

**TOWN OF WALLINGFORD, CONNECTICUT
TOWN COUNCIL MEETING**

**TUESDAY
JULY 13, 2021
6:30 P.M.**

RECORD OF VOTES & MINUTES

The Town Council Meeting on Tuesday, July 13, 2021 was called to order at 6:30 p.m. There was a moment of silence and the Pledge of Allegiance was said. Councilors in attendance were Craig Fishbein, Thomas Laffin, Gina Morgenstein, Joseph A. Marrone, III, Christopher K. Shortell, Christina Tatta, Vincent F. Testa, Jason Zandri and Chairman Vincent Cervoni. Mayor William W. Dickinson, Jr, Town Attorney Gerald E. Farrell, Sr. and Corporation Counsel Janis Small were also present.

- 3a. Consider and approve Tax Refunds totaling \$26,011.28 (#1-100)
Acct. #1001001- 41020 - Tax Collector
- 3b. Request from the First Congregational Church for use of Parade Grounds for musical events Friday, July 23, 2021, Friday August 6, 2021 and Friday, August 13, 2021 –
Chairman Cervoni
- 3c. Request from Wallingford Center Inc. for use of Fishbein Park and Gazebo grounds
October 2, 2021 for a Mini Celebration from 12 noon - 6:00 p.m. – Chairman Cervoni
- 3d. Acceptance of funds and consider and approve Appropriation of funds in the amount of
\$378 to Revenue, Acct. #2264002-47152 and to Expenditures, Acct. #22640150-58830 –
(FY 20-21) - Y&SS
- 3e. Acceptance of funds from Workforce Alliance for Summer Youth Employment Program
and consider and approve Appropriation of funds in the amount of \$3,656 to Revenue,
Acct. #2274002-47010 and to Expenditures, Acct. #22702020-51000 – (FY 20-21) -
Y&SS
- 3f. Acceptance of funds from SCOW for Summer Youth Employment Program and consider
and approve Appropriation of funds in the amount of \$4,800 to Revenue, Acct. #2274002-
47010 and to Expenditures, Acct. #22702020-51000 (FY 20-21) – Y&SS
- 3g. Acceptance of Donations for Holiday for Giving Program and consider and approve
Appropriation of funds in the amount of \$1,716 to Revenue, Acct. #2134002-47152 and to
Expenditures, Acct. #21340100-58830 – (FY 20-21) - Y&SS

- 3h. Consider and approve a Transfer in the amount of \$4,800 from Maintenance Building and Grounds, Acct. #10030000-54315 to Purchase Services Acord, Acct. #10030000-56748 – (FY 21-22) – Public Works
- 3i. Consider and approve a Transfer in the amount of \$5,705 from Maintenance Buildings and Grounds, Acct. #10030000-54315 to Purchase Services-Custodial, Acct. #10030000-56736 – (FY 20-21) – Public Works
- 3j. Consider and approve Reappointment of Ray Ross as a regular member of the Historic Properties Commission for a five year term effective immediately and expiring on March 27, 2026 – Chairman Cervoni
- 3k. Consider and approve Reappointment of Robert Prentice as Alternate member of the Historic Properties Commission for a five year term effective immediately and expiring on March 27, 2026 – Chairman Cervoni

MOTION WAS MADE TO APPROVE CONSENT AGENDA ITEMS 3a.-3k.

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

4. **Items Removed from the Consent Agenda - None**

5. Public Question & Answer Period

Pat Direnzo, Overlook Drive, inquired about the status of the air conditioning at the animal shelter. The Mayor confirmed they fixed the air conditioning in the office and hired a new Animal Control Officer.

6. COVID 19/Delta Variant Report from Health Director Stephen Civitelli - Councilor Morgenstein

In Attendance: Stephen Civitelli, Health Director

Mr. Civitelli gave an update on COVID 19 and the Delta variant.

Councilor Morgenstein discussed in person and remote meetings.

Councilor Shortell inquired about the possible approval of vaccines for children in the fall and school guidelines. Mr. Civitelli indicated the CDC released guidelines/recommendations and noted a meeting is scheduled for next Tuesday.

Councilor Morgenstein requested a report from Mr. Civitelli in August.

7. (a) Discussion regarding current status of the Wallingford Animal Control Department and Trust Fund – Councilors Zandri, Councilor Morgenstein

The Mayor stated he hired an Animal Control Officer who will be doing an assessment of what the shelter needs.

Councilor Zandri reviewed the history of Susan Juul's gift to the shelter and explained how the money went from the Council to the Mayor's oversight.

