

TOWN OF WALLINGFORD, CONNECTICUT
TOWN COUNCIL MEETING
Robert F. Parisi Council Chambers
September 8, 2026
6:30 P.M.
RECORD OF VOTES AND MINUTES

The Town Council Meeting on Tuesday, September 8, 2026, was called to order at 6:39pm. The Pledge of Allegiance was said. Councilors in attendance were Autumn Allinson, Samuel Carmody, Craig Fishbein, Thomas Laffin, Jesse Reynolds, Bryan Rivard, Melanie Rossacci (remotely joined meeting at 7:03pm), Christina Tatta and Chairman Vincent F. Testa, Jr. Mayor Vincent Cervoni, Town Attorney Geoffrey Einhorn, Comptroller Tim Sena and Acting Town Clerk, Leanna Gnazzo were also present.

1. Pledge of Allegiance

Chairman Testa called for a Moment of Reflection in honor of the passing of Robert F. Parisi, Jr. and expressed his appreciation for Mr. Parisi's 38 consecutive years of public service, 12 years of that time serving as Town Council Chairman.

2. Roll Call

3. Consent Agenda

- 3a. Consider and approve Tax Refunds totaling \$27,364.90 (#21-138) – Tax Dept.
- 3b. Consider and approve a correction to the tax refunds amount from August 18, 2026 Town Council meeting in the amount of \$5,854.02 – Tax Dept.
- 3c. Acceptance of Federal/State Highway Safety grant funds entitled “2025/2026 Comprehensive DUI Enforcement Program” and consider and approve Appropriation of funds in the amount of \$14,674 to Revenue Highway Safety, Acct. #1002001-45208 and to Police Overtime, Acct. #10020050-51400 – Police Dept.
- 3d. Acceptance of Federal/State Highway Safety grant funds entitled “2026 Click It or Ticket Enforcement Program” and consider and approve Appropriation of funds in the amount of \$6,346 to Revenue Highway Safety, Acct. #1002001-45208 and to Police Overtime, Acct. #10020050-51400 – Police Dept.
- 3e. Acceptance of donation from Scoopy's Ice Cream to be used by the Office of the Fire Marshal for Youth and Senior Programs and consider and approve Appropriation of funds in the amount of \$350 to Revenue Account-Donations, Acct. #2502002-47152 and to Expense Account-Fire Dept. Misc. Donations, Acct. #25020150-58830-10160 – Fire Dept.

- 3f. Consider and approve FY 2025-2026 budget transfer in the amount of \$55,000 from Distribution – Operations Underground Line Exp., Acct. #584 to Distribution-Maintenance Overhead Lines, Acct. #593 – Electric Div.
- 3g. Consider and approve FY 2025-2026 budget amendment and consider and approve Appropriation of funds in the amount of \$21,000 – Electric Div.
- | | | |
|----------|---|------------|
| \$11,000 | From: Distribution Plant-Poles, Towers & Fixtures | Acct. #364 |
| \$10,000 | From: Distribution Plant-Underground Conductors & Devices | Acct. #367 |
| \$21,000 | To: Retained Earnings | Acct. #N/A |
- 3h. Consider and approve FY 2025-2026 budget transfer in the amount of \$85,050 – Water Div.
- | | | |
|----------|--|-----------------|
| \$85,050 | From: Maintenance of T&D Line Expenses | Acct. #43100673 |
| \$8,700 | To: Maintenance of Coll. & Imp. Res. | Acct. #43100612 |
| \$6,850 | To: Pumping and Labor Expense | Acct. #43100624 |
| \$5,900 | To: Miscellaneous Expense – Pumping | Acct. #43100626 |
| \$6,900 | To: Maintenance of Pumping Equipment | Acct. #43100633 |
| \$13,400 | To: Operating Labor Expenses | Acct. #43100642 |
| \$16,400 | To: Maintenance of Treatment Equipment | Acct. #43100652 |
| \$6,900 | To: Engineering Misc. Expenses | Acct. #43100665 |
| \$7,200 | To: Maintenance of Services | Acct. #43100675 |
| \$12,800 | To: Customer Records & Coll. Expense | Acct. #43100903 |
- 3i. Consider and approve FY 2025-2026 budget transfer in the amount of \$93,800 – Sewer Div.
- | | | |
|----------|--|-----------------|
| \$93,800 | From: Maintenance of Collection System | Acct. #46100673 |
| \$6,900 | To: Pumping Labor Expense | Acct. #46100624 |
| \$62,700 | To: Pumping and Labor Expenses | Acct. #46100642 |
| \$5,100 | To: Meter Expenses | Acct. #46100663 |
| \$600 | To: Maintenance of Meter Expenses | Acct. #46100664 |
| \$2,600 | To: Maintenance of Meters | Acct. #46100676 |
| \$15,900 | To: Admin. Salaries | Acct. #46100920 |
- 3j. Consider and approve Merit Review Board (3) – Human Resources

