

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

**TUESDAY
December 14, 2021
6:30 P.M.**

RECORD OF VOTES & MINUTES

The Town Council Meeting on Tuesday, December 14, 2021 was called to order at 7:43 p.m. There was a moment of silence and the Pledge of Allegiance was said. Councilors in attendance were Craig C. Fishbein, Thomas Laffin, Joseph A. Marrone, III, Gina Morgenstein, Christopher K. Shortell, Christina Tatta, Vincent Testa and Jason Zandri. Chairman Vincent Cervoni was absent. Mayor William W. Dickinson, Jr., Town Attorney Gerald E. Farrell, Sr. and Comptroller Tim Sena were also present.

- 3a. Consider and approve Tax Refunds totaling \$92,425.74 (#557-677)
Acct. #1001001- 41020 - Tax Collector
- 3b. Consider and approve Merit Increase (1) – Human Resources
- 3c. Acceptance of funds for Fire Watch services to Trail of Terror and consider and approve Appropriation of funds in the amount of \$8,387 from Misc. Revenue, Acct. #1009052-47040 to Maintenance of Building, Acct. #10020150-54315 – Fire Dept.
- 3d. Acceptance of funds from babysitting course registration fees and consider and approve Appropriation of funds in the amount of \$420 to Revenue, Acct. #2134002-47152 and to Expenditures, Acct. #21340100-58830 – 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 \$29,780 to Revenue, Acct. #2274002-47010 and to Expenditures, Acct. #227-02020-51000 Y&SS
- 3f. Acceptance of funds from Operation Fuel and consider and approve Appropriation of funds in the amount of \$425 to Revenue, Acct. #2134002-47152 and to Expenditures, Acct. #21340100-58830 – Y&SS
- 3g. Acceptance of Donation and consider and approve Appropriation of funds in the amount of \$20 to Revenue, Acct. #2134002-47152 and to Expenditures, Acct. #21340100-58830 – Y&SS
- 3h. Acceptance of Donations for Holiday for Giving and consider and approve Appropriation of funds in the amount of \$7,623 to Revenue, Acct. #2134002-47152 and to Expenditures, Acct. #21340100-58830 – Y&SS

- 3i. Acceptance of funds from Redflex Student Guardian for red light school bus violations and consider and approve Appropriation of funds in the amount of \$468 from Court Motor Vehicle Fines, Acct. #1002001-45124 to Police Operating Expense, Acct. #10020050-58735 – Police Dept.
- 3j. Consider and approve a Transfer in the amount of \$10,000 from Regular Salary and Wages, Acct. #10020100-51000 to Overtime, Acct. #10020100-51400 – Animal Control
- 3k. Consider and approve Resolution Authorizing the Town of Wallingford to make application on behalf of the Wallingford Housing Authority to the State Dept. of Economic and Community Development CT Communities Challenge Grant Program for up to \$3,000,000 to rehabilitate an existing building and construct new, up to 16 unit, affordable housing building at 2 Wharton Brook Drive, and authorize Mayor William W. Dickinson, Jr. to execute an Assistance Agreement, if offered, and to execute any amendments, rescissions, and revisions thereto, to carry out approved activities and to act as the authorized representative of the Town of Wallingford such other documents as may be required – Mayor
- 3l. Consider and approve Resolution Authorizing the Town of Wallingford to enter into and deliver to the State of CT Division of Emergency Management and Homeland Security, Dept. of Emergency Services and Public Protection documents necessary for the FFY 2021 Homeland Security Grant Program in the amount of \$22,840 and authorize Mayor William W. Dickinson, Jr. to perform all acts which are necessary to carry out the terms of the FFY 2021 Homeland Security Grant Program – Fire Dept.
- 3m. Consider and approve reappointment of Mr. Edwin Makepeace to the Personnel and Pension Appeals Board for a five year term effective immediately and expiring December 31, 2026 – Mayor
- 3n. Consider and approve appointment of Shelby P. Jackson III to fill an open position on the Wallingford Housing Authority for a term of 5 years effective immediately and expiring October 31, 2026 – Chairman Cervoni
- 3o. Consider and approve Revised Town Council Calendar for 2022 -*WITHDRAWN*
- 11. Executive Session pursuant to Connecticut General Statutes Section 1-225(f) and Section 1-200(6)(B) of the Connecticut General Statutes to discuss the Opioid Litigation (Pharmaceutical Distributors, J&J) – Law Dept.

MOTION WAS MADE TO MOVE INTO EXECUTIVE SESSION AT 6:44 P.M.

