**ROLL CALL VOTE:**

DiNatale – aye; Economopoulos – aye; Farrell – aye; LeTourneau – aye; Parisi – aye; Rascati – aye; Spiteri – aye; Testa – aye; Brodinsky – aye

All nine (9) Councilors voted aye.

The motion passed.

9. Consider and Approve a Transfer in the amount of \$19,000 to Admin. and General – Misc. General Expense Account #930 from Admin. And General – Outside Services Acct #923 – Electric Division

In attendance: Richard Hendershot, General Manager of Electric Division

Mr. Testa made a motion, seconded by Mr. Farrell, to approve the transfer.

All nine (9) Councilors voted aye.

The motion passed.

10. Consider and Approve a Transfer in the amount of \$10,000 to Transmission Expense – Maint. Overhead Lines Acct #571 from Distribution Expense – Maint. Overhead Lines Acct #593 – Electric Division

In attendance: Richard Hendershot, General Manager, Electric Division

Mr. Brodinsky asked about line switching. Mr. Hendershot said that line switching is directed by Convex, the Connecticut Valley Electric Exchange, who is the local authority for operating the transmission grid. When any party, in this case, CL&P, needs an outage, they request the outage through Convex. Wallingford, through CMEEC, is a signatory to Convex, and Wallingford switches for CL&P. There is essentially a quid pro quo that when one party needs switching and another party has to switch the other side of the facility, that other party does so at its own expense. The parties do not invoice one another.

Mr. Testa made a motion, seconded by Mr. Farrell, to approve the transfer.

All nine (9) Councilors voted aye.

The motion passed.

11. Consider and Approve a Transfer in the amount of \$30,000 to Injuries and Damages Acct #431-8920-925 from Power Purchased for Pumping Acct #431-8620-623 – Water Division

In attendance: Roger Dann, General Manager, Water & Sewer

Mr. Dann stated that this item was acted on and approved by the Public Utilities Commission.

Mr. Testa made a motion, seconded by Mr. Farrell, to approve the transfer.

All nine (9) Councilors voted aye.

The motion passed.

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

*Withdrawn*

13. Executive Session pursuant to §1-200(6)(B) of the Conn. General Statutes regarding strategy and negotiations with respect to the pending matter of Dibble Edge Partners, LLC.

Mr. Testa made a motion to go into Executive Session pursuant to §1-200(6)(B) of the Conn. General Statutes regarding strategy and negotiations with respect to the pending matter of Dibble Edge Partners, LLC. Mr. Farrell seconded.

All Councilors (9) voted aye.

The motion passed.

The Council went into Executive Session in the Auditorium at 8:35 P.M.

Mr. Testa made a motion, seconded by Mr. Farrell, to come out of Executive Session.

Eight (8) Councilors present voted aye. Mr. DiNatale left the meeting prior to the Executive Session.

The motion passed.

The Council exited Executive Session at 9:15 P.M.

EXECUTIVE SESSION ATTENDANCE:

All Councilors present (8), Mr. DiNatale left the meeting prior to the Executive Session; Town Attorney Janis Small; Mayor William Dickinson.

Mr. Testa made a motion to adjourn. Mr. Parisi seconded.

All Councilors present (8) voted aye. Mr. DiNatale had previously left the meeting.

The motion passed.

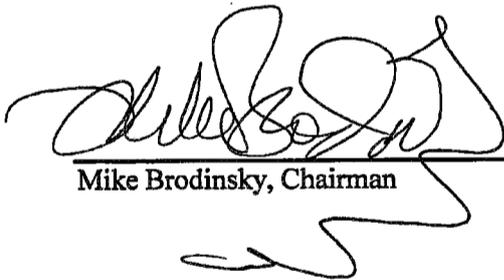
The meeting adjourned at 9:16 P.M.

Respectfully submitted,



Erin R. Occhiogrosso  
Temporary Town Council Secretary

Meeting recorded by Erin R. Occhiogrosso

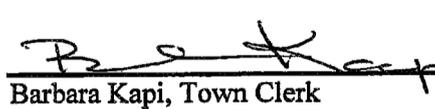


Mike Brodinsky, Chairman

2/14/08

Date

RECEIVED FOR RECORD 2/8/08  
AT 1 H 25M PM AND RECORDED BY  
Barbara a Kapi TOWN CLERK



Barbara Kapi, Town Clerk

2/14/08

Date