

TOWN OF WALLINGFORD, CONNECTICUT
TOWN COUNCIL MEETING
Town Council Chambers
TUESDAY
July 9, 2019
6:30 P.M

RECORD OF VOTES & MINUTES

The Town Council Meeting on Tuesday, July 9, 2019 was called to order at 6:31 p.m. There was a moment of silence and the Pledge of Allegiance was said. Councilors in attendance were: Craig C. Fishbein, Thomas Laffin, John LeTourneau, Joseph A. Marrone, Christopher K. Shortell, Vincent F. Testa and Chairman Vincent Cervoni. Councilor Gina Morgenstein and Councilor Jason Zandri were absent. Mayor William W. Dickinson, Jr., Town Attorney Gerald E. Farrell, Sr. and Comptroller James Bowes were also present.

- 3a. Consider and approve Tax Refunds totaling \$716.79 (#1- 4) Acct. #1001001- 41020 - Tax Collector
- 3b. Acceptance of grant from Workforce Alliance for Summer Youth Employment Program and consider and approve Appropriation of funds in the amount of \$2,563.00 to Donations, Acct. #2274002-47010 and to Expenditures, Acct. #22702019-51000 – Y&SS
- 3c. Consider and approve Appropriation of funds in the amount of \$425 to Revenue, Acct. #2134002-47152 and to Expenditures, Acct. #21340100-58830 – Y&SS
- 3d. Consider and approve Appropriation of funds in the amount of \$3,080 to Revenue-Event or Sale Proceeds, Acct. 2524002-47040 and to Expenses, Acct. #25240150-58830 – Wallingford 350
- 3e. Consider and approve a Transfer in the amount of \$2,090 – Mayor
 - \$ 546 To: Telephone Acct. #10010150-53000
 - \$ 403 To: Dues & Fees Acct. #10010150-58810
 - \$1,141 To: Operating Exps. Acct. #10010150-56100
 - \$2,090 Mayors Exp. Acct. #10010150-58715
- 3f. Consider and approve a Transfer in the amount of \$15,650 – Fire Dept.
 - \$5,000 From: Maintenance of Equipment Acct. #10020150-54325
 - \$9,500 From: Continuing Education & Training Acct. #10020150-55700
 - \$1,150 From: Dues & Fees Acct. #10020150-58810
 - \$10,200 To: Maintenance of Vehicle Acct. #10020150-54320
 - \$ 2,750 To: Purchase of Professional Services-
Ambulance Revenue Recovery Acct. #10020150-56778
 - \$ 2,700 To: Operating Expenses Acct. #10020150-58735

- 3g. Request for additional part-time employee – Animal Control Officer
- 3h. Approve Town Council Minutes of June 25, 2019

MOTION WAS MADE TO APPROVE CONSENT AGENDA ITEMS 3a.-3f. & 3h.

MADE BY: LAFFIN
SECONDED BY: LETOURNEAU
VOTE: ALL AYE
MOTION: PASSED

4. Items Removed from Consent Agenda:

- 3g. Request for additional part-time employee – Animal Control Officer

*In Attendance: Katie Ehlers, Animal Control Officer
James Hutt, Director, Human Resources*

MOTION WAS MADE TO APPROVE ADDITIONAL PART-TIME EMPLOYEE

MADE BY: LAFFIN
SECONDED BY: LETOURNEAU

Councilor Fishbein commented that we just got through budget season and now a part-timer is being added. He stated that the email helped explain the part-time employee is out on extended sick leave.

Ms. Ehlers stated that part-timers cannot exceed 20 hours a week for 15 weeks.

Mayor Dickinson asked Mr. Hutt to clarify if this is a pension issue. Mr. Hutt explained it's a way to keep the employee from not working over 20 weeks at 20 hours a week per year. Mr. Hutt then stated we would have to provide health insurance.

Councilor LeTourneau asked how long a part-timer can stay out sick. Mr. Hutt responded it is up to the department head as to their department's needs.

Councilor Testa understands we have contracts to worry about but asked why not allow the other part-time employee to sign a waiver temporarily to waive their right to full-time benefits.

Councilor Fishbein asked Ms. Ehlers if she staffs 24 hours. Ms. Ehlers answered yes. He then asked Ms. Ehlers if she has overlapping staff. Mr. Ehlers stated she has overlapping staff for business hours but only single staff for after hours.

ROLL CALL VOTE:	MORGENSTEIN: ABSENT
FISHBEIN: NO	SHORTELL: YES
LAFFIN: YES	TESTA: YES
LETOURNEAU: NO	ZANDRI: ABSENT

MARRONE: YES **CERVONI: YES**
5-AYE
2-NAY
2-ABSENT
MOTION: PASSED

5. **PUBLIC QUESTION & ANSWER PERIOD**

Opened Public Question and Answer Period at 7:06 p.m.

