

TOWN OF WALLINGFORD, CONNECTICUT
TOWN COUNCIL MEETING

TUESDAY
April 25, 2023
6:30 P.M.

RECORD OF VOTES AND MINUTES

The Town Council Meeting on Tuesday, April 25, 2023, 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, Autumn Allinson, Samuel Carmody, Craig Fishbein, Thomas Laffin, Joseph A. Marrone, III, Christina Tatta, Vincent F. Testa, Jason Zandri (via phone), and Chairman Vincent Cervoni. Mayor William W Dickinson, Jr., Corporate Counsel, Janis Small, and Controller Timothy Sena were also present.

1. Pledge of Allegiance
2. Roll Call
3. Consent Agenda
 - 3a. Consider and approve Tax Refunds totaling \$19,225.54 (#711-736)
Acct. #1001001-41020 – Tax Collector
 - 3b. Consider and approve Merit Reviews (3) – Human Resource
 - 3c. Consider and approve a Transfer in the amount of \$1,050.00 from Maintenance of Bldgs. & Grounds, Acct. #10030000-54315 to Time Clock, Recreation Dept., Acct. #10030000-57000 – Public Works
 - 3d. Consider and approve a Transfer in the amount of \$1,260 from Contingency, Acct. #10019000-58850 to Exp: Capital-Computer, Acct. #10040100-57000-TBD – Y&SS
 - 3e. Consider and approve a Transfer in the amount of \$864 from Cap & Non, Fund #301 to Ball Field Fencing, Acct. #30102022-57000-20228-Parks & Recreation
 - 3f. Acceptance of overtime expenses for Federal Task Force and consider and approve Appropriation of funds in the amount of \$4,197 to Misc. Revenue, Acct. #1009052-47040 and to Police Overtime, Acct. #10020050-51400 – Police Dept.
 - 3g. Consider and approve a Transfer in the amount of \$1,000 from Operating Expenses, Acct. #10040050-58735 to Continuing Education, Acct. #10040050-55700 – Health Dept.
 - 3h. Consider and approve Revisions to Job Description for Maintainer III, Sewer Division – Human Resources
 - 3i. Consider and approve Revisions to Job Descriptions for Maintainer II, Sewer Division – Human Resources
 - 3j. Consider and approve a Transfer in the amount of \$4,550 from Regular Salary & Wages, Acct. #10010050-51000 to PS – Archiving Minutes, Acct. #10010050-56601 – Town Council

- 3k. Consider and approve Appropriation from ARPA funds to businesses in the amount of \$150,000 – Law Dept.

\$150,000	To:	Revenue-Federal Grant	Acct. #2391002-45200
\$150,000	To:	ARPA – Businesses	Acct. #23940250-58830-TBD

- 3l. Approve Special Town Council Public Hearing Minutes of April 10, 2023, Town Council Meeting Minutes of April 11, 2023, Special Town Council Budget Meeting Minutes of April 11, 2023, and Special Town Council Budget Meeting Minutes of April 12, 2023.

MOTION WAS MADE TO APPROVE OR ACCEPT CONSENT AGENDA ITEMS 3a THROUGH 3l.

MADE BY: FISHBEIN
SECONDED BY: TATTA

Councilor Tatta noted the minutes under 3l are amended, so the motion on item 3l is amended.

MADE BY: CERVONI
SECONDED BY: MARRONE

Councilor Tatta abstained from voting on item 3k.
Councilor Fishbein abstained from voting on the Tee It Up and Parent & Parent applications in item 3k.

VOTE: ALL AYE
MOTION: PASSED WITH ONE ABSTENTION

4. Items Removed from the Consent Agenda – none

5. Public Question & Answer Period

Bob Gross, Long Hill Road asked about the \$200,000 received from the Trash to Energy Plant arbitration settlement. Mayor Dickinson replied that it is held as part of the CRA funds, but he will confirm that. It was noted that this was a mediation approved by the Town Council a couple of years ago.

Hearing no further public questions, Chairman Cervoni closed the Public Question and Answer Period.

7. Discussion and possible action regarding Tentative Agreement with Wallingford Public Schools and the Conn. Health Care Associates, District 1199, National Union of Hospital and Health Care Employees (School Nurses) for July 1, 2022 – June 30, 2025 – BOE

In attendance were Tammy Raccio, Chairperson, Danielle Bellizzi, Superintendent, Dominic Barone, Business Manager, and Fran Thompson, Assistant Superintendent for Personnel.

