

RECEIVED FOR RECORD 3-4-25
AT 5:00pm AND RECEIVED BY
Kristen Panzo TOWN CLERK

TOWN OF WALLINGFORD, CONNECTICUT
TOWN COUNCIL MEETING
Robert F. Parisi Council Chambers
February 25, 2025
6:30 P.M.
RECORD OF VOTES & MINUTES

The Town Council Meeting on Tuesday, February 25, 2025 was called to order at 6:30 p.m. The Pledge of Allegiance was said. Councilors in attendance were Thomas Laffin, Christina Tatta, Samuel Carmody, Vincent Testa, Christopher Regan, Jesse Reynolds, Craig Fishbein and Chairman Joseph A. Marrone. Mayor Vincent Cervoni, Town Attorney Gerald E. Farrell Sr., Comptroller Tim Sena and Town Clerk Kristen Panzo were also present. Councilor Autumn Allinson was on video conference call.

1. Pledge of Allegiance
2. Roll Call
3. Consent Agenda
 - 3a. Consider and approve Tax Refunds totaling \$1,509.84 (#670-685)
Acct. #1001001- 41020 - Tax Collector
 - 3b. Acceptance of Federal/State Highway Safety Grant “2024/2025 Comprehensive DUI Enforcement Program” and consider and approve Appropriation of funds in the amount of \$6,693 to Revenue Highway Safety, Acct. #1002001-45208 and to Police Overtime, Acct. #10020050-51400 – Police Dept.
 - 3c. Acceptance of Overtime Reimbursement of Federal Taskforce Funds and consider and approve Appropriation of funds in the amount of \$3,390 to Misc. Revenue, Acct. #1009052-47040 and to Police Overtime, Acct. #10020050-51400 – Police Dept.
 - 3d. Acceptance of Donation and consider and approve Appropriation of funds in the amount of \$1 to Revenue Donations-Police, Acct. #2502002-47152 and to Expense Donations-Police, Acct. #25020050-58830-10135 – Police Dept.
 - 3e. Acceptance of Donation from Rohm America and consider and approve Appropriation of funds in the amount of \$2,000 to Revenue Donations-Police, Acct. #2502002-47152 and to Expense Donations – Police, Acct. #25020050-58830-10135 – Police Dept.
 - 3f. Acceptance of WECARE Playful Cruisers registration fees and consider and approve Appropriation of funds in the amount of \$1,015 to Revenue,

Acct. #2134002-47152 and to Expenditures, Acct. #21340100-58830 – Y&SS

- 3g. Acceptance of Donation from Rohm America and consider and approve Appropriation of funds in the amount of \$1,500 from MRC, Acct. #2504002-47152 to MRC, Acct. #25040050-58830-TBD – Health Dept.
- 3h. Consider and approve a Transfer in the amount of \$2,500 from Contingency-Misc., Acct. #10019000-58820 to PUC-Overtime, Acct. #10011150-51400 – Public Utilities
- 3i. Consider and approve a Bid Waiver to Engage Energia as an Owner's Representative for an Energy Performance Project – BOE
- 3j. Consider and approve a Resolution authorizing Mayor Vincent Cervoni to deliver to the State of Connecticut Division of Emergency Management and Homeland Security, Department of Emergency Services and Public Protection any and all documents deemed to be necessary or appropriate – Fire Dept.
- 3k. Approve Minutes of January 28, 2025 and February 11, 2025

**MOTION WAS MADE to approve Consent items 3a-3j and 3k as amended.
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-

Bill Comerford of Broadview Drive asked about the 2023 MS4 reports. He stated the report was incomplete and wanted to know if there was a time frame to get the missing items on the report. Mayor Cervoni stated that he will find out the answer. Mr. Comerford asked about the most recent MS4 report and how discussed how it is in a draft form. He mentioned a fishy smell down near Dunkin Donuts several months ago. He asked the Health Department if they knew anything about it and they told him no. He stated he was told about a meeting with the Health Department, Mayor Cervoni and other departments to discuss what the smell is. Mayor Cervoni stated that the Dunkin Donuts in question is the one on South Colony Road. He said he has not participated in any meeting regarding the smell. His understanding is that the smell might have come from Bic Chemical on South Cherry Street. They have been working with DEEP to resolve the problem. Mr. Comerford discussed how much waste gets dumped into the Quinnipiac River after reading other MS4 reports. He thinks the town should be more proactive when issues like this arise.

