

**TOWN OF WALLINGFORD, CONNECTICUT
TOWN COUNCIL MEETING
Town Council Chambers
TUESDAY
NOVEMBER 12, 2019
6:30 P.M.
AMENDED RECORD OF VOTES & MINUTES**

The Town Council Meeting on Tuesday, November 12, 2019 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 Chairman Vincent Cervoni, Councilors Craig C. Fishbein, Thomas Laffin, John LeTourneau, Joseph A. Marrone, Gina Morgenstein, Christopher K. Shortell, Vincent F. Testa and Jason Zandri. Mayor William W. Dickinson, Jr., Town Attorney Gerald Farrell, Sr. and Comptroller James Bowes were also present.

1. Pledge of Allegiance
2. Roll Call

Chairman Cervoni states that after a conversation with Councilor Morgenstein I am going to read the following statement against racism:

“Many of us are aware of the racially motivated activity which has occurred in our downtown over the past two weekends. The statement, “It’s ok to be white,” might not in and of itself appear to be racist in nature. However, when one learns that this is the product of a movement by white supremacists, it is easily construed to intimidate those who are not considered white.

As the child of immigrants, I am sensitive to issues regarding race. While Italian immigrants have not in recent history been the subject of discrimination, there have been times throughout history not so distant, when any race, ethnicity, or creed was the subject of division.

We who are Wallingford do not support any discrimination based upon race, color, creed or national origin. I believe that all sitting with me on this Town Council agree with this statement.”

3. Opioid Litigation Update – Law Dept.

In Attendance: Attorney Judy Scolnick, Partner, Scott & Scott

Attorney Scolnick gave an update on the opioid litigation. She stated in 2018 Wallingford filed litigation in New Haven, the case was stayed because Perdue Pharma declared bankruptcy. She went on to explain Wallingford is a member of the negotiation class in which there are 4,000 members. She noted that Judge Polster decided to give a settlement and that is what will be discussed in Executive Session. She went on to say that every State’s Attorney General has filed

suit against the Purdue Pharma Company and the Sackler's who own it. Connecticut has done so as well.

Councilor Shortell thanked Attorney Scolnick for the update and asked if we have any clue how much will trickle down to Wallingford. Attorney Scolnick stated there is a 1 billion dollar hypothetical settlement equal to \$155,000 for every billion dollars of settlement to Wallingford.

Councilor Shortell asked Mayor Dickinson what we would use this money towards. The Mayor replied to honor the opioid issues.

There was discussion of legal tactics.

Councilor Fishbein noted there are three different classes of costs and asked if they have been recognized in any similar suits. Attorney Scolnick answered yes.

Councilor Testa remarked "How do we not support this." He then asked if we are looking to put this company out of business. Attorney Scolnick answered no and stated we are looking to go back to pre-opioid abuse era of dispensing drugs.

6. Consent Agenda

- 6a. Consider and approve Tax Refunds totaling \$16,593.80 (#354-417)
Acct. #1001001- 41020 - Tax Collector
- 6b. Acceptance of Donation for Holiday for Giving and consider and approve Appropriation of funds in the amount of \$2,561 to Donations, Acct. #2134002-47152 and to Expenditures, Acct. #21340100-58830 – Y&SS
- 6c. Acceptance of funds from the Digital Harbor Foundation for the STEM Academy and consider and approve Appropriation of funds in the amount of \$920 from Revenue, Acct. #2264002-47152 to Expenditures, Acct. #22640150-58830 – Y&SS
- 6d. Consider and approve a Transfer in the amount \$300 from Contingency-General, Acct. #10019000-58820 to Veteran's Office, Acct. #10040200-56100 -Veterans
- 6e. Acceptance of Donation from business owners and consider and approve Appropriation of funds in the amount of \$551 to Revenue Donations-Police, Acct. #2502002-47152 and to Expense Donations-Police, Acct. #25020050-58830-10135 – Police Dept.
- 6f. Acceptance of Donation from Mr. and Mrs. Plouffe and consider and approve Appropriation of funds in the amount of \$25 to Revenue Donations-Police, Acct. #2502002-47152 and to Expense Donations – Police, Acct. #25020050-58830-10135 – Police Dept.
- 6g. Acceptance of 2018/2019 Comprehensive DUI Enforcement Grant and consider and approve Appropriation of funds in the amount of \$12,637 to Revenue Highway Safety, Acct. #1002001-45208 and to Police Overtime, Acct. #10020050-51400 – Police Dept.

- 6h. Acceptance of Donation from Gilhuly Insulation, Inc. and consider and approve Appropriation of funds in the amount of \$400 to Revenue Donations – Police, Acct. #2502002-47152 and to Expense Donations – Police, Acct. #25020050-58830-10135 – Police Dept.
- 6i. Acceptance of Donation and consider and approve Appropriation of funds in the amount of \$50 – Wallingford 2020
 - \$50 To: Revenue Fund #252
 - To: Donations Acct. #2524002-47152
 - To: Event or Sale Proceeds Acct. #2524002-47040
 - \$50 To: Expenditures Fund #252
 - Acct. #25240150-58830
- 6j. Consider and approve a Transfer in the amount of \$1,094 from Materials & Supplies, Acct. #10030000-56140 to Capital Account, Acct. #TBD – Public Works
- 6k. Consider and approve Appointment of Robert Wiedenmann, Jr. to the Wallingford Housing Authority for a 5 year term effective immediately and expiring October 31, 2024 – Chairman Cervoni
- 6l. Consider and approve Appointment of Jennifer Passaretti as an Alternate to the Inland Wetlands & Watercourse Commission. This 3 year term is effective immediately and will expire March 1, 2022 – Chairman Cervoni
- 6m. Consider and Approve Budget Amendment Appropriating \$307,133.51 from Retained Earnings, Acct. # NA to Conservation Expense, Acct. #909 - Electric Division
- 6n. Consider and approve Budget Amendment Appropriating \$542,597 from Retained Earnings, Acct. #NA to Various Accounts – list attached, Acct. #(See Attached) – Electric Division
- 6o. Approval of Town Council Minutes of October 22, 2019.