Mr. Thompson explained that they negotiated a contract with the school nurses union for July 1, 2022, through June 30, 2025. He thanked the members of the Board of Education members on the Negotiating Committee. He reviewed the changes in the new contract.

There were no questions from the public
Chairman Cervoni asked if there is any action needed from the Council. Mr. Thompson replied no.

6. 6:30 p.m. Public Hearing to Consider and Act on the following ordinance entitled:
In attendance were Tammy Raccio, Chairperson, Danielle Bellizzi, Superintendent, Dominic Barone, Business Manager, and Marc Deptula, Supervisor of Building and Grounds

Chairman Cervoni convened the public hearing for the \$2,000,000 appropriation and bond authorization for the Mark T. Sheehan High School athletic Track and Field improvements project. The 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.

MOTION WAS MADE TO read the title of the proposed ordinance and to waive the reading of the remainder of the ordinance, incorporating its full text into the minutes of this meeting.

MADE BY: LAFFIN

SECONDED BY: ALLINSON

VOTE: ALL AYE

MOTION: PASSED

Chairman Cervoni read the title:

AN ORDINANCE APPROPRIATING \$2,000,000 FOR THE MARK T. SHEEHAN HIGH SCHOOL ATHLETIC TRACK & FIELD IMPROVEMENTS AND AUTHORIZING THE ISSUE OF \$2,000,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE.

PUBLIC COMMENT

Marla Roscoe, 4 Royal Oak Lane, stated that she is a physical therapist and has been seeing many injuries from this track and field. She asked for funding to replace the track and field. This is a safety issue. The potential consolidation of schools is a separate issue and several years down the road. This is absolutely a risk that can be mitigated.

Ray Ross, 656 Center Street, stated that he has been photographing sports on this field for years and recently the dust and rubber pellets end up everywhere. This has to be replaced.

Mike Votto, 377 North Elm Street, stated that safety is number 1. The pebbles come off the field and end up in cars. The bleachers are filled with black plastic particles. It is falling apart. If it can't be used because it's dangerous, will the children need to be bused out of town?

Melanie Rosacci, 9 Platt Drive, stated that the turf needs to be redone. These facilities will be used after the merge. Kids are getting injured. The track has dangerous divots.

Mike Glidden, Pomeroy Avenue stated that he is against this. This should have been part of the budget or part of a capital improvement plan. Now we are bonding for another project. There is zero capital planning and taxpayers suffer the debt servicing. He agreed that the consolidation is a separate issue. He stated that facility planning and capital planning are the responsibility of this Council. This project needs to be put on hold while you decide what to do long-term for facility planning and bonding we need to look at other needs. We need responsible fiscal planning.

Hearing no further public questions, Chairman Cervoni closed the public hearing.

MOTION WAS MADE TO adopt the proposed ordinance:

“AN ORDINANCE APPROPRIATING \$2,000,000 FOR THE MARK T. SHEEHAN HIGH SCHOOL ATHLETIC TRACK & FIELD IMPROVEMENTS AND AUTHORIZING THE ISSUE OF \$2,000,000 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.

MADE BY: LAFFIN

SECONDED BY: ALLINSON

Councilor Allinson agreed that there are two different topics. No matter what is done with the schools, the track and field will be used. She noted that the BOE has a robust strategic plan and this is part of it and has been for some time. She agreed that the Town lacks a strategic plan. The issue with the track needs to be addressed now. She stated that she supports the motion and thanked the BOE for having a strategic plan.

Councilor Tatta asked how long we are bonding and what the interest rate is. Mr. Sena replied 20 years and the interest will total about \$735,000 over the life of the bond. Chairman Cervoni asked when we start to pay the interest. Mr. Sena replied usually the year after the issue. Councilor Tatta asked if switching back to grass was considered. Mr. Deptula replied that they did look into it but the high use will not permit grass. It would only last a year and becomes hard. The artificial turf will stay consistent for most of its life. Councilor Tatta asked if the softball field at Lyman Hall is part of this bond. Ms. Bellizzi replied it is separate. Councilor Tatta stated her concern about doing this while the consolidation is in flux.