**MADE BY SHORTELL
SECONDED BY: TATTA
VOTE: ALL AYE
MOTION: PASSESD**

MOTION WAS MADE TO MOVE INTO EXECUTIVE SESSION pursuant to Connecticut General Statutes Section 1-225(f) and Section 1-200(6)(B) of the Connecticut General Statutes to discuss the Opioid Litigation (Pharmaceutical Distributors, J&J).

Time of Executive Session 6:44 p.m. to 7:02 p.m.

Attendance at Executive Session:

FISHBEIN	MAYOR WILLIAM W. DICKINSON, JR.
LAFFIN	TOWN ATTORNEY GERALD E. FARRELL, SR.
MARRONE	
MORGENSTEIN	
SHORTELL	
TATTA	
TESTA	
ZANDRI	

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

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 7:02 p.m. to 7:15 p.m.

Attendance at Executive Session:

FISHBEIN	MAYOR WILLIAM W. DICKINSON, JR.
LAFFIN	TOWN ATTORNEY GERALD E. FARRELL, SR.
MARRONE	MIKE MILLER, CHAIR, CONSERVATION COMM.
MORGENSTEIN	
SHORTELL	
TATTA	
TESTA	
ZANDRI	

13. Executive Session pursuant to Section 1-225(f), Section 1-200(6)(E), Section 1-210(b)(5)(B) and Section 7-232a of the Connecticut General Statutes regarding commercially valuable and financial information given in confidence regarding the Pierce Project – Law Dep.

MOTION WAS MADE TO MOVE INTO EXECUTIVE SESSION pursuant to Section 1-225(f), Section 1-200(6)(E), Section 1-210(b)(5)(B) and Section 7-232a of the Connecticut General Statutes regarding commercially valuable and financial information given in confidence regarding the Pierce Project

Time of Executive Session 7:15 p.m. to 7:39p.m.

Attendance at Executive Session:

FISHBEIN	MAYOR WILLIAM W. DICKINSON, JR.
LAFFIN	TOWN ATTORNEY GERALD E. FARRELL, SR.
MARRONE	
MORGENSTEIN	
SHORTELL	
TATTA	
TESTA	
ZANDRI	

MOTION WAS MADE TO MOVE OUT OF EXECUTIVE SESSION AT 7:39 P.M.

**MADE BY: SHORTELL
SECONDED BY: TATTA
VOTE: ALL AYE
MOTION: PASSED**

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

**MADE BY: SHORTELL
SECONDED BY: TATTA
VOTE: ALL AYE
MOTION: PASSED**

4. Items Removed from the Consent Agenda:

- 3j. Consider and approve a Transfer in the amount of \$10,000 from Regular Salary and Wages, Acct. #10020100-51000 to Overtime, Acct. #10020100-51400 – Animal Control

MOTION WAS MADE TO APPROVE A TRANSFER in the amount of \$10,000 from Regular Salary and Wages, Acct. #10020100-51000 to Overtime, Acct. #10020100-5140.

**MADE BY: SHORTELL
SECONDED BY: TATTA**

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

- 3k. Consider and approve Resolution Authorizing the Town of Wallingford to make application on behalf of the Wallingford Housing Authority to the State Dept. of Economic and Community Development CT Communities Challenge Grant Program for up to \$3,000,000 to rehabilitate an existing building and construct new, up to 16 unit, affordable housing building at 2 Wharton Brook Drive, and authorize Mayor William W. Dickinson, Jr. to execute an Assistance Agreement, if offered, and to execute any amendments, rescissions, and revisions thereto, to carry out approved activities and to act as the authorized representative of the Town of Wallingford such other documents as may be required – Mayor

MOTION WAS MADE TO APPROVE RESOLUTION Authorizing the Town of Wallingford to make application on behalf of the Wallingford Housing Authority to the State Dept. of Economic and Community Development CT Communities Challenge Grant Program for up to \$3,000,000 to rehabilitate an existing building and construct new, up to 16 unit, affordable housing building at 2 Wharton Brook Drive, and authorize Mayor William W. Dickinson, Jr. to execute an Assistance Agreement, if offered, and to execute any amendments, rescissions, and revisions thereto, to carry out approved activities and to act as the authorized representative of the Town of Wallingford such other documents as may be required

MADE BY: SHORTELL
SECONDED BY: MARRONE

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

- 3m. Consider and approve reappointment of Mr. Edwin Makepeace to the Personnel and Pension Appeals Board for a five year term effective immediately and expiring December 31, 2026 – Mayor

MOTION WAS MADE TO TABLE ITEM.