Paul Ciardullo of Bayberry Drive discussed his appreciation to Vice Chair Tatta for putting on the agenda the discussion of the audit report. He thinks more people should read the report and study it. He discussed the history trends of the report. He discussed the budget and what he believes can be done to balance it. He asked Chairman Marrone if he would be willing to put, as an agenda item the idea of having a discussion about the surplus money and not spending from it and eliminating it altogether.

Chairman Marrone stated that he thought the council had a pretty good discussion about the audit. He said that the council can eliminate the money from the general fund once they get the budget from Mayor Cervoni, but they still have to balance the budget one way or another. Discussing this item can be done during the budget workshops and not necessarily have to put on an agenda to discuss. The balancing of the budget was discussed and what can be the best way to do so.

Susan Huizenga of Surry Drive stated that back in 1979 she was part of the very initial SWAT training with the South Central Regency. She said this program is needed now more than ever. She encouraged the council to endorse what the Chief of Police brings to the council tonight.

6. Discussion of old business – Chairman Marrone

(a) Update on Community pool

Mayor Cervoni stated that last week they met with the architect, Purchasing Agent and the Park & Rec Director to work on finalizing the bid specs. He expects that bid specs will be finalized and on the portal in the coming weeks.

(b) Update on Town Building Maintenance Assessment

Mayor Cervoni stated that comments on the draft reports have been sent to the consultant and they are just waiting for their response now.

(c) Update of Fire Department Study

Chairman Marrone spoke to purchasing last week. He said there were some forms to sign, which are all set. They were supposed to make contact with the vendor because this item was funded a couple of weeks ago and should be under way shortly.

7. Discussion and Possible Action to:

- a. Approve the Town of Wallingford's Participation in the South-Central SWAT Mutual Police Assistance Compact – Police Dept.

MOTION WAS MADE to approve the Town of Wallingford's participation in the South-Central SWAT Mutual Police Assistance Compact.

MADE BY: TATTA

SECONDED BY: FISHBEIN

Chief John Ventura explained that in 1986 they formed their first SWAT team, consisting of seven or eight individuals that were trained a little bit above the Patrol Division to handle certain incidences. As they progressed, they realized pretty quickly that they need to partner with another town. In 2015 they made the determination to partner with the Cheshire Police Department to form one larger SWAT Team, the Cheshire-Wallingford Emergency Response Team which Chief Ventura was the commander of. He stated as they moved forward with that, the goal was to add more people, but what ended up happening was they almost had the same amount of people as they did when they first started out. He discussed an incident that occurred where people there were doing dual roles instead of doing one job. After some discussion, it was determined to sever the ties with the Cheshire Police Department as far as the SWAT component went. Joining the South Central SWAT would be very beneficial for the Wallingford Police Department. They would have everything they need including plenty of people there to help in a time of crisis.

Councilor Fishbein asked who is in charge of the infrastructure. Chief Ventura said the team will now be led by Joe Larsneck of the North Haven Police Department. The team is composed of Branford, East Haven, Guilford, Madison, North Branford and North Haven. He stated that all the police chiefs of these towns sit on a board and to get into the South Central SWAT you have to get an unanimous vote, which they did he said. It is \$8,500 a year and that includes equipment. A major component of funding comes from Region 2. It was asked if it is our responsibility to store the equipment. Chief Ventura stated that there is a room in the building to store the equipment for the SWAT team.

Vice Chair Tatta thanked Chief Ventura for recognizing the need for the SWAT team. She stated going from a Tier 4 to a Tier 1 is a huge benefit. She mentioned one of the benefits of being a Tier 1 is now they can handle in crisis is mentally disturbed and in need of intervention. She asked about the shared services and if that would still be in place. Chief Ventura stated that they have shared services with the Cheshire Police Department and the Meriden Police Department. That is because they are border towns. That allows them to go into Meriden or Cheshire for calls.