Chairman Cervoni asked how old the track is. Mr. Deptula replied that it was installed in 2007 and the turf usually lasts 12 years. The track and curbing should last around 20 years. Chairman Cervoni asked about maintenance. Mr. Deptula replied that it is tough to maintain the fields in use every day during the school year. They are in the process of hiring a vendor to do the maintenance at night. He added that maintenance won't extend the life as the sun and cold will break it down.

Councilor Testa recalled the discussions when the tracks were put in at both Sheehan and Lyman Hall. He noted that the facility is where we would expect it to be at this point. We need to do this or decide they don't have a field anymore. Regardless of what happens with the high schools, this needs to be repaired. This is a smart investment and the right thing to do.

Councilor Fishbein agreed with not putting in grass. He asked if there will also be a redesign. Mr. Deptula replied that this is a complete redesign of the track and field. It doesn't include the bleachers or buildings because they don't need work. Councilor Fishbein stated that he supports the new track and field. He asked about the environmental impact on the track and if ways to protect it have been considered. He suggested a dome. Mr. Deptula replied that he is not aware of any high school that has a dome. He offered to look into it. Commissioner Fishbein agreed that the consolidation is not part of this discussion and noted that the Lyman Hall field will be next in a few years. He asked if we still using Pullman and Comley for the bonding services. Mr. Sena replied that we are putting it out to bid.

Councilor Laffin noted that we have many options for the Sheehan high school property and 5 -7 years to figure it out. The track and field needs to be done now. We have maximized the life of the facility.

Councilor Carmody agreed that this needs to be done. He asked if there is any state money was pursued for this project. Ms. Bellizzi replied. Councilor Carmody asked if the scoreboard is being replaced too. Mr. Deptula replied yes at a cost of just over \$10,000. Councilor Carmody noted that this was in the BOD budget originally but the Mayor recommended bonding instead. Mayor Dickinson explained that capital projects are

usually bonded. He added that ARPA money wasn't considered because this needs to be approved now so it can be done this summer.

Councilor Marrone agreed that a strategic plan is needed. He agreed that the field has been played out. He noted that bonding is like taxing in arrears, we pay a little over time. It makes sense to bond this project.

ROLL CALL VOTE:	MARRONE:	YES
ALLINSON:	TATTA:	NO
CARMODY:	TESTA:	YES
FISHBEIN:	ZANDRI:	YES
LAFFIN:	CERVONI:	YES

8 – AYE

1 – NAY

0 - ABSTAIN

MOTION: PASSES

8. Consider and approve an additional Appropriation in the amount of \$250,000 received from the Mutual Separation Agreement with Durham School Services – BOE
- | | | | |
|-----------|-----|--------------------------|-----------------------|
| \$250,000 | To: | Revenue: Education | Acct. #1009052-46200 |
| | | Recovery of Expenditures | |
| \$250,000 | To: | Expenditure: Education | Acct. #10060010-67350 |

MOTION WAS MADE TO Consider and approve an additional Appropriation in the amount of \$250,000 received from the Mutual Separation Agreement with Durham School Services with \$250,000 from the Revenue Education Recovery of Expenditures Account to the Expenditure Education Account.

MADE BY: LAFFIN

SECONDED BY: ALLINSON

Mr. Barone explained how this came about. They had been contracting for transportation with Durham School Services for about 20 years. During 2021 and 2022 there were a lot of challenges with late buses and not enough drivers. They tried to work with the company to improve the services but decided on a mutual separation. As part of that, after the end of the contract, June 30, 2022, we received \$250,000 from Durham School Services. The request tonight is to appropriate that money so we can purchase security and safety items from the strategic budget.

Chairman Cervoni asked why this is not an appropriation into the General Fund. Mayor Dickinson replied that it is an option but that he won't suggest that. The school system disagreed with the payments to the bus company when there were no services. This is public money that is meant for the school system. He supports their decision to make this arrangement. The funds should be used for safety enhancements.

Councilor Fishbein asked how repairing the playground and walking paths at Parker Farms is a safety use. Mr. Deptula replied that there are serious fissures in the playground and walkway which fill with weeds and kids trip on them. They are repairing, not replacing. Otherwise, the playground is pretty stable. He explained where the walking paths are. Councilor Fishbein clarified that the \$10,000 is for both the playground and the walking trail. Mr. Deptula confirmed. Councilor Fishbein asked about the basketball hoops at Highland. Mr. Deptula replied that most had been taken down, but an age-appropriate basket will be added this year for the smaller kids. Councilor Fishbein noted that it was an attraction for neighborhood kids and it would be nice to do something for the families.