3k. Consider and approve a Transfer in the amount of \$6,000 – Mayor

\$1,000	From: Exp.-Town Clerk- Overtime	Acct. #10010650-51400
\$1,000	From: Exp.-Town Clerk - Maint.of Equip.	Acct. #10010650-54325
\$2,000	From: Exp.-Town Clerk - Office Expense	Acct. #10010650-56100
\$2,000	From: Exp.-Town Clerk - PS-Codification	Acct. #10010650-56798
\$6,000	To: Exp.-Town Clerk – PS-Indexing	Acct. #10010650-56758

3l. Consider and approve the use of Parade Grounds on October 3rd and 4th, 2026 by Wallingford Center Inc. for Celebrate Wallingford – Mayor

3m. Approve Minutes of August 18, 2026 Special Town Council Meeting.

MOTION WAS MADE TO approve Consent items 3a – 3m

MADE BY: CARMODY

SECONDED BY: REYNOLDS

**THERE WAS A VOICE VOTE. ALL COUNCILORS PRESENT VOTED AYE.
MOTION: PASSED**

3. Items Removed from the Consent Agenda

4. PUBLIC QUESTION & ANSWER PERIOD

Jessica Wysocki addressed the Council regarding building code violations in her Renew Wallingford apartment. Councilor Testa advised Ms. Wysocki to contact the Fair Rent Commission, Police Department and Fire Marshall.

Bill Comerford asked the Mayor for a contaminated soil report for Center Street Cemetery. Mayor stated that there is no information to support the need for testing. A statement was made at a previous meeting about potential contamination. That was a misstatement and there is nothing that supports contaminated soil at Center Street Cemetery. Mr. Comerford stated that he has audio recording stating the soil is contaminated. Chairman Testa asked Mr. Comerford to please supply the recording to the Law Department.

Salvatore Carusone addressed the Council about a \$73,500 blight fine. He disputes the fine because previous complaints were cleared. He has applied for financing and cannot be approved because of this lien on his property. Mr. Carusone is offering to pay \$10,000 to clear this lien.

Keith Massiminio spoke regarding the Community Pool contract and change orders for the project. He stated that change orders need to be signed off on. There has only been one change order and it was signed by the Director of Parks and Recreation, Kenny Michaels, not by the Engineering Dept or the Mayor. Mayor responded that he will look into the matter.

Larry Kellogg addressed the Council to ask for signage for the crosswalk and intersection at Parker Farms Road and North Turnpike (Route 150) that was promised by the Police Department in April 2026. Chairman Testa responded that he would get an answer on the signage.

Liz Davis thanked the Council for use of the Parade Grounds for Celebrate Wallingford.

Sheila Tierney asked what the procedure is for Sidewalk Inspection and a timeframe for time of request to when an answer is received. She contacted the Engineering Dept and was told there is no procedure. She would like to know the criteria for an unsafe sidewalk. Town Attorney Einhorn responded that Engineering does perform regular site inspections and is often called out for site visits. Chairman Testa stated he will investigate the matter and get back to her.

