

TOWN OF WALLINGFORD, CONNECTICUT  
ORDINANCE COMMITTEE

Robert F. Parisi Council Chambers  
45 South Main Street, Wallingford

Tuesday, October 1, 2024  
6:30 pm

RECEIVED FOR RECORD 10-7-24  
AT 9:58 pm AND RECEIVED BY  
Kristen Parro TOWN CLERK

RECORD OF VOTES AND MINUTES

The Ordinance Committee Meeting on Tuesday, October 1, 2024, 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; Council Chair Joseph Marrone, Christopher Regan; Jesse Reynolds, Christina Tatta, and Autumn Allinson Chairperson. Also in attendance were Mayor Vincent Cervoni and Janis Small, Corporation Counsel, and James Hutt, Assistant HR Director.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of Minutes of August 6, 2024 Ordinance Committee meeting.

**MOTION WAS MADE TO APPROVE THE AUGUST 6, 2024 MINUTES AS PRESENTED.**

**MADE BY: LAFFIN  
SECONDED BY: MARRONE  
VOTE: UNANIMOUS  
ABSTAIN: FISHBEIN  
MOTION: PASSED**

**5. Discussion and Possible Action Regarding Updates to the Purchasing Policy**

Councilor Regan explained that the creation of the new IT Department found delays due to an old-world procurement process. It doesn't work for the complexity of technology. He gave an example of the recent purchase of security software and the delays caused by the process. Purchasing through a consortium saved the Town a lot of money. Consortia give the town increased purchasing power, significant cost savings, standardization, and efficiency. The current ordinance states that '...a cooperative association of municipalities MAY be utilized...'. The operative term is 'may'. This seems to be at the discretion of procurement. He proposed either 1) changing the 'MAY' to 'SHALL' or 2) replacing Section 43-17 (as shown in the proposed language).

Chairman Marrone asked how this would affect the bid limit. Councilor Regan replied there was no change to the bid limit. The word 'may' is subjective, the word 'shall' is definitive. It allows us to stop or not use the bidding process. Chairman Marrone asked about the risk. Councilor Regan replied that proposal #1 clearly outlines who the consortium is and how they are vetted. Procurement determines who the consortiums are. This gives them opportunities to forge new relationships and get the best value for our dollar.

Councilor Reynolds stated that he is amazed that a one-word change can equate to this. He agrees that something should be done. What we are doing now is antiquated.

Mayor Cervoni stated that there are several ways that consortium purchases come before the Council. A department can come with a Bid Waiver Request. It might be nice to save some time to get the right equipment to a department. The purpose of the purchasing ordinance is to protect the public interest. He suggested allowing the Purchasing Department to provide input into this change. He agreed that there are benefits to using consortiums.

Councilor Fishbein agreed that Purchasing Department input is needed. He proposed limiting the proposed change #1 to 'in Wallingford and the State of Connecticut'. Opening it up across the country could be opening a can of worms. Proposed change #2 requires the purchasing agent to always look into these entities before anything else. This takes away the Purchasing Agent's discretion and flexibility. He suggested that 'in the best interests of the Town' may need to be defined.

Councilor Laffin stated that he preferred proposal #2 over #1. The 'shall' compels and could cause problems. The word 'may' means they are allowed to. Everything we want is already here. Are we writing a law that mandates how the department will function?

Mayor Cervoni speculated that Consortium purchases end up before the Council out of the abundance of caution that it does produce the best results for the Town. The Council should be cautious of over-directing the Purchasing Department. He would like to find out why consortium purchases always end up before the Council when it is allowed by the Ordinance.

Councilor Laffin questioned why it is a struggle to use consortiums. The Council supports bid waivers for technology purchases. It is allowed. He stated that he needs to understand why this stronger law is necessary.

Chairperson Allinson suggested speaking to the purchasing person and asking why they are not following this route. She suggested bringing this to the next meeting. Chairperson Allinson stated that this will be added to the agenda for the December 3rd Ordinance Meeting.