Hearing no public comment, Chairman Cervoni called for action.

ROLL CALL VOTE:	MARRONE:	YES
ALLINSON:	TATTA:	YES
CARMODY:	TESTA:	YES
FISHBEIN:	ZANDRI:	YES
LAFFIN:	CERVONI:	YES

9 – AYE

0 – NAY

0 - ABSTAIN

MOTION: PASSES

Chairman Cervoni asked Council Members if there were questions for the departments on the Budget Workshop agenda for later tonight. After confirming there were no questions, he released the department staff and canceled the Budget Workshop.

9. Consider and Approve Appropriation from ARPA funds to Non-Profits in the amount of \$55,000 – Law Dept.

\$55,000 To: Revenue-Federal Grant Acct. #2391002-45200

\$55,000 To: ARPA-Nonprofits Acct. #23940300-58830-TBD

MOTION WAS MADE TO Approve an Appropriation from the ARPA funds to Non-Profits in the amount of \$55,000

MADE BY: LAFFIN

SECONDED BY: ALLINSON

Atty. Small explained that this includes two non-profit applications that were approved by the standard deviation formula. (Hungarian Club and Zion Lutheran Church). One other application is still in legal review.

Councilor Tatta asked if anyone from the administration checked the calculations. Atty. Small replied that she did not. Councilor Tatta stated that it is worrisome to base the approval on one person's calculations. She would have preferred that Mr. Sena check the math.

MOTION was made to table items 9 and 10 until after item 11 is discussed as it could affect the outcome.

MADE BY: TATTA

SECONDED BY: MARRONE

It was noted that representatives from both applications are in attendance.

Councilor Fishbein noted for the record that he will have to be recused for the Vogue Nail Salon application in item 10.

Councilor Testa called the question.

ROLL CALL VOTE:	MARRONE:	YES
ALLINSON:	TATTA:	YES
CARMODY:	TESTA:	NO
FISHBEIN:	ZANDRI:	NO
LAFFIN:	CERVONI:	NO

2 – AYE

6 – NAY

0 – ABSTAIN

1 - RECUSED

MOTION: FAILS

Councilor Marrone stated no disrespect to the applicants. The committee was charged to analyze the applications, then when we didn't like the decisions we created another formula. This is a certain kind of skullduggery. He stated that he will vote no for #9 and #10 because he believes the committee made some good decisions and he doesn't like the disreputable way this was handled.

Councilor Carmody addressed both #9 and #10. This has been a disappointing process. There is plenty of blame to go around. We all share responsibility for this mess. We need to move the process forward and do it quickly. He stated that he voted for the standard deviation formula because he thought something needed to be done regarding the scoring issues. We need to support the non-profits and small businesses in the community that suffered through the pandemic. He stated that he reviewed the applications before us and believes all are worthy of the funding.

Councilor Testa agreed that the way this played out could be perceived as an insult. That was not intentional. The standard deviation formula increased the awards and helped to get the money out to the community. He accepted responsibility for potentially insulting the members of the committee. But he did not accept the use of the words skullduggery and disreputable. It is aggravating for people to imply that something is going on behind the scenes. He is sorry that feelings were hurt. He is not going to accept the implication of impropriety on his part. We need to finish this. No one has done anything wrong.

Councilor Allinson stated that the standard deviation formula was meant to address how one person can score an application 15 and the next lowest score is 55. There was no nefarious intent. She tried to help more businesses and non-profits. Council decided to give money to the non-profits to avoid individual applications. The standard deviation formula comes from Excel and is available to anyone. It is just to account for the disparity in scoring. This was discussed at length. She agreed that not every business and non-profit will be approved. The committee was intended to recommend funding and the Council always had veto power. The applications should be reviewed for worthiness based on the ARPA guidelines. She emphasized that Council did nothing wrong.

Councilor Laffin stated that Council didn't set the scoring calculation. He agreed that they started using the standard deviation after the fact. The intent is to help the community. Non-profits are the ones who trickle the money down to the people. He is sorry this is so painful. He accepts some of the fault. We need to push forward and keep going.