MADE BY: FISHBEIN
SECONDED BY: MORGENSTEIN

ROLL CALL VOTE:	SHORTELL: NO
FISHBEIN: YES	TATTA: YES
LAFFIN: YES	TESTA: NO
MARRONE: NO	ZANDRI: NO
MORGENSTEIN: NO	CERVONI: ABSENT
3-AYE	

5-NAY
1-ABSENT
MOTION: FAILED

MOTION WAS MADE TO APPROVE reappointment of Mr. Edwin Makepeace to the Personnel and Pension Appeals Board for a five year term effective immediately and expiring December 31, 2026.

MADE BY: SHORTELL
SECONDED BY: TATTA

ROLL CALL VOTE:	SHORTELL: NO
FISHBEIN: NO	TATTA: YES
LAFFIN: NO	TESTA: NO
MARRONE: NO	ZANDRI: NO
MORGENSTEIN: NO	CERVONI: ABSENT

1-AYE
7-NAY
1-ABSENT
MOTION: FAILED

- 3n. Consider and approve appointment of Shelby P. Jackson III to fill an open position on the Wallingford Housing Authority for a term of 5 years effective immediately and expiring October 31, 2026 – Chairman Cervoni

MOTION WAS MADE TO APPROVE Appointment of Shelby P. Jackson III to fill an open position on the Wallingford Housing Authority for a term of 5 years effective immediately and expiring October 31, 2026.

MADE BY: SHORTELL
SECONDED BY: TESTA

ROLL CALL VOTE:	SHORTELL: YES
FISHBEIN: YES	TATTA: YES
LAFFIN: YES	TESTA: YES
MARRONE: YES	ZANDRI: YES
MORGENSTEIN: NO	CERVONI: ABSENT

7-AYE
1-NAY
1-ABSENT
MOTION: PASSED

5. Public Question & Answer Period

Mr. Gross spoke about funding for new web page for the Police Department.

- 6. Discussion and possible action regarding Tentative Agreement for UPSEU 424-16 (Water Unit) Contract for a term of three years from July 1, 2021 to June 30, 2024 – Human Resources

Mr. Hutt presented the contract.

Councilor Laffin indicated no action was taken.

- 7. COVID-19 update from Stephen Civitelli, Health Director – Councilor Morgenstein

Mr. Civitelli gave an update on COVID-19 (attached).

- 8. Consider and approve Wallingford Public Library request to replace elevator and consider and approve a Transfer in the amount of \$224,398 from CNR Fund, Acct. #301 to Elevator-Library, Acct. #301-TBT – Public Works

MOTION WAS MADE TO approve Wallingford Public Library’s request to replace elevator and consider and approve a Transfer in the amount of \$224,398 from CNR Fund, Acct. #301 to Elevator-Library, Acct. #301-TBT.

**MADE BY: SHORTELL
SECONDED BY: TATA**

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

- 9. Discussion and action to approve the changes due to the State Legislature redistricting to make uniform polling places for state, federal and local election. Parts of the following streets that were in the 8th District will be included either in the 2nd or 3rd Districts. The Registrars recommend the 2nd District.

Motion:

A section of the 8th District that was in the 90th District is now in the 85th District. Parts of the following streets that were in the 8th District will now be the 2nd District: Washington St., No. Cherry St., No. Cherry St. Ext., No. Colony St., No. Orchard Ext., No. Whittlesey Ave., No. Main St., Wallace Row, Vas Place, High Street, Duncan St., North St., 3rd St., 4th St., Cass Ave., Stella Dr., Kovacs Pl. – Registrar of Voters.

MOTION WAS MADE TO WAIVE RULE V.

**MADE BY: ZANDRI
SECONDED BY: TATTA**

ROLL CALL VOTE:	SHORTELL: YES
FISHBEIN: NO	TATTA: YES
LAFFIN: NO	TESTA: YES
MARRONE: YES	ZANDRI: YES
MORGENSTEIN: ABSENT	CERVONI: ABSENT

**5-AYE
2-NAY
2-ABSENT
MOTION: PASSED**

MOTION WAS MADE TO CREATE SUBCOMMITTEE TO WORK WITH REGISTRARS TO DETERMINE VOTING DISTRICTS.

**MADE BY: MARRONE
SECONDED BY: ZANDRI**

ROLL CALL VOTE:	SHORTELL: NO
FISHBEIN: YES	TATTA: YES
LAFFIN: YES	TESTA: YES
MARRONE: YES	ZANDRI: YES
MORGENSTEIN: ABSENT	CERVONI: ABSENT

**6-AYE
1-NAY
2-ABSENT
MOTION: PASSED**

MOTION WAS MADE TO WAIVE RULE V.