6. Discussion and possible action regarding the distribution of budgeted funds, including, but not limited to, the 501(c)(3) nonprofit Golden Fox Theatre Company – Councilor Tatta

Councilor Tatta wanted to follow up on this issue from the August 18, 2026 meeting and asked if the funds have been released to Golden Fox Theater. Mayor Cervoni stated that funds have not been released as his office was waiting for a budget, community impact statement and a release letter including an address for where to send the funds. He is trying to treat this nonprofit the same as all others that applied for funds under the social services contributions or the recreation department section. Once information has been received, funds will be released. Councilor Tatta stated that the Council overrode the Mayors veto and awarded the funds to Golden Fox Theater. She feels the funds should be released on the basis that the Council approved it. Councilor Fishbein stated that Golden Fox Theater was not in the Mayor's initial budget, so they would not follow the process of submitting a budget and impact letter. They were awarded the funds through the public hearing process and should be granted the money. He could not find any portion of the Charter that states any additional steps are required after the Council approves the budget. He does not see any authority in the Charter for this course of conduct. Chairman Testa stated he looks forward to future discussion to clarify the process and procedures of issuing funds to nonprofit agencies.

Keith Massimino stated in April 2026, a FOIA request was submitted to Kenny Michaels, Director of Parks and Recreation, asking for the Wallingford Community Theater budget. At that time, Mr. Michaels stated he did not have that information. Mr. Massimino stated the information was released after the September 8, 2026 meeting Agenda was posted.

Mary Ellen Kingsland-Eckels, Executive Director of Wallingford Community Theater addressed the Council to respond to allegations made against the theater at the August 18, 2026 meeting. She clarified that the Wallingford Community Theater submits an official request, complete itemized budget including income and expenditures as well as a proposed budget.

Jason Michael of Golden Fox Theater wanted to clarify he is not asking to take money away from Wallingford Community Theater. He explained the challenges in preparing a budget as some shows cost more to produce than others. He feels the documentation he produced is sufficient to show what the grant funds would be used for.

Councilor Tatta stated her question for this agenda item is simply why a group who this council voted to give money has not yet been paid. She is happy that the Council will be discussing this item before the next budget season.

Chairman Testa concluded the subject by agreeing with many of the comments made. He suggested that Mr. Michaels prepare a revised budget, adding more detail.

Councilor Fishbein advised Mr. Michaels not to do a revised budget, as it should not be needed. The process is the process and there are avenues that can be pursued to force the process to happen.

7. Consider and approve a bid waiver for Carmody, Torrance, Sandek & Hennessey LLP to provide legal representation to the Wallingford Board of Education and Wallingford Public Schools – BOE

MOTION WAS MADE TO CONSIDER AND APPROVE A BID WAIVER FOR CARMODY, TORRANCE, SANDEK & HENNESSEY LLP TO PROVIDE LEGAL REPRESENTATION TO THE WALLINGFORD BOARD OF EDUCATION AND THE WALLINGFORD PUBLIC SCHOOLS

MADE BY: LAFFIN

SECONDED BY: ALLINSON

Councilor Fishbein recused himself as he represents a party in this action, not as a Councilor but in a different capacity. He does not feel it would be ethical for him to be involved in this matter.

Corporation Counsel, Janis Small, Superintendent of the Wallingford Public Schools, Danielle Bellizzi and Chairman of the Wallingford Board of Education, Michael Votto addressed the Council. Ms. Bellizzi stated she is before Council to ask for a bid waiver to defend a FOIA complaint against the Chairman of the Board of Education, the Wallingford Board of Education and Wallingford Public Schools. There is a conflict of interest in this matter for Corporation Council and Town Attorney and Assistant Town Attorney to be involved. This matter is Board Member v. Board of Education. A bid waiver is being requested to retain outside Council due to time constraints to prepare for the FOIA hearing. The complaint was filed with the FOIA Commission on March 23, 2026. A letter from the Commission was received by Ms. Bellizzi's office on May 20, 2026. Typically, a hearing is scheduled 6-9 months after. They are estimating a hearing to occur October – November 2026.

Chairman Testa clarified that the only item on the agenda is to consider a bid waiver, not to go into any detail of the FOIA complaint.

Attorney Small stated that the Board of Education has a legal right to be defended in this action and that is what they are seeking to do. She feels it's possible that the fee won't hit the \$16,000 mark. An outside attorney has already done some minimal work on the case with initial conversations to see if the Board of Education wants to hire them.

Councilor Carmody feels the Council should be provided with more information on the matter. He is upset that this is a fight between the Board of Education member vs. Board of Education and that funds are being taken away from the children and education to pay for internal fighting. He asked if anything had been done to try to resolve this internally. He does not want to spend taxpayer dollars fighting each other.