Councilor Zandri agreed that Council had the capability from day one to accept the recommendations of the committee. He noted that they didn't have to have a committee. They decided to have a committee and a review process, but the role was to make recommendations. The Council made the final decisions on awards. He noted that they spent a lot of time discussing how to get the most miles out of these dollars. The original expectation was that if every application was approved, we would exceed the ceiling of available funds. The

ceiling was raised. The intent was to get the money into as many hands as possible. He stated he shares the blame.

Councilor Fishbein stated that it is easy to say that you want everyone to get the money so we'll move the goalposts. He gave some details of some of the applications in items #9 and #10 and why the committee scored the way they did. He noted that several are incomplete and others don't demonstrate a lack of recovery. He explained the scoring and voting process. He stated that he can understand if an application is not recommended and after reviewing it Council can say they feel differently. But just to move the goalposts without reviewing the applications is irresponsible. He added that there are some fantastic projects in these applications. He stated that he expects there to be lobbying from those who aren't approved for funding.

Councilor Zandri stated that statistical averaging and standard deviation pull up low scores and pull down high scores. It was the scoring that was out of whack. This is the appropriate thing to do. Some applications will still fail. At the end of the day, suggesting manipulation now is horrendous.

Councilor Tatta stated that before we give away taxpayer money we need to make sure we didn't miss anyone. She asked how the applications appeared on the agenda if no one did any calculations. Atty. Small replied that Council approved the formula and Councilor Allinson provided a list that met the formula. Atty. Small gave that list to the Comptroller. Councilor Tatta asked if anyone reviewed the list to make sure they met the criteria and that we didn't miss anyone. Atty. Small reported that she withheld one non-profit that is in legal review. Mayor Dickinson stated that he is satisfied that the recipients are worthy. They made the applications and were approved by the consultant. Councilor Tatta noted that a mathematical equation is not worthiness. Mr. Sena noted that no one in the administration checked the formula. Mayor Dickinson stated that whatever the mathematical issue, the question is are the applicants worthy. Councilor Tatta stated that worthiness is not a criterion that the Council set.

Councilor Testa stated that this group of applications was rescored using the standard deviation formula, so it's not one person's analysis. These applications were reviewed by the consultant and the committee and just missed the passing score. The standard deviation was applied and they were approved.

Chairman Cervoni noted that there are a bunch of applications that were denied by the committee that was not approved after using the formula.

Councilor Tatta stated that Councilor Allinson is the only one who did the calculations. No one else checked the math.

Councilor Testa noted that Councilor Fishbein's explanation of the scoring process shows there is a problem with the rating system. It shows that a corrective mathematical function is necessary. This is not meant to be a value judgment. This is no indictment on the committee. That is the fault of the Town Council because we gave them the criteria. Now we are trying to correct it. He asked if any applications on this list were not approved by the committee because they did not meet the criteria.

Councilor Fishbein stated that one frustration of the committee was the expectation that the consultant was going to ensure the packages were complete and met the criteria. He read some of the criteria and how it was interpreted.

Councilor Testa stated that there was a degree of subjectivity on the part of the graders instead of objectivity. As the group responsible for the ultimate decisions, we decided to temper the scores using Councilor Allinson's formula. There is nothing inherently improper with that.

Chairman Cervoni stated that Council is the ultimate arbiter of the applications. The applications approved by the committee have moved ahead. The Council did not set the minimum scoring criteria (70 for a business and 75 for a non-profit). That is what is adjusted by the standard deviation. Council debated the administration's involvement in the process.

Councilor Fishbein stated that the expectation was that Council would review the recommendations and discuss the applications. Maybe there would be an appeals process. Instead, Council is approving without reviewing. He explained the Committee's decision to set a high passing score because it is public money.

Councilor Marrone stated his concern is the timing. We set up a criteria and the Committee is a third of the way through and the council changed the rules. We all expected that at some point there would be an appeals process. This is telling the volunteers that we are doing it in a completely different way. The volunteers ask why they bothered. We have spent more time over the last two years talking about the ARPA funds than any other item and now we are just going to roll the dice.