Councilor Testa wanted to thank Chief Ventura for what he has done with this. He asked what is happening with Cheshire Police Department because he saw the shared services. Chief Ventura stated that just because of their location, he thinks that the South Central Region was comfortable taking Wallingford Police Department because we border two of the towns that are in the South Central SWAT team. Cheshire Police Department ended up teaming up with the Central Region SWAT team.

ROLL CALL

ALLINSON: AYE

CARMODY: AYE

FISHBEIN: AYE

LAFFIN: AYE

REGAN: AYE

REYNOLDS: AYE

TATTA: AYE

TESTA: AYE

MARRONE: AYE

9- AYE

0- NAY

MOTION: PASSED

- b. Approve a Transfer in the amount of \$80,000 from Regular salaries and Wages, Acct. #10020050-51000 to Capital-SWAT Equipment, Acct. #10020050-57000-TBD – Police Dept.

MOTION WAS MADE to approve a transfer in the amount of \$80,000 from Regular salaries and wages to Capital SWAT Equipment.

MADE BY: TATTA

SECONDED BY: FISHBEIN

Chief John Ventura said that cost is a one-time fee to outfit the four operators that were selected to be part of their team. In looking at the cost for equipment further, the Wallingford Police Department might not have to pay for the equipment. He budgeted for those but there is a very good chance they will not have to pay for the equipment. It would come from another funding source. There is enough money to be able to purchase the equipment and there might be some money left over that can be brought back to the town Chief Ventura said.

There was a voice vote taken and all councilor members present were in favor.

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

Item #8 was withdrawn from the agenda.

9. Executive Session pursuant to Connecticut General Statutes §1-200(6)(D) with respect to the purchase, sale and/or leasing of property – Law Dept.

MOTION WAS MADE to go into Executive Session pursuant to Connecticut General Statutes 1-200 (6) (D) with respect to the purchase, sale and/or leasing of property.

MADE BY: TATTA

SECONDED BY: FISHBEIN

ALL MEMBERS PRESENT WERE IN FAVOR

In attendance were Laffin, Regan, Tatta, Marrone, Fishbein, Carmody, Reynolds, Testa, Allinson (via goto meeting), Alison Kapushinski Town Engineer, Mayor Cervoni and Town Attorney Gerald Farrell Sr.

MOTION WAS MADE to come out of Executive Session and go back into Regular Session at 7:14pm.

MADE BY: TATTA

SECONDED BY: FISHBEIN

ALL MEMBERS PRESENT WERE IN FAVOR

10. Consider and approve Agreement to Purchase 352 Main Street, Yalesville for \$329,000 – Law Dept.

MOTION WAS MADE to approve the agreement to purchase 352 Main Street, Yalesville for \$329,000.

MADE BY: FISHBEIN

SECONDED BY: CARMODY

Alinson Kapushinski, Town Engineer said she is here tonight trying to seek approval to purchase 352 Main Street in Yalesville for \$329,000. The property is an existing single family residence that is approximately one acre in size. They are proposing to use it as an alternate routing for the trail that is currently under design from Fireworks Island to Route 150. She talked about the map that was displayed for Town Council to view. She explained with the current design of the trail bicyclists would have to dismount their bikes at the two 90 degree turns in order to continue on the trail safely. If they were to buy 352 Main Street they can provide an alternate trail routing which would allow a smoother curve in the trail and bicyclists would not have to dismount. They would use the same pedestrian bridge and boardwalk as it is currently designed. Immediately after the boardwalk the trail would turn to the south and go through 352 Main Street. The property could also be used for a small parking area which could help relieve some of the traffic through the condominium property using the Timber Bridge that is existing and the parking lot at Fireworks Island. There was not a new plan drawn up, the existing plan was used. The front of 352 Main Street is very close to the intersection with Hill Ave, which provides some opportunities for crosswalks and extending the trail that way, just making it more walkable for people in the area.