Attorney Small state if there is a possibility of some resolution to this litigation, then it would be of value to have an attorney involved in negotiating that possibility.

Ms. Bellizzi stated that they need legal counsel to resolve this because the other party has retained legal counsel and they need to respond to it. There was an Executive Session with the Board of Education to try to resolve this matter. The complaint was filed after the Executive Session.

Councilor Laffin is sorry that all this is going on. He will support the bid waiver but feels the matter is not just childish, it's ridiculous.

Councilor Tatta feels this is precisely the time we need a bid waiver. Attorney fees are expensive and can fluctuate. She feels to protect the taxpayer's money that we should go through the bid waiver process. As no damages are being sought, she would like to see a discussion between the parties involved admitting any wrongdoings and moving forward. Attorney Small explained that FOIA hearings are not about seeking damages. If there is an honest disagreement on whether someone is wrong, you would want a ruling on that. Councilor Tatta asked to clarify that they're seeking the bid waiver so that they can continue with current legal counsel if the cost goes above \$16,000. Attorney Small confirmed that is correct.

Councilor Rivard asked if Council put a cap on the expenditures associated with the bid waiver, or is it open-ended? Attorney Small stated that is hard to determine because a FOIA hearing can be done in one day or several days. We don't want the defendants in this action to be without counsel before the hearing is concluded. Councilor Rivard followed up asking if there is any precedent for a stay to be issued on the case until later, so that an appropriate RFP process can be followed? Attorney Small answered that the FOIA Commission has a time limit and generally does not issue continuances. Councilor Rivard asked what would happen if the Council does not approve this bid waiver. Attorney Small explained that she would ask for permission to do an RFP. But legally if the parties can't hire an attorney, they could sue the Town Council, as it is their legal right to do so. No damages are awarded in these cases. We are only discussing legal fees for representation of the parties. The complaint only asks for training and supervision.

Councilor Reynolds expressed his displeasure of the situation but will vote in favor to try to get resolution as soon as possible.

Councilor Rossacci asked if an RFQ, which has a shorter turn-time would be appropriate in this situation. Attorney Small feels it would not be appropriate as the RFQ then requires a secondary RFP

and would take longer. Councilor Rossacci asked if this matter could be brought back before the Council if it goes over the \$16,000 threshold. Attorney Small thinks it's necessary to have the bid waiver in place so the defendants will have counsel throughout the entire hearing.

Michael Votto, Chairman of the Board of Education addressed the Council stating that the Board of Education's primary concern is education. He has been a board member for 25 years and believes in collaboration. It's unfortunate that people's integrity and reputation are damaged.

Councilor Allinson feels we should use this situation as a cautionary tale and evaluate how we got here and what we can do to prevent this from occurring again.

Tammy Raccio asked if Councilor Rossacci should recuse herself from the proceedings as she is a former member of the Board of Education. Ms. Bellizzi clarified that Councilor Rossacci was a member of the Board of Education when the matter started. The matter carried over to the next Board of Education of which Councilor Rossacci was no longer a member. She was not a member of the Board of Education when the Executive Session occurred. Attorney Small does not see a conflict.

Keith Massimino asked if the complaint is not asking for damages but for training and oversight, wouldn't the entire issue be resolved, without spending any money, if Michael Votto resigned as Chairman of the Board of Education and continued his term as a board member.

ROLL CALL

ALLINSON: AYE

CARMODY: NAY

FISHBEIN: ABSTAIN

LAFFIN: AYE

REYNOLDS: AYE

RIVARD: AYE

ROSSACCI: NAY

TATTA: NAY

TESTA: AYE

5 – AYE

3 – NAY

1 – ABSTAIN

MOTION PASSED

8. Consider and approve a Lease Agreement between the Town of Wallingford and the Wallingford Community Theatre, Inc. for the use of free-standing storage building at 284 Washington Street (former Police Department sign shop) for a term of 5 years, at a rental of \$1.00 per year – Mayor

MOTION WAS MADE TO Consider and approve a Lease Agreement between the Town of Wallingford and the Wallingford Community Theatre, Inc. for the use of free-standing storage building at 284 Washington Street (former Police Department sign shop) for a term of 5 years, at a rental of \$1.00 per year

MADE BY: CARMODY

SECONDED BY: FISHBEIN

Councilor Laffin asked to recuse himself

In April 2021, the previous administration offered the use of the former Police Department sign shop, located at 284 Washington St, to Wallingford Community Theatre, Inc. for the use of storage, for a 5 year term at a rental of \$1.00 per year, including utilities (water, sewer, gas, electric). The Town of Wallingford shall provide maintenance and normal repair of the buildings and equipment connected with the premises.