PUBLIC COMMENT

Bob Gross, Long Hill Road stated that there is a mathematical error in one application. It was in the numbers Council was given. He gave examples of things in applications that are not allowed under the CARES Act. He stated that there was no bias on the committee. They focused on whether the application met the criteria and whether they are still suffering from the pandemic. He noted that the deviation in scores is wide because some people just scored high. There was a lot of discussion by the committee. Some applications didn't meet the criteria, yet you will pass them. The committee knew the Town Council had the final say. They expected there would be an appeals process. He noted that he felt it was improper how this came about and mentioned an ethics question.

Joe Mirra, EDC, noted that this is the American Rescue Plan. Somewhere along the way, something went wrong with the process. The committee was auditing, not reviewing. He stated that the Committee focused on the wrong years for the tax returns. It is time to take action. People have been waiting. The consultant reviewed the applications based on federal requirements. He commended everyone. It is time to do the right thing and get the money out to the people.

Mike Brodinsky, 45 Valley View Drive, thanked the committee members for their work including the time spent preparing for meetings. He explained that the program the Committee received from Council was not a revenue replacement program. That was not the criteria. The problem seems to be the different expectations. In the case of business applications, the overriding question was whether they are still experiencing financial difficulty due to the pandemic. This was more complicated than it has been represented. In addition, the criteria asked if it was a temporary fix or long-term. The adoption of the standard deviation came as a shock to the committee because the applications were approved by the Council sight unseen. He noted that 7 of the 11 applications on the list tonight did not muster a majority of passing grades. Chairman Cervoni asked about the nature of the approval motions. Mr. Brodinsky explained the process used by the committee. The process was not easy or mechanical. The criteria said to look for financial hardship. The formula ignores that. Your understanding of the criteria was different from that of the committee.

Liz Davis, 31 Audette Drive, stated that she can see why there is so much confusion. The differences cannot be solved at this point. The Town needs to move forward. It is important to double-check the math. She stated concern that Council is going to approve an application that did not meet the criteria. She stated that we need to move forward as this is putting Wallingford in a bad light.

Baraca Moji represented the Hungarian Club of Wallingford and apologized that theirs was a poorly constructed application. He stated that the Club has been in Wallingford for over 100 years. He gave an

overview of the activities of the Club and explained how they are involved in the community. They had to be closed for two years due to the pandemic. He believes that they qualify for the ARPA funds.

Councilor Fishbein offered to share the scores for that application. He stated that this is a helicopter approach if it's based on a calculation and not on the application.

Councilor Tatta asked what the math error is and stated that she is uncomfortable spending taxpayer money without checking the math. Mr. Gross noted that he doesn't know if the error will affect the outcome. Councilor Tatta stated that it is irresponsible to spend taxpayer money when no one checked the figures.

MOTION TO table the vote on this item until the administration reviews the mathematical formula and submits a recommendation back to the Council.

**MADE BY: TATTA
SECONDED BY: NONE**

Motion fails.

Councilor Carmody noted that the application process has already been delayed. He proposed a friendly amendment.

AMENDMENT TO THE MOTION that applications are approved pending the review and confirmation by the administration of the accuracy of these numbers.

**MADE BY: CARMODY
SECONDED BY: LAFFIN**

The amendment was accepted by Councilor Laffin.

ROLL CALL VOTE:	MARRONE: NO
ALLINSON: YES	TATTA: ABSTAIN
CARMODY: YES	TESTA: YES
FISHBEIN: NO	ZANDRI: YES
LAFFIN: YES	CERVONI: YES

**6 – AYE
2 – NAY
1 – ABSTAIN
0 - RECUSED
MOTION: PASSES**

10. Consider and approve Appropriation from ARPA funds to Businesses in the amount of \$247,000 – Law Dept.

\$247,000 To: Revenue-Federal Grant Acct. #2391002-45200

\$247,000 To: ARPA – Businesses Acct. #23940250-58830-TBD

MOTION TO consider and approve Appropriation from ARPA funds to Businesses in the amount of \$247,000.

**MADE BY: LAFFIN
SECONDED BY: ALLINSON**

Councilor Tatta asked for the same amendment to include the review.

**AMENDMENT TO THE MOTION that applications are approved pending the review and confirmation by the administration of the accuracy of these numbers.
MADE BY: TATTA
ACCEPTED BY: LAFFIN
SECONDED BY: ALLINSON**

Councilor Fishbein noted that he recused himself from consideration of the Vogue Nail Salon application. He noted that businesses must be in business in 2019 to qualify. There was an application for a business that did not exist in 2019 but passed the committee.

