

TOWN OF WALLINGFORD, CONNECTICUT

TOWN COUNCIL MEETING

Robert F. Parisi Council Chambers

September 24, 2024

6:30 P.M.

RECEIVED FOR RECORD 9-27-24

AT 12:40pm AND RECEIVED BY

Kristen Panzo TOWN CLERK

RECORD OF VOTES & MINUTES

The Town Council Meeting on Tuesday, September, 2024 was called to order at 6:30 p.m. The Pledge of Allegiance was said. Councilors in attendance were Autumn Allinson, Craig Fishbein, Thomas Laffin, Christina Tatta, Samuel Carmody, Vincent Testa, Christopher Regan, Jesse Reynolds and Chairman Joseph A. Marrone III. Mayor Vincent Cervoni, Corporation Counsel Janis Small, and Town Clerk Kristen Panzo were also present.

1. Pledge of Allegiance
2. Roll Call
3. Consent Agenda
 - 3a. Consider and approve Tax Refunds totaling \$13,466.37 (#57-126)
Acct. #1001001- 41020 - Tax Collector
 - 3b. Acceptance of donation from Robert McNeil & Marilyn Naski and consider and approve Appropriation of funds in the amount of \$200 – Fire Dept.

\$100 From: Revenue Acct. - Donations Acct. #250 – TBD
\$100 From: Revenue Acct. - Donations Acct. #250 - TBD

\$100 To: Exp. Acct. – Fire Dept.
Program Expenditures Acct. #25020150-58830-TBD
\$100 To: Exp. Acct. – Fire Dept.
Program Expenditures Acct. #25020150-58830-TBD
 - 3c. Consider and approve FY 2023-2024 budget amendment and consider and approve Appropriation of funds in the amount of \$68,200 from Maintenance of Services, Acct #43100675 to Cash (Retained Earnings) – Water Div.
 - 3d. Consider and approve FY 2023-2024 budget amendment and consider and approve Appropriation of funds in the amount of \$68,200 from Cash (Retained Earnings) to New Water Services, Acct. #43300345 – Water Div.
 - 3e. Consider and approve FY 2024-2025 budget amendment and consider and approve Appropriation of funds in the amount of \$52,210 from Retained Earnings, Acct. #N/A to Maintenance of Treatment Equipment, Acct. #43300652 - Water Div.

3f. Consider and approve FY 2024-2025 bid waiver modification for Frontier Communications in the amount of \$125,000 – Electric Div.

3g. Consider and approve Appropriation of funds in the amount of \$124,000 – Electric Div.

\$124,000 To: Retained Earnings Acct. #N/A

\$62,000 From: Station Equip. - Transmission Acct. #353

\$62,000 From: Station Equip. - Distribution Acct. #362

3h. Consider and approve Appropriation of funds in the amount of \$124,000 – Electric Div.

\$124,000 From: Retained Earnings Acct. #N/A

\$42,000 To: Transmission Station Expense Acct. #562

\$42,000 To: Distribution Station Expense Acct. #582

\$40,000 To: Admin. Office Supplies & Expenses Acct. #921

3i. Consider and approve Appropriation of funds in the amount of \$36,000 to Retained Earnings, Acct. N/A from Station Equipment-Distribution, Acct. #588 - Electric Div.

3j. Consider and approve Appropriation of funds in the amount of \$36,000 to Retained Earnings, Acct. #N/A from Station Equipment-Distribution, Acct. #362 – Electric Div.

3k. Approve Minutes of September 10, 2024 Town Council Meeting.

** 3l. Consider and approve a Bid Waiver for Griffin’s Grass LLC – BOE

MOTION WAS MADE to approve Consent items 3a-3l.

MADE BY: TATTA

SECONDED BY: FISHBEIN

ALL MEMBERS PRESENT WERE IN FAVOR

4. **Items Removed from the Consent Agenda**

No Items were removed from the Consent Agenda.