Councilor Fishbein and Councilor Allinson are in favor of the proposed renewal and feel Wallingford Community Theatre, Inc. plays an important role in Wallingford and provides activities for children and families.

Councilor Rossacci asked what makes an organization eligible for this and how do we make that determination fairly? She feels a common answer is “this is how we’ve always done it”. She would like to create a fair, transparent and defensible process for how we steward public property going forward.

The Mayor stated his office is approached by other nonprofits that identify needs and he engages in those discussions. Mayor stated the space is not multi-use oriented. It works for the purposes that Wallingford Community Theatre, Inc. required and was negotiated with the previous administration.

Councilor Tatta asked if the space could be rented to a for-profit and generate income for Wallingford. She cited chapter 3, section five of the Charter, "The council shall have the power to take, purchase, hold, condemn, lease, sell, and convey such real and personal property as the purposes of the town may require." She questioned why this lease comes from the administration, why the Town Council does not have a list of leases with the town and why the leases aren't signed by the Chairman of the Town Council. Referring to the Lease, she asked if the lease is for five years for \$1 per year and then referred to section Five, "Notwithstanding the terms set forth in paragraph one, which notes the five years, this lease may be terminated by either party upon 90-day written notice to the other." Town Attorney Einhorn confirmed that the Town could back out of the lease, at any time, with 90-day written notice. Councilor Tatta asked if the Lease would be recorded on the land records. Attorney Einhorn stated that something small like this is not necessary to be recorded. Mayor added commercial leases get recorded on the land records to protect the interest of the commercial tenant and ensure that the commercial landlord doesn't take away some right they have to enable the commercial tenant to apply for more financing. In a lease like this, there's no purpose to record it on the land records.

Mayor is not aware of any of our leases being recorded on the land records. Councilor Tatta agreed and is not in support of recording the lease on the land records.

Councilor Rivard asked why a 5-year lease, why not a 2-year lease? Mayor explained this is a renewal of the previous lease and there is the 90-day provision. The space is minimal purpose-oriented, approximately 100 years old and is not a desirable space for many businesses. Councilor Rivard would like to see this issue dovetail with a process associated with the budget, for future nonprofits.

Councilor Fishbein is in favor of the 5-year lease but is an advocate for recording on the land records. He asked why the adversity for recording the lease on the land records. Mayor explained that recording the lease on the land records is typically an encumbrance on the Landlord's title and doesn't see the need to put this encumbrance on the land records. Councilor Fishbein feels the lease should be recorded for future generations to be able to reference. He does not see recording the lease as a negative. Attorney Einhorn stated there's really no reason to record a two-page lease that is terminatable and can be canceled within 90 days' notice. It's extra work that doesn't serve a purpose for the town. Normal practice would be done through a notice of lease, summarizing what is already a two-page agreement.

Former Mayor William Dickinson spoke to give background on the agreement he negotiated with Wallingford Community Theatre, Inc. He met with Mary Ellen Kingsland-Eckels, Executive Director of Wallingford Community Theater, 19 years ago about developing a program in Wallingford to develop and nurture theater arts for children and adults. The program produces exceptional activities and programs for people of all ages. This is a town program, sponsored by the Town of Wallingford, and other departments may assist at times to benefit our town and community. He is in support of the renewal of the lease.

Bill Comerford stated he feels town assets should be made available to the public, not just non-profits, so the town has an opportunity to make revenue. He commented that he witnessed Public Works moving show props and does not feel town resources should be used in that capacity.

Michael Cocchi spoke in support of the Wallingford Community Theatre, Inc. as well as Golden Fox Theater. He feels both organizations provide an environment to assist people in meeting each other and working together.

Anthony Parent spoke of the importance of community involvement and urged the Council to vote in a manner that will encourage more people to get involved.

Charles Forte spoke in support of Wallingford Community Theater and Golden Fox Theater. He feels they provide art, creativity and a community space to bring people together and believes we should do everything in our power to foster that.