## **6. Discussion and Possible Action Regarding Updates to LOSAP.**

*In attendance were, Chief James Buck, Chief Timothy Wall, Chief Gerry Gibbons, Chief Bill Slott, and Lt. Hugh Fine*

Councilor Tatta abstained from voting on this item.

**MOTION WAS MADE TO ACCEPT THE UPDATES AS SUBMITTED BY ATTY.  
SMALL TO THE LOSAP BENEFIT.**

**MADE BY: ALLINSON  
SECONDED BY: MARRONE**

Chief Wall explained that he chaired the Committee that drafted the revisions to the Wallingford Fire Department Length of Service Award Program for volunteer firefighters. The Committee was established on December 15, 2020. He gave the history of the program. The intent is to help recruit, retain, and reward volunteer firefighters. The program was established in 1992 by the Council. The Committee worked with elected officials, Fire Chiefs, and department heads including Human Resources and the

Law Department. The document sets standards for qualifications for rewards for service. They researched programs in other towns. This document is their recommendation for revisions.

Councilor Fishbein asked if the language changes mentioned in the two emails in the backup materials are included in the draft language. Chairperson Allinson replied that they were not. Councilor Fishbein asked about the addition of the term 'bona fide' in Section 3.2 on Service. Atty. Small replied that there was no significance to the word and wasn't sure why it appeared to be underlined. Commissioner Fishbein asked about changes to Section 5.1, regarding the minimum number of years of service. He asked if it is correct that the minimum number of years of service is changing from 30 years to 5. In the next paragraph, it appears that 30 years is changed to 25. Chief Slott replied that section 5.1a looks at the first 10 years, paragraph b is for the second 10 years, and paragraph c is for the last 10 years. Councilor Fishbein asked whether Section 6.2 is new and if the intent is for the pension benefit to start at age 62. Chief Wall reported that they worked with several department heads to reduce the retirement age to 62 from 65. It also appears in 4.1.

Atty. Small noted that all the changes aren't tracked in the copy of the document the Commission has. She confirmed that the retirement age is changing from 65 to 62.

Councilor Fishbein asked about Section 8, titled Permanent and Total Disability, and if it is there because volunteers are not eligible for worker's comp. Mr. Hutt responded that he thinks the volunteers can receive worker's comp but would have to check. Councilor Fishbein asked if this benefit was a replacement or on top of an existing benefit. He asked about the willful misconduct definition in Section 8. Atty. Small noted that it says 'not limited to' what's listed. Councilor Fishbein stated that dishonest acts should be listed.

Mayor Cervoni added that Section 8 refers to an event that might trigger this benefit.

Councilor Reynolds referred to Section 6, Abatement, 2.03-19 page 3. He asked how the point system works, how it relates to compensation, and if it's enough to keep people engaged and attract new volunteers. Chief Slott explained that to get well-rounded individuals, they need to respond to calls, be trained, attend meetings, and get extra credit. The point schedule is split amongst all that. It is so they participate in every aspect. Chief Wall added that there is a max on the points that can be earned. Councilor Reynolds asked if everyone was okay with the financial stipend for 3 out of 4 consecutive years in section 6. Chief Buck explained that there may be illnesses or injuries that prevent someone from getting to a level of service. He noted that he would rather the language says 3 years instead of 3 out of 4 years. Councilor Reynolds asked if they were comfortable with this document or would they like to make more changes. Chief Wall replied that the Committee would take feedback and recommendations. He noted that the first year under this program will have a financial impact, but the cost will level out over the next few years.