5. **PUBLIC QUESTION & ANSWER PERIOD**

No public question and answer at this time.

6. Discussion of old business – Chairman Marrone

Update on Hidden Brook Lane

Corporation Counsel Small stated that today the developer was meeting with his engineer to review our engineer's comments and questions.

7. Discussion and possible action regarding Collective Bargaining Agreement between Town of Wallingford and UPSEU Local 424-16 (Water Unit) – Human Resources

Jim Hutt, Human Resources Director and Neil Amwake, General Manager for the Water/Sewer Division was present to discuss and take questions.

Mr. Hutt said he was present to seek council's approval for a three year contract for the Water Unit, Local 424-16. He discussed the changes to the contract.

Councilor Fishbein asked about certain portions of the contract and wanted more information on those portions. He asked if the employees talked about in this contract are paid monthly. Mr. Hutt said they are paid weekly. There was a discussion about dues being deducted from their paychecks. The language of this portion of this contract was discussed. When the dues are taken out which is the 15th of every month was discussed. Councilor brought up the fact that if someone is a union officer they are precluded from being laid off and he questioned the language of the contract for that part. He suggested having someone from the legal team who reviews union contracts to look over this contract for language concerns.

8. (a) Discussion and possible action regarding a bid waiver to contract TLB Architects for the building code review of the Community Pool Project – Mayor

**MOTION WAS MADE to approve item 8a.
MADE BY: MARRONE
SECONDED BY: CARMODY**

Alison Kapushinski, Town Engineer was present to answer questions from the council.

Chairman Marrone stated that this item is for \$74,000 to make sure that the bid is code compliant.

Mayor Cervoni stated before they can post the bid specs and open the bidding process, the architectural bidding specifications for the project have to be reviewed. They were last reviewed in 2020. There might be code changes since then that would have to be reviewed. This process is going to cost \$74,000.

Councilor Fishbein asked if there had been changes to the code that the Engineering Department is aware of. He also asked if and when this project is completed, who will be inspecting it.

Councilor Reynolds gave his explanation of the \$74,000 for item 8a and then for item 8b as he saw it to make sure he had the correct numbers the town would be spending on this project if it was to move forward.

Councilor Tatta asked if an RFP to renovate the existing pool was still an option or not. She doesn't agree with the demolition of the existing pool and paying for a brand new one.

Councilor Testa does not agree with the renovation of the pool as is. He said they could possibly not do the project as it was bid and scale back a bit if the cost of the bid is too high. The space is usable all year round and the space is not just used for the purpose of the pool. He stated that the council knew that after the first bid and then try of getting the pool project completed failed, there would be additional costs eventually to rebid this project. He is in favor of the cost of \$74,000.

Mayor Cervoni stated that this very issue was before the council during the last term and the council opted not to go forward at that point.

Councilor Regan wanted clarification on what was approved. In 2020, the specs for the pool Project were approved along with approving the dollar amount, but it was the administration that said to not move forward with the project. He wanted to know what happens if the plan changes. Mayor Cervoni stated that the dollar amount that was presented to the council now is just an estimate. It was done that way to get a flavor for what the council wants to see done with the space. They are not the final numbers though.

Councilor Allinson thinks the problem that everyone is having is that there are too many ideas that people want to do and no one is really making a decision. She suggested if they are just looking for offers then why not go out to RFP and get ideas of what could be created in the space.

Councilor Laffin stated the reason the pool discussion is a topic again is because of the council not being able to make a decision and stick to it. He talked about the existing pool and how it does not work as it is. He said the existing pool was built with to use a million gallons of water and the new pool would use 330,000 gallons of water. The last year pool tags were sold, only 5,000 were sold compared to back in the day when everyone bought a pool tag.

Chairman Marrone stated that this same pool conversation has been had for the past 40 years. The pool topic is a hot topic for everyone. He said that a committee was formed to come up with a design for the pool project and the council voted on it and it passed but the mayor at the time voted to not have the project go forward. His goal is to have this project move forward.