Vice Chair Tatta asked who owns the Timber Bridge. Mrs. Kapushinski stated that the Condominium owns the bridge. She asked when Yalesville on the Green was build, she asked about the easements. Mrs. Kapushinski stated that the easements were put in before the condominiums were built. Councilor asked if they are supposed to maintain the easements. She also asked what would happen if they did not maintain them. She asked if the neighbors were contacted for the aboding properties. Mrs. Kapushinski stated that the neighbors were contacted.

Councilor Fishbein asked how wide the proposed pathway is. Mrs. Kapushinski stated it is 10' wide. He wanted to know if there were signs on the trail for passing bicyclists when passing pedestrians on the trail.

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

11. Consider and approve Appropriation of funds in the amount of \$333,000 from CAP & NON, Fund #301 to 352 Main Street, Acct. #30102025-57000-TBD – Law Dept.

**MOTION WAS MADE to approve an appropriation in the amount of \$333,000 form CAP & NON, reaccuring Fund #301 to 352 Main Street Acct. #30102025-57000-TBD
MADE BY: FISHBEIN
SECONDED BY: CARMODY**

Councilor Fishbein asked if the purchase price is \$329,000, why is the appropriation for \$333,000. Mr. Sena stated that the Law Department asked Finance to put in an extra \$4,000 in case anything came up during the purchase process. Mayor Cervoni stated that they are anticipating title work for which they would hire outside council just for that. He said Attorney Small would otherwise handle the closing.

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

12. Discussion Regarding Hidden Brook Lane -- Councilor Fishbein

Councilor Fishbein stated that Attorney Small has been hard at work on this. It has been a year that the council has had this item on the agenda. He knows the residents are getting antsy. He asked Attorney Farrell if there is any updates since the last meeting. Town Attorney Farrell stated that Attorney Small had intended to attend this meeting but fell ill and could not make it. He said that Attorney Small would not be prepared to discuss this in open session. Councilor stated that the council all received an email today from one of the residents there who indicates that the snow and ice remove has been a bit or miss. The roadway was covered with ice for over a week and those should be obligations of the developer. He asked Attorney Farrell if the council can pass a resolution, stating that this developer can't develop in town anymore. He states that this has been going on about six years now. Mayor Cervoni would hazard to encourage such emotion. He did say that they Planning Department is well aware of this situation with the developer. Councilor asked if a portion of the homeowners taxes be remediated. Mayor Cervoni stated that the town's ability to do anything with taxes is statutory and they would have to look at the statutes to see what remedies they have with respect to that. Councilor stated that Grove Street is getting services and they are next to Hidden Brook Lane.

Vice Chair Tatta asked Attorney Farrell when their bond expires. Attorney Farrell stated that Attorney Small has been handling this and he has not been involved. Councilor stated that she believes we are still holding their bond and she believes the extension of that bond was a State extension during COVID and that is why it was extended for a number of years. Mayor Cervoni stated that we still have the bond. The bond gets released upon satisfaction of all conditions. He stated there are lots of conditions outstanding. She wanted to know the date that the bond expires for which they have to comply. Mayor Cervoni stated that the bond was extended to 14 years.

Councilor Fishbein stated that he and Attorney Small have discussed in length what the State did and they both agree that, that does not apply to this situation. The reason is that all of the conditions have not been met require the signature of the developer.

He said so calling if a bond does not compel a signature. He said they are in breach of the contract.

Nicholas Flaco of Hidden Brook Lane said it is frustrating to hear all the different time lines. He said it has been seven years since he moved into his home. He thought it was five years from 2016 that the developer had to meet all of the conditions. He said it has been now nine years that these issues have been going on. He talked about the snow removal. He mentioned how he texted the developer when we had that cold spell and got no response from him.

The meeting adjourned at 7:37 p.m.

Respectfully Submitted,

Kristen Panzo
Town Clerk

Meeting digitally recorded

Joseph A. Marrone III, Chairman

Date

Kristen Panzo, Town Clerk

Date

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.