Jared Liu, 59 Curtis Avenue, congratulated Lyman Hall and Sheehan High School hockey teams and asked if we are requesting \$2,100 for t-shirts for the hockey teams. Mayor Dickinson responded yes. Mr. Liu then asked why in this instance and Mayor Dickinson stated this has been a long standing practice and we always purchase something for a statewide winning athletic public school team. Mayor Dickinson went on to state we reserve this for teams not individuals.

James Hine, 342 South Elm Street, said he asked for the CMEEC Arbitration result to be put on the Agenda and he sees that it's not on. He mentioned that the town expected an 18 million dollar recovery and the town netted \$800,000.

Mayor Dickinson stated he will have Attorney Farrell address this.

Attorney Farrell explained the two contracts only came into existence when we stopped being a customer. He said we pulled out of one of the contracts at the end of last year and that is why we did not receive money. He went on to say we are pursuing another contract that will save us money going forward years in the future. He then stated we received 3.7 million not \$800,000.

Mayor Dickinson stated that \$18 million was discussed initially and we in fact received \$3.7 million in damages and will receive savings that will ultimately total \$11 million dollars in savings to the town. He feels the town did prevail.

Closed Public Question and Answer Period at 7:24 p.m.

6. 6:30 p.m. Conduct a Public Hearing and consider and act on the following Ordinance entitled:

AN ORDINANCE APPROPRIATING \$490,000 FOR SCHOOL SYSTEM CAPITAL IMPROVEMENT PROGRAM PHASE III AND AUTHORIZING THE ISSUE OF \$490,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

*In Attendance: Marc Deptula, Supervisor, Bldg. & Grounds
Dominic Barone, Business Manager*

Chairman Cervoni convened the public hearing and stated that the \$490,000 School System Capital Improvement Program Phase III 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.

Councilor Laffin moved, and the motion was seconded by Councilor Marrone, to read the title 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.

Upon an all AYE vote

AN ORDINANCE APPROPRIATING \$490,000 FOR SCHOOL SYSTEM CAPITAL IMPROVEMENT PROGRAM PHASE III AND AUTHORIZING THE ISSUE OF \$490,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Adelheid Koepfer Stated that she usually supports projects in the schools but she does not support the removal and replacement of the five oil tanks.

Mr. Deptula feels you never do know what you will find when removing an oil tank and you can have spills. He remarked we will always be burning some kind of fuel.

Ms. Koepfer questioned if we have to replace the oil tanks in the ground and probably replace them in another 20 years again. Mr. Barone answered yes.

Mr. Gross asked if the schools have gas and Mr. Barone answered only one school, Fritz School. He stated he would like to make Fritz school gas. Mr. Gross asked why we can't put gas into these places. Mr. Barone said they are looking into it and that they would like to move away from oil if possible.

Councilor Laffin moved, and the motion was seconded by Councilor LeTourneau, that the ordinance entitled:

"AN ORDINANCE APPROPRIATING \$490,000 FOR SCHOOL SYSTEM CAPITAL IMPROVEMENT PROGRAM PHASE III AND AUTHORIZING THE ISSUE OF \$490,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE", a copy of which is attached hereto, be adopted.

Councilor Fishbein asked if there is any intention to issue these bonds and Mr. Bowes answered yes.

Councilor Fishbein asked why the language states that the issuance of the bonds can be made by the Mayor, Comptroller or Treasurer. Attorney Fasi stated that it is the statute and it allows two of these officials to make the decision to bond.

Chairman Cervoni called the public hearing adjourned.

Upon roll call vote the ayes and nays were as follows:

ROLL CALL VOTE:
FISHBEIN: YES
LAFFIN: YES
LETOURNEAU: YES
MARRONE: YES
7-AYE
2-ABSENT
MOTION: PASSED

MORGENSTEIN: ABSENT
SHORTELL: YES
TESTA: YES
ZANDRI: ABSENT
CERVONI: YES

Chairman Cervoni declared the ordinance adopted.

7. Discussion and action regarding Job Description for Land Use Specialist/Zoning Enforcement Officer-P&Z – Human Resources

*In Attendance: Kaci Hand, Town Planner
James Hutt, Director, Human Resources*

MOTION WAS MADE TO APPROVE THE JOB DESCRIPTION FOR LAND USE SPECIALIST.

MADE BY: LAFFIN
SECONDED BY: LETOURNEAU

Chairman Cervoni asked who the current zoning officer is. Mrs. Hand stated that the part-time planner position has evolved into an enforcement position so as a part-time position there is a need for full-time. This person staffs ZBA and needs to help the public in the office. She went on to say this person could help with Planning as well.

Councilor Fishbein is concerned that ZBA runs in conflict with Planning & Zoning.

Councilor Fishbein asked how this differs from the current part-time position. Mrs. Hand stated there is more emphasis on the public aspect of the job like going to the counter to assist people.