Councilor Fishbein stated that we need to do whatever we can to keep volunteer firemen and incentivize others. Chief Wall stated that the support of the Council is appreciated. He added that the email dated September 25 is from a follow-up meeting with the Law Department and others. These are the changes he captured. He confirmed that they would like to incorporate the changes outlined in the emails. He explained that they agreed to make this effective back in 2021 and reviewed the changes in the emails. Councilor Fishbein stated that the Council will defer to the Committee because you know what would get someone to join and stay. He asked if there is a maximum age for volunteers. Chief Wall stated that there is none. They have to meet physical requirements and maintain credentials and training each year. Councilor Fishbein asked if it is possible to be active and collect a pension. Chief Wall replied yes, that it was the Committee's recommendation. If they have maxed out their points they will no longer receive benefits. Chief Buck stated that you don't want to incentivize a veteran to leave and lose their experience.

Chairperson Allinson stated that this will have to come back when all the amendments are in the document. It will be important to have a clean document for the next meeting.

Chairman Marrone stated that it has been a long road for this plan and he is inclined to advance it to the full Council for review. The priority is to get this moving.

Councilor Laffin stated that he would support that if the Council received a final document. He stated that the Committee knows best what would recruit and draw people as well as what would recognize their service. He stated that he is in favor of moving forward. He noted that he appreciates that Chief Buck always includes the volunteers.

Chairperson Allinson suggested they plan for the October 22<sup>nd</sup> or November 12<sup>th</sup> Council meeting and noted that the document would need to be submitted a week in advance.

Chief Wall clarified that the Council needs a fresh copy with all the changes in the email included. Chairperson Allinson confirmed.

Councilor Fishbein stated that this should be done the right way and not rushed. He asked about the costs. Chief Wall replied that the calculation was in one of the original documents. It goes back to 2021 when the committee started. Councilor Fishbein stated that he'd like to see it go back to January 1, 2020. Atty. Small stated that Mr. Hutt has the costs. She added that if the \$1000 stipend is going to be retroactive, it will need to be calculated. Chief Wall said that the Committee can cost it out and show both ways. Councilor Fishbein added that the benefit for volunteers is worth it and he'd like to see it retroactive to January 1, 2020.

**MOTION WAS MADE TO TABLE THIS FOR A FUTURE MEETING**

**MADE BY: ALLINSON  
SECONDED: FISHBEIN**

**MOTION WITHDRAWN  
BY: ALLINSON  
SECONDED: MARRONE**

**MOTION WAS MADE TO ELEVATE THIS TOPIC TO FULL COUNCIL  
MADE BY: MARRONE  
SECONDED: LAFFIN**

Chairperson Allinson stated that assuming the updated document is received by October 15<sup>th</sup>, this will be added to the agenda for the October 22<sup>nd</sup> meeting. If it is received by November 6<sup>th</sup> this will be added to the agenda for the November 12<sup>th</sup> Council Meeting.

Chief Buck stated that the language is pretty much ready. The delay is the back-end research.

Councilor Fishbein suggested polling the Council for either going back to January 1, 2020, or January 1, 2021.

Councilor Laffin suggested getting the numbers and the document can be amended at the meeting.

<b>ROLL CALL VOTE:</b>		<b>REGAN:</b>	<b>YES</b>
<b>ALLINSON:</b>	<b>YES</b>	<b>REYNOLDS:</b>	<b>YES</b>
<b>CARMODY:</b>	<b>ABSENT</b>	<b>TATTA:</b>	<b>ABSTAIN</b>
<b>FISHBEIN:</b>	<b>YES</b>	<b>TESTA:</b>	<b>ABSENT</b>
<b>LAFFIN:</b>	<b>YES</b>	<b>MARRONE:</b>	<b>YES</b>

**6 – AYE**  
**4– NAY**  
**1 – ABSTAIN**  
**2- ABSENT**  
**MOTION: PASSES**

**7. Adjournment**

Chairperson Allinson asked for a motion to adjourn.

**MOTION WAS MADE TO ADJOURN THE OCTOBER 1, 2024 ORDINANCE COMMITTEE MEETING AT 7:50 P.M.**

**MADE BY: ALLINSON**

**VOTE: UNANIMOUS**  
**MOTION: PASSED**

Respectfully submitted,  
Cheryl-Ann Tubby  
Recording Secretary