PUBLIC COMMENT

Bob Gross, Long Hill Road stated that no one on the committee wanted to fail any of these applications. He noted that one small business on the list tonight lost money every year. How should they be scored on the criteria for sustainability? He noted that the ARPA guidelines said that businesses had to be in business since January 1, 2019.

Councilor Fishbein gave an example of another business application that was not a sustainable business but the standard deviation will give them the money.

ROLL CALL VOTE:	MARRONE: NO
ALLINSON: YES	TATTA: ABSTAIN
CARMODY; YES	TESTA: YES
FISHBEIN: NO	ZANDRI: YES
LAFFIN: YES	CERVONI: YES

6 – AYE

2 – NAY

1 – ABSTAIN

0 - RECUSED

MOTION: PASSES

11. Discussion and action regarding the ARPA Committee – Chairman Cervoni

Chairman Cervoni explained that the majority of the Application Review Committee voted to take no further action. He asked Council how to address the remaining applications.

**MOTION TO approve all the applications not already addressed.
MADE BY: FISHBEIN
SECONDED BY: MARRONE**

Chairman Cervoni clarified that the applications not yet reviewed by the committee should be rubber-stamped by the Council. Councilor Fishbein replied that is what the Council just did. He added that the Law Department already vetted some applications that did not meet the ARPA criteria. He believes that the Council should be looking at the applications.

Councilor Testa suggested meeting with the committee members who might want to continue. Someone needs to screen the applications. We can revise the criteria if we need to. If they aren't willing to do it, we need to do it ourselves. He stated that he is against the motion.

Councilor Laffin stated that he is against the motion. Those committee members that want to continue can score the remaining applications. He stated that it is evident that there was gaming of the scores. The

applications must be looked at. The scores were judgments of worthiness. We need to keep this going. It is on us. It is way more difficult than it should have been.

Councilor Marrone stated that the options are to move forward with the current committee, put together a new committee or just approve all the remaining applications. Council is now saying to go back and review the applications, yet Council is just going to pass them. We set the criteria and then passed applications that didn't meet them. He agreed that we should just pass everyone and let the Law Department deal with it.

Councilor Allinson explained that the use of the standard deviation arose after listening to the January 31st committee meeting. That lead her to believe that there was hesitance on some committee member's part to give out the money. She stated that she did not review all the applications but she did listen to the recordings. She is all for Councilor Testa's proposal to allow the committee members who want to continue to do so. She stated that the spirit of the motion is disrespectful. She added that she tried to be respectful to the committee and used their scores. She noted that they are still saying no to a lot of applications. The standard deviation allows us to pass a few more. She wants the work to get done. It is grossly inaccurate to say the Council is giving blanket approval, 20% still fail. This is frustrating because there are people in the community that need help.

PUBLIC COMMENT

Liz Davis, 31 Audette Drive stated that if the committee is going to continue, you need someone on the committee who knows how to look at and approve grants. She also suggested having an odd number.

Bob Gross, Long Hill Road, stated that the group as a whole was not divisive. He stated that he was on the committee. They approved applications that fit the criteria. Applications were approved tonight that didn't meet the criteria. He noted that there are some big applications still to be discussed. He stated that the committee felt that they were not taken seriously because no one on the Council looked at the applications. The reviews would have been done by now. He noted that they didn't fail applications missing documentation, they sent them back to Council.

Robin Hetrick, Williams Road stated that the committee should have had the chance to talk to the people who submitted applications. This should be allowed going forward. She also noted that it is difficult to compare grants written by professional grant writers to those of small businesses and non-profits. They were held to the same standard. This needs to be evened out. Maybe more information can be requested from the applicants.

Councilor Tatta stated that she was afraid we'd end up like this. She sees no good way to go forward. She appreciates the motion as it recognizes what we did tonight. She understands it but can't support it. She added that she doesn't like the idea of only some of the committee continuing. They worked well together. Council won't put the time in to do the reviews. She doesn't know who would want to volunteer now.