Councilor LeTourneau asked if the part-timer is being eliminated. Mrs. Hand answered yes, this will be filled.

ROLL CALL VOTE:
FISHBEIN: YES
LAFFIN: YES
LETOURNEAU: YES
MARRONE: YES
5-AYE
2-ABSENT
MOTION: PASSED

MORGENSTEIN: ABSENT
SHORTELL: YES
TESTA: YES
ZANDRI: ABSENT
CERVONI: YES

8. Discussion and action regarding Job Description for Assistant Office Manger-Electric Division – Human Resources

*In Attendance: James Hutt, Director, Human Resources
Richard Hendershot, Director, PUC
Antonio Buccheri, General Manager, Electric Div.*

**MOTION WAS MADE TO APPROVE JOB DESCRIPTION FOR ASSISTANT
OFFICE MANAGER-ELECTRIC DIVISION**

**MADE BY: LAFFIN
SECONDED BY: TESTA**

Chairman Cervoni asked if this position already exists and Mr. Hutt stated this position has a new job description. Chairman Cervoni then asked how we got to this point that we need this.

Mr. Hendershot explained they have observed that the manager isn't spending his time doing the work of running the larger utility. He indicated they are not looking to enlarge the headcount just reorganize the clerical staff.

ROLL CALL VOTE:	MORGENSTEIN: ABSENT
FISHBEIN: YES	SHORTELL: YES
LAFFIN: YES	TESTA: YES
LETOURNEAU: RECUSE	ZANDRI: ABSENT
MARRONE: YES	CERVONI: YES
6-AYE	
2-ABSENT	
1-RECUSE	
MOTION: PASSED	

9. Approve Assignment of Tax Assessment Agreement (Hilton Hotel) to Walford Owner, LLC, owner of 1181 Barnes Road – Law Department

**MOTION WAS MADE TO APPROVE ASSIGNMENT OF TAX ASSESSMENT
AGREEMENT (HILTON HOTEL) TO WALFORD OWNER, LLC**

**MADE BY: LAFFIN
SECONDED BY: MARRONE**

Chairman Cervoni clarified this was discussed at the last meeting but needs to be properly assigned to the correct entity.

Councilor LeTourneau wanted to clarify that at the last meeting those two gentlemen were from Emerald.

Attorney Farrell stated that Emerald went and created an LLC and that's who we need to give the agreement to.

Chairman Cervoni stated he received a call today from Attorney Small and they did not mislead us.

Councilor Shortell said he went home and second guessed himself on this meeting and it bothered him. He remarked that Emerald didn't say they needed this tax agreement to move forward.

Councilor Fishbein said he appreciates debating these things. He looked up this new entity Wallingford LLC on the Secretary of the State's website and it was created in May 2017.

Councilor Marrone stated this brings us back to the debate to have the building built on Rte. 68 and we in good faith had the vote and now we are going to pull it back.

MOTION WAS MADE TO TABLE ITEM TO THE NEXT MEETING FOR FULL ATTENDANCE OF THIS COUNCIL.

MADE BY: LAFFIN

SECONDED BY: MARRONE

Councilor LeTourneau stated we can table this and we have the right to pull the money back, it's prudent to the taxpayer.

Councilor Testa said he too has been going over this and that night he felt Emerald purchased the property and the tax agreement went with it. He noted that tonight we are being asked to do a technicality, not re-vote this issue.

Chairman Cervoni commented that Councilor Testa nailed this on the head, it is a procedural issue.

Councilor LeTourneau asked if this motion ends up in a no vote what happens.

Attorney Farrell stated he's not sure if it opens us to litigation. He indicated that Councilor Testa argued this correctly.

ROLL CALL VOTE:

FISHBEIN: NO

LAFFIN: YES

LETOURNEAU: NO

MARRONE: YES

3-AYE

4-NAY

2-ABSENT

MOTION: FAILED

MORGENSTEIN: ABSENT

SHORTELL: NO

TESTA: NO

ZANDRI: ABSENT

CERVONI: YES

Councilor Laffin withdraws his original Motion:

MOTION WAS MADE TO APPROVE ASSIGNMENT OF TAX ASSESSMENT AGREEMENT (HILTON HOTEL) TO WALFORD OWNER, LLC.

Councilor Marrone withdraws his second

10. 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*

MOTION TO ADJOURN
MADE BY: SHORTELL
SECONDED BY: FISHBEIN
ALL AYE
MOTION: PASSED

The Council adjourned the meeting at 8:46 p.m.

Respectfully submitted,


Lisa Moss
Council Staff
Meeting digitally recorded



Vincent Cervoni, Chairman

20 Aug 2019

Date



Barbara Thompson, Town Clerk

8-21-19

Date

RECEIVED FOR RECORD 7-12-19
AT 4:00 AND RECEIVED BY
Barbara Thompson TOWN CLERK