- (b) Report from the Administration on establishment and use of the Animal Control Fund, including a list of authorized withdrawals for the previous 10 years and any denied requests for withdrawals, as well as a discussion on amending previous decisions regarding oversight to provide for joint Mayor/Council authority over use of the fund – Councilor Testa, Councilor Morgenstein

Councilor Testa discussed the needs of the shelter, management and use of the fund.

MOTION WAS MADE TO MOVE THE TOWN COUNCIL ESTABLISH MEANS OF PROVIDING JOINT ANIMAL TRUST FUND OVERSIGHT.

MADE BY: TESTA

SECONDED BY: MORGENSTEIN

Councilor Tatta discussed Chapter 3 Section 5 of the Charter.

Chairman Cervoni stated this was originally in Town Council's hands and he is not aware of specific requests that were denied.

There was further discussion regarding the fund and the intention of its use.

Councilor Laffin feels it comes down to communication issues and stated he doesn't think anyone was out to hurt the animals.

Councilor Fishbein feels this should go to ordinance.

Laura Jambora, 21 Hallor Avenue, had questions about the upkeep of the building and asked if units were provided by the town.

Riley O'Connell, 30 Northford Road, stated the reason we're angry is we don't have a back-up plan.

Councilor Marrone stated air conditioning is not a partisan issue.

Pat Reynolds, Old Durham Road, feels the animals are in danger and asked if we could use heat index as criteria for turning air conditioning on.

Darryl Stancuna, Old Village Circle, would like to find out if the animals were evaluated for brain damage.

Jacqueline Richo, Summit Drive, feels the whole structure itself needs to be looked at.

ROLL CALL VOTE:	SHORTELL: YES
FISHBEIN: YES	TATTA: YES
LAFFIN: YES	TESTA: YES
MARRONE: YES	ZANDRI: YES
MORGENSTEIN: YES	CERVONI: YES
9-AYE	
MOTION: PASSED	

- 8. Discussion on plans to use American Rescue Plan Act of 2021 funds – Councilor Testa
Councilor Testa wants to know what the plan is for this money and stated Town Council needs to be intimately involved in that. The Mayor explained there is \$4 million just for general government and additional money for education. He went on to state policy and management of the State of Connecticut must be obligated by December 31, 2024 and we would have to pay someone to set this process and procedure.

Councilor Marrone asked if money could be applied to water/sewer and discount rates to customers. The Mayor said he would have a hard time ignoring industry and business.

Councilor Morgenstein feels we should have our own grant writer and stated a good grant writer pays for themself.

- 15. 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

MOTION WAS MADE TO MOVE INTO 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.

Time of Executive Session: 9:33 p.m. to 9:54 p.m.

Attendance at Executive Session:

FISHBEIN	MAYOR WILLIAM W. DICKINSON, JR.
LAFFIN	CORPORATION COUNSEL JANIS SMALL
MARRONE	TOWN ATTORNEY GERALD E. FARRELL, SR.
MORGENSTEIN	MICHAEL MILLER, CONSERVATION COMMISSION
TATTA	JEFFREY BORNE, CONSERVATION COMMISSION
TESTA	
ZANDRI	
CERVONI	

- 13. Executive Session pursuant to Section 1-225(f) and Section 1-200(6)(B) of the CGS regarding strategy and negotiations with respect to the pending tax appeal matter of *Technical Metal Finishing, Inc. v. Town of Wallingford* – Law Dept

MOTION WAS MADE TO MOVE INTO EXECUTIVE SESSION pursuant to Section 1-225(f) and Section 1-200(6)(B) of the CGS regarding strategy and negotiations with respect to the pending tax appeal matter of *Technical Metal Finishing, Inc. v. Town of Wallingford*.

Time of Executive Session: 9:55 p.m. to 10:03 p.m.

Attendance at Executive Session:

FISHBEIN	MAYOR WILLIAM W. DICKINSON, JR.
LAFFIN	CORPORATION COUNSEL JANIS SMALL
MARRONE	TOWN ATTORNEY GERALD E. FARRELL, SR.
MORGENSTEIN	
TATTA	
TESTA	
ZANDRI	
CERVONI	

11. Executive Session pursuant to Section 1-225(f) and Section 1-200(6)(B) of the CGS regarding strategy and negotiations with respect to the pending tax appeal matters of *Fagone, Receiver of Rents, et al and RRS Comm2014UBS5-CT CHL, LLC v. Town of Wallingford – Law Dept.*

MOTION WAS MADE TO MOVE INTO EXECUTIVE SESSION pursuant to Section 1-225(f) and Section 1-200(6)(B) of the CGS regarding strategy and negotiations with respect to the pending tax appeal matters of *Fagone, Receiver of Rents, et al and RRS Comm2014UBS5-CT CHL, LLC v. Town of Wallingford*.