**MADE BY: SHORTELL
SECONDED BY: TESTA
VOTE: ALL AYE
MOTION: PASSED**

MOTION WAS MADE TO TRANSFER \$3,150 FROM REGULAR SALARIES AND WAGES TO COVER THE EXPENSE OF A TEMP SERVICE POSITION.

**MADE BY: SHORTELL
SECONDED BY: TESTA**

ROLL CALL VOTE:	SHORTELL: YES
FISHBEIN: YES	TATTA: YES
LAFFIN: YES	TESTA: YES
MARRONE: YES	ZANDRI: YES
MORGENSTEIN: ABSENT	CERVONI: ABSENT

7-AYE
2-NAY
2-ABSENT
MOTION: PASSED

EXECUTIVE SESSION:

MOTION WAS MADE TO WAIVE RULE V TO PERMIT DISCUSSION AND POSSIBLE ACTION TO DELEGATE TO THE WALLINGFORD PUBLIC UTILITIES COMMISSION THE AUTHORITY TO NEGOTIATE AND APPROVE AMENDMENTS TO THE PIERCE PROJECT LEASE, THE ASSIGNMENT OF THAT LEASE FROM CMEEC TO MPH AL PIERCE, LLC AND THE ESTOPPEL AGREEMENT ATTESTING LEASE COMPLIANCE, AND LASTLY THE EXECUTION OF ALL THREE DOCUMENTS BY MAYOR DICKINSON.

**MADE BY: SHORTELL
SECONDED BY: TESTA
VOTE: ALL AYE
MOTION: PASSED**

MOTION WAS MADE THAT THE WALLINGFORD TOWN COUNCIL DELEGATE AUTHORITY TO THE WALLINGFORD PUBLIC UTILITIES COMMISSION TO NEGOTIATE AND APPROVE AMENDMENTS TO THE PIERCE PLANT PROJECT LEASE AND THE ASSIGNMENT OF THE PROJECT LEASE BY THE CONNECTICUT MUNICIPAL ELECTRIC ENERGY COOPERATIVE TO MPH AL PIERCE, LLC, WITH A LEASE EXTENSION TO DECEMBER 31, 2032 AND UP TO THREE (3) EXTENSIONS OF US TO GIVE (5) YEARS EACH TO DECEMBER 31, 2047; THIS DELEGATION CONDITIONED ON THAT NO REDUCTION ON THE ANNUAL PAYMENTS BY THE TENANT TO THE TOWN BE PERMITTED IN ANY AMENDMENT OR EXTENSION (CURRENTLY \$348,156.00 PER YEAR), AND FURTHER CONDITIONED ON CMEEC WAIVE ANY RIGHT TO CLAIM THAT THE TOWN OF WALLINGFORD SHARE IN ANY LOSS IT MIGHT HAVE SUSTAINED IN ITS SALE OF THE PIERCE PROJECT TO MPH AL PIERCE, LLC; AND LASTLY THAT MAYOR DICKINSON BE AUTHORIZED TO SIGN THE AMENDMENT TO THE LEASE, THE CONSENT TO THE ASSIGNMENT OF THE LEASE AND THE ESTOPPEL AGREEMENT ATTESTING THAT CMEEC IS IN COMPLIANCE WITH THE EXISTING LEASE.

**MADE BY: SHORTELL
SECONDED BY: TESTA**

ROLL CALL VOTE:	SHORTELL: YES
FISHBEIN: YES	TATTA: YES
LAFFIN: YES	TESTA: YES
MARRONE: YES	ZANDRI: YES
MORGENSTEIN: ABSENT	CERVONI: ABSENT

7-AYE
2-NAY
2-ABSENT
MOTION: PASSED

12. Discussion and possible action regarding the National Opioid Settlement (Pharmaceutical Distributors, J & J) – Law Dept.

MOTION TO ADJOURN
MADE BY: SHORTELL
SECONDED BY: ZANDRI
MOTION: PASSED

The meeting was adjourned at 11:46 P.M.

Respectfully submitted,


Lisa Moss
Council Staff
Meeting digitally recorded



Vincent Cervoni, Chairman

18 FEB. 2022

Date



Deborah McKiernan, Town Clerk

2/18/2022

Date

RECEIVED FOR RECORD 12-17-21
AT 4:00 p.m. AND RECEIVED BY
Deborah McKiernan TOWN CLERK