Councilor Fishbein explained the voting procedure of the committee. He stated that the best way to just 'get it over with' is just to give them the money. He noted that Town Council has not rejected any applications. He noted that the committee voted not to have applicants advocate to the committee in order to be fair. That limited the discussion to the criteria. He noted that there is no requirement to have a review committee. We can ask the Consultant to confirm which applications meet the criteria. He stated that he is happy that he was part of the process and is proud of some of the projects that will be funded. He noted an approved application that was later found to not be up-to-date with its taxes. Atty. Small noted that checking taxes was not part of the consultant's job. She reported that the applicant made a misrepresentation and Town Council authorized not going forward with that application.

Councilor Allinson acknowledged this applicant's situation and brought the discussion back to the committee members.

Chairman Cervoni called for a vote on Councilor Fishbein's motion.

ROLL CALL VOTE:	MARRONE:	YES
ALLINSON:	TATTA:	NO
CARMODY:	TESTA:	NO
FISHBEIN:	ZANDRI:	NO
LAFFIN:	CERVONI:	NO

2 – AYE

7 – NAY

0 – ABSTAIN

0 – RECUSED

MOTION: FAILS

MOTION TO approach those ARPA Review Committee members who did not vote to discontinue reviewing applications and ascertain if they would entertain continuing their function.

MADE BY: TESTA

SECONDED BY: ALLINSON

AMENDMENT to ask all the existing committee members.

MADE BY: TATTA

Councilor Testa proposed the following revision.

MOTION TO approach the ARPA Review Committee members and ascertain whether or not any are still interested in performing their functions as originally requested.

MADE BY; TESTA

SECONDED BY: CARMODY

ADDENDUM: That those who say no are relieved.

MADE BY: TESTA

SECONDED BY: CARMODY

Councilor Marrone clarified that this is with the understanding that the Standard Deviation process will apply. He asked if we will be replacing those that decline. Councilor Testa replied no. Councilor Marrone asked what the minimum number of committee members will be.

AMENDMENT that the work restarts immediately.

MADE BY: ALLINSON

SECONDED BY: CARMODY

Councilor Fishbein noted that we would need to reduce the quorum. He asked what the timeline would be. Councilor Testa replied tomorrow. He suggested that the Law Department, Town Clerk, or the Mayor's office can reach out in a few days. Atty. Small replied that the Law Department won't be reaching out. Councilor Fishbein asked if they all resign, will we start a new committee?

Atty. Small suggested appointing the four people that are being discussed so you've got a committee up and running.

Councilor Testa suggested making it clear to those who don't want to continue that they must resign. He is happy to go to the committee members and ask them if they want to continue. When we know how many there are we can tweak the quorum.

Councilor Zandri stated that we don't need the Committee members to resign. He likes the original motion to proceed with the four committee members. It is important to get this going.

Councilor Allinson stated that she is in favor of proceeding with the four who want to continue if they are willing. It is okay to reach out to the others as well but she feels it is silly. She supports the motion.

Councilor Laffin stated that the quorum for the committee was defined as a majority plus one of those present.

PUBLIC COMMENT

Bob Gross, Long Hill Road stated that the group was for spending the money but didn't pass applications that didn't meet the town requirements or the ARPA requirements. He asked why the Council doesn't just do it. You are the final arbiter anyway.

Joe Mirra, EDC, stated that nothing good comes from begging people to come back. They have the right to quit and you have the right to move forward. The Town has more pressing business for the Council than reviewing the applications. He noted that the committee should not be auditing the applications.

ROLL CALL VOTE:	MARRONE: NO
ALLINSON: YES	TATTA: NO
CARMODY: YES	TESTA: YES
FISHBEIN: YES	ZANDRI: YES
LAFFIN: YES	CERVONI: YES

7 – AYE
2 – NAY
0 – ABSTAIN
0 – RECUSED
MOTION: PASSES

Chairman Cervoni stated that he will reach out to the committee members tomorrow morning.

Hearing no further comment and with no further business, Chairman Cervoni called for a motion to adjourn.

MOTION WAS MADE TO adjourn at 10:43 pm.

MADE BY: ALLINSON
SECONDED BY: FISHBEIN

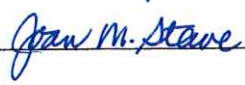
Respectfully submitted,
Cheryl-Ann Tubby
Recording Secretary



Vincent Cervoni, Chair



Joan M. Stave, Acting Town Clerk

Received for Record at Wallingford, CT
On April 30, 2023 at 1:00 P.M.
 Acting Town Clerk

6/6/2023

Date

6/11/23

Date