Time of Executive Session: 10:04 p.m. to 10:16 p.m.

Attendance at Executive Session:

FISHBEIN	MAYOR WILLIAM W. DICKINSON, JR.
LAFFIN	CORPORATION COUNSEL JANIS SMALL
MARRONE	TOWN ATTORNEY GERALD E. FARRELL, SR.
MORGENSTEIN	
TATTA	
TESTA	
ZANDRI	
CERVONI	

9. Executive Session pursuant to CGS Section 1-200(6)(B) and Section 1-225(f) regarding strategy and negotiations with respect to pending claims and litigation involving Covanta and the Disposal Agreements – Law Dept.

MOTION WAS MADE TO MOVE INTO EXECUTIVE SESSION pursuant to CGS Section 1-200(6)(B) and Section 1-225(f) regarding strategy and negotiations with respect to pending claims and litigation involving Covanta and the Disposal Agreements.

Time of Executive Session: 10:17 p.m. to 10:27p.m.

Attendance at Executive Session:

FISHBEIN	MAYOR WILLIAM W. DICKINSON, JR.
LAFFIN	CORPORATION COUNSEL JANIS SMALL
MARRONE	TOWN ATTORNEY GERALD E. FARRELL, SR.
MORGENSTEIN	
TATTA	
TESTA	
ZANDRI	
CERVONI	

MOTION WAS MADE TO MOVE OUT OF EXECUTIVE SESSION AT 10:30 P.M.

**MADE BY: LAFFIN
SECONDED BY: ZANDRI
VOTE: ALL AYE
MOTION: PASSED**

10. Consider and authorization of action with respect to Covanta claims and litigation as discussed in Executive Session – Law Dept.

MOTION WAS MADE TO MOVE TO APPROVE SETTLEMENT with respect to Covanta claims and litigation as discussed in Executive Session.

**MADE BY: LAFFIN
SECONDED BY: ZANDRI
VOTE: ALL AYE
MOTION: PASSED**

12. Discussion and possible action in the pending tax appeal matters of *Fagone, Receiver of Rents, et al and RSS Comm2014UBS5-CT CHL, LLC v. Town of Wallingford* as discussed in Executive Session – Law Dept.

MOTION WAS MADE TO MOVE TO APPROVE THE TAX APPEAL SETTLEMENT IN THE MATTERS OF *Fagone, Receiver of Rents, et al and RSS Comm2014UBS5-CT CHL, LLC v. Town of Wallingford* as discussed in Executive Session.

**MADE BY: LAFFIN
SECONDED BY: ZANDRI**

VOTE: ALL AYE
MOTION: PASSED

14. Discussion and possible action in the pending tax appeal matter of *Technical Metal Finishing, Inc. v. Town of Wallingford* as discussed in Executive Session – Law Dept.

MOTION WAS MADE TO MOVE TO APPROVE THE TAX APPEAL SETTLEMENT IN THE MATTER OF *Technical Metal Finishing, Inc. v. Town of Wallingford* as discussed in Executive Session.

MADE BY: LAFFIN
SECONDED BY: MARRONE

Councilor Fishbein extended his appreciation to the Law Department for the good work that has been done on this matter. He then indicated the numbers are too low.

ROLL CALL VOTE:	SHORTELL: ABSENT
FISHBEIN: NO	TATTA: YES
LAFFIN: YES	TESTA: YES
MARRONE: YES	ZANDRI: YES
MORGANSTEIN: NO	CERVONI: YES
6 -AYE	
2- NAY	
1 - BSENT	
MOTION: PASSED	

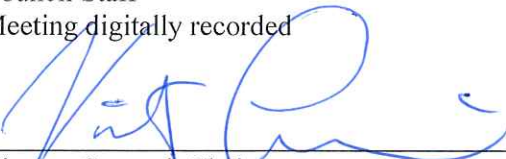
MOTION TO ADJOURN
MADE BY: CERVONI
SECONDED BY: MORGENSTEIN??
ALL AYE
MOTION: PASSED

The meeting was adjourned at 10:37 p.m.

Respectfully submitted,

Lisa Moss
Council Staff
Meeting digitally recorded

RECEIVED FOR RECORD 7-16-21
AT 3:00 **AND RECEIVED BY**
Deborah McKiernan **TOWN CLERK**



Vincent Cervoni, Chairman

17 Aug. 2021

Date



Deborah McKiernan, Town Clerk

8/31/2021

Date