Councilor Fishbein asked how long this review of the building codes will take. He said there was never a presentation presented to the council of a year round use for this area. He questioned the backup figures and ask for explanation.

Councilor Reynolds stated that he wanted a pool to be installed at the Community Pool Park and not a skate park. He thinks the pool would be a wise investment for the town. He wanted to clarify that he mentioned a skate park as an option to use ARPA funds.

Councilor Testa commented on a comment that the reason for the pool not being done is because of the council. He said it is because the prior administration vetoed the project. He stated that if the project was done in 2020 they could of done it for \$7 million instead of the price today, which is higher because it is four years later. The intent was to always do the pool project, people just needed to know that they longer it took to ok the project and move forward the more money it would cost. He mentioned that he always supported the pool project from the beginning.

Councilor Allinson thanked councilors Testa and Reynolds for clarifying exactly what they want to see done with the pool project.

Perry Palmer of Center Street thinks that the pool project should be done because the people of Wallingford wants that pool.

ROLL CALL

ALLINSON: AYE

CARMODY: AYE

FISHBEIN: AYE

LAFFIN: AYE

REGAN: AYE

REYNOLDS: AYE

TATTA: NAY

TESTA: AYE

MARRONE: AYE

8- AYE

1- NAY

MOTION: PASSED

(b) Discussion and possible action regarding a bid waiver to contract TLB Architects for the construction administration of the Community Pool Project – Mayor

MOTION WAS MADE to approve item 8b.

MADE BY: MARRONE

SECONDED BY: LAFFIN

Councilor Fishbein asked if this item is necessary at this time to vote on. Mayor Cervoni explained that the money for this phase would not be spent if the pool is not built. The purpose of this item is to have the recommendation of the Engineering Department to have the architect who designed the specs be involved in the project once it is awarded to ensure that the contractor who is actually building the project sticks to the specifications of the contract. He also said there is no negative impact moving forward with the item because they know if the project does not get awarded there is no work. Councilor questioned

the expenses being spent. He questioned the back up and asked about the 5% increase if they project was to go through. The language of the contract was discussed because of the 5% increase for the architect doing the work on the pool project.

ROLL CALL

ALLINSON: AYE

CARMODY: AYE

FISHBEIN: NAY

LAFFIN: AYE

REGAN: AYE

REYNOLDS: AYE

TATTA: NAY

TESTA: AYE

MARRONE: AYE

7- AYE

2- NAY

MOTION: PASSED

9. Discussion and possible action regarding appointment of the Fair Rent Commission – Chairman Marrone

Rose Longo, Homewoner, Amy Raup, Landlord, Myklyn Mahoney, Homeowner, Adam Della Ventura, HO and Tom Dacey, Tenant appointed as the five (5) full members. Lisa Perrotta, Landlord and George Abraham, Landlord as the tow (2) alternate members.

MOTION WAS MADE to appoint the following people to the Fair Rent Commission.

MADE BY: MARRONE

SECONDED BY: FISHBEIN

Chairman Marrone thanked the council and candidates. He stated that there would be five (5) candidates and two (2) alternates on the Fair Rent Commission.

Councilor Allinson noticed that they can have four members from one party. She mentioned that All five (5) republicans were picked to be on this committee, three as regular members and two as alternates.

Corporation Counsel Small said the ordinance stated that the alternates have to be one from each party and not two from the same party.

Councilor Laffin mentioned that Cathryn Ramirez would be great but that is only his opinion.

Councilor Carmody agrees with Councilor Laffin and thinks that everyone who applied was very impressive.

**MOTION WAS MADE to amend the alternate list and replace George Abraham with Michael Terrace.
MADE BY: FISHBEIN
SECONDED BY: REYNOLDS**

Richard Partesano of Highland Avenue was one of the candidates that applied for the Fair Rent Commission and he was wondering if someone can tell him why he was not chosen. Chairman Marrone stated the reason he was not on the list is because of the representation of party affiliation. They can only choose four (4) members of a major party.