ROLL CALL

ALLINSON: AYE

CARMODY: AYE

FISHBEIN: AYE

LAFFIN: ABSTAIN

REYNOLDS: AYE

RIVARD: AYE

ROSSACCI: AYE

TATTA: NAY

TESTA: AYE

7 – AYE

1 – NAY

1 – ABSTAIN

MOTION PASSED

9. Executive Session pursuant to General Statutes §1-200(6)(D) and §1-225(f) for discussion with respect to the purchase of property – Law Dept.

MOTION WAS MADE TO GO INTO Executive Session pursuant to General Statutes §1-200(6)(D) and §1-225(f) for discussion with respect to the purchase of property at 10:08 pm.

10. Executive Session pursuant to General Statutes §1-225(f) and §1-200(6)(B) regarding strategy and negotiations with respect to the pending tax appeal matter of *Wiehl Holdings IV, LLC v. Town of Wallingford* – Law Dept.

MOTION WAS MADE TO GO INTO Executive Session pursuant to General Statutes §1-225(f) and §1-200(6)(B) regarding strategy and negotiations with respect to the pending tax appeal matter of *Wiehl Holdings IV, LLC v. Town of Wallingford* at 10:08 pm.

11. Executive Session pursuant to General Statutes §1-200(6)(B) and §1-225(f) regarding discussion of the pending claim of *Town of Wallingford v. Alexandra Kelleher and 81 Ridgeland, LLC* – Mayor

MOTION WAS MADE TO GO INTO Executive Session pursuant to General Statutes §1-200(6)(B) and §1-225(f) regarding discussion of the pending claim of *Town of Wallingford v. Alexandra Kelleher and 81 Ridgeland, LLC* AT 10:08 pm.

MADE BY: CARMODY

SECONDED BY: REYNOLDS

**THERE WAS A VOICE VOTE. ALL COUNCILORS PRESENT VOTED AYE.
MOTION: PASSED**

MOTION WAS MADE TO COME OUT OF EXECUTIVE SESSION AT 11:16 pm.

MADE BY: CARMODY

SECONDED BY: REYNOLDS

THERE WAS A VOICE VOTE AND ALL MEMBERS THAT WERE PRESENT WERE IN FAVOR

Time of Executive Session: 10:08 pm to 11:16 pm

Attendance at Executive Session:

ALLINSON

CARMODY

FISHBEIN

LAFFIN

REYNOLDS

RIVARD

ROSSACCI (REMOTE)

TATTA

TESTA

MAYOR VINCENT CERVONI

TOWN ATTORNEY, GEOFFREY EINHORN

CORPORATION COUNSEL, JANIS SMALL

12. Motion to consider and approve settlement in the pending tax appeal matter of *Wiehl Holdings IV, LLC v. Town of Wallingford* as discussed in Executive Session – Law Dept.

MOTION WAS MADE TO consider and approve settlement in the pending tax appeal matter of *Wiehl Holdings IV, LLC v. Town of Wallingford* as discussed in Executive Session

MADE BY: CARMODY

SECONDED BY: REYNOLDS

THERE WAS A VOICE VOTE AND ALL MEMBERS THAT WERE PRESENT WERE IN FAVOR

13. Motion to consider and approve action regarding the pending claim as discussed in Executive Session – Mayor Office

MOTION WAS MADE TO consider and approve action regarding the pending claim as discussed in Executive Session

Councilor Fishbein feels we have rules and ordinances for a reason, and we should be following them. Council has a violation before them with fines of approximately \$73,000 and he does not feel it's responsible to reduce that fine to \$10,000.

ROLL CALL

ALLINSON: AYE

CARMODY: AYE

FISHBEIN: NAY

LAFFIN: AYE

REYNOLDS: AYE

RIVARD: AYE

ROSSACCI: ABSENT

TATTA: NAY

TESTA: AYE

6 – AYE

2 – NAY

1 – ABSENT

MOTION PASSED

The meeting was adjourned at 11:22 pm.

Meeting digitally recorded.

Respectfully submitted,

Leanna Gnazzo
Acting Town Clerk

Vincent F. Testa, Jr., Chairman

Leanna Gnazzo, Acting Town Clerk

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.