ROLL CALL

ALLINSON: NAY

CARMODY: AYE

FISHBEIN: AYE

LAFFIN: NAY

REGAN: NAY

REYNOLDS: AYE

TATTA: AYE

TESTA: AYE

MARRONE: NAY

5- AYE

4- NAY

MOTION: PASSED

MOTION WAS MADE to appoint the following people to the Fair Rent Commission.

MADE BY: MARRONE

SECONDED BY: FISHBEIN

Rose Longo, Homewoner, Amy Raup, Landlord, Myklyn Mahoney, Homeowner, Adam Della Ventura, HO and Tom Dacey, Tenant appointed as the five (5) full members. Lisa Perrotta, Landlord and Michael Terrace, Landlord as the tow (2) alternate members.

ROLL CALL

ALLINSON: NAY

CARMODY: AYE

FISHBEIN: AYE

LAFFIN: AYE

REGAN: AYE

REYNOLDS: AYE

TATTA: AYE

TESTA: AYE

MARRONE: AYE

8- AYE

1- NAY

MOTION: PASSED

10. Executive Session pursuant to Connecticut General Statutes §1-225(f) and §1-200(6)(B) to discuss pending litigation in the matter of *Pattison v. Town of Wallingford* – Law Dept.

**MOTION WAS MADE to approve going into Executive Session at 7:56 pm for items #10 and item #13.
MADE BY: TATTA
SECONDED BY: LAFFIN**

Attendance in Executive Session was all nine Town Council Members, Mayor Cervoni, Corporation Counsel Small and Fire Chief James Buck.

11. Discussion and possible action regarding the matter of *Pattison v. Town of Wallingford* as discussed in Executive Session – Law Dept.

**MOTION WAS MADE to come out of Executive Session at 8:56 pm and back into Regular Session.
MADE BY: TATTA
SECONDED BY: FISHBEIN**

12. Acceptance of donation from Wallingford Energy, LLC and consider and approve Appropriation of funds in the amount of \$10,000 from Revenue Account – Donations, Acct. #250-TBD to Expense Account Fire Department Program Expenditures, Acct. #25020150-58830-TBD - Fire Dept.

**MOTION WAS MADE to approve item #12.
MADE BY: TATTA
SECONDED BY: FISHBEIN**

13. Executive session pursuant to Connecticut General Statutes §1-225(f), §1-200(6)(B), (9)(C) and §1-200(6)(E) and §1-210(b)(10) to discuss legal action regarding employment matter – Chairman Marrone

James Buck, Fire Chief introduced himself for the record and was there to answer any questions.

Councilor Fishbein asked why the need to up fit Squad 2. Mr. Buck explained that the apparatus purchases are many years and it takes a lot of planning. He has reviewed where the Fire Department is with Squad 2 and the up fit. He mentioned that the appropriation was insufficient for the full apparatus purchase and up fit. He said that this project was quoted for a certain cost and that did not include the up fit. The up fit would include the radio communications, the light package and all of the internal cabinetry issues. There was additional work that was needed that was not part of the original quote for the scope of funds that was requested. The vehicle has been received from the Fire Department and that is the first step

in this process then it goes to the manufacturer for pre delivery inspection. He also mentioned that the cost increases have been substantial in the past years.

There was a voice vote taken and everyone was in favor of this item.

The meeting adjourned at 8:57 p.m.

Respectfully Submitted,

Kristen Panzo
Town Clerk

Meeting digitally recorded

Joseph A. Marrone III, Chairman

Date

Kristen Panzo, Town Clerk

Date

In accordance with Title II of the Americans with Disabilities Act- Individuals in need of auxiliary aids for effective communication in programs and services of the Town of Wallingford are invited to make their needs and preferences known to the ADA Compliance Coordinator at 203-294-2070 five days prior to meeting date.