MOTION WAS MADE TO APPROVE CONSENT AGENDA ITEMS 3a.-3o.

MADE BY: LAFFIN
SECONDED BY: FISHBEIN
VOTE: ALL AYE
MOTION: PASSED

Jennifer Passaretti was sworn in as an Alternate to the Inland Wetlands & Watercourse Commission.

- 4. Executive Session pursuant to CGS Section 1-225(f) and Section 1-200(6)(B) to discuss pending opioid litigation – Law Dept.

MOTION WAS MADE TO MOVE INTO EXECUTIVE SESSION AT 7:28 P.M.

MADE BY: LAFFIN
SECONDED BY: LETOURNEAU
VOTE: ALL AYE
MOTION: PASSED

MOTION WAS MADE TO MOVE INTO EXECUTIVE SESSION Executive Session pursuant to CGS Section 1-225(f) and Section 1-200(6)(B) to discuss pending opioid litigation.

MOTION WAS MADE TO MOVE OUT OF EXECUTIVE SESSION AT 8:16 P.M.

MADE BY: LAFFIN
SECONDED BY: LETOURNEAU
VOTE: ALL AYE
MOTION: PASSED

Time of Executive Session 7:28 p.m. to 8:16 p.m.

Attendance at Executive Session:

FISHBEIN **MAYOR WILLIAM W. DICKINSON, JR.**
LAFFIN **TOWN ATTORNEY GERALD E. FARRELL, SR.**
LETOURNEAU **ATTORNEY JUDY SCOLNICK**
MARRONE
MORGENSTEIN
SHORTELL
TESTA
ZANDRI
CERVONI

5. Possible action on opioid litigation – Law Dept.

No Action was Taken.

7. Items Removed from the Consent Agenda - *None*

9. Discussion and possible action regarding Wallingford Education Association Contract 2020-2023 - BOE

In Attendance: Roxane McKay, Chair, BOE

Danielle Bellizzi, Assistant Superintendent, Personnel, BOE

Dominic Barone, Business Manager, BOE

MOTION WAS MADE TO APPROVE Wallingford Education Association Contract 2020-2023.

MADE BY: LETOURNEAU

SECONDED BY: ZANDRI

Ms. Bellizzi spoke about the three year contract indicating a 2.99% increase for the first year, a 2.90% increase for the second year and a 2.81% increase for the third year. She noted if a teacher has already reached their maximum step then it is just a 1.65% increase each year.

Special salary differentials were discussed.

Ms. Bellizzi mentioned the sick leave bank language was added and the Janus language was cleaned up adding "may join".

Councilor Fishbein feels the direct deposit for all teachers is a good thing moving forward.

Councilor Fishbein stated it was a nice try with the Janus language, but it is not in compliance with the law.

PUBLIC COMMENT

Bob Gross, Long Hill Road, inquired about the insurance waiver and asked if they can get on it. Ms. Bellizzi answered yes, between now and 2020. Mr. Gross then asked how much a year we pay out. Ms. Bellizzi replied \$250,000 a year.

Councilor LeTourneau wanted to confirm that all the teachers will be on direct deposit. Mr. Barone answered yes. Councilor LeTourneau then asked if management will be on direct deposit and Mr. Barone said almost all of management is on direct deposit.

ROLL CALL VOTE:

FISHBEIN: NO

LAFFIN: YES

LETOURNEAU: YES

MARRONE: NO

5-AYE

2-NAY

2-RECUSE

MOTION: PASSED

MORGENSTEIN: YES

SHORTELL: RECUSE

TESTA: RECUSE (Left Meeting)

ZANDRI: YES

CERVONI: YES

- 10. Consider and approve carryforward to the unspent balance of \$478,121 Board of Education funds into the 2019-2020 1% Account - BOE

In Attendance: Roxane McKay, Chair, BOE

Dominic Barone, Business Manager, BOE

MOTION WAS MADE TO APPROVE carryforward to the unspent balance of \$478,121 Board of Education funds into the 2019-2020 1% Account.

MADE BY: LAFFIN

SECONDED BY: LETOURNEAU

Chairman Cervoni thanked Roxane McKay for all her years of service on the Board of Education; 14 years, 5 terms as Chair of the Board of Education.

Councilor Fishbein asked if this is now the 2% fund. Mr. Barone replied the Charter says 1%. Councilor Fishbein then stated we voted at the State for 2%.

Councilor Fishbein remarked "Aren't we the gatekeeper of these funds". Mr. Barone answered yes and noted we will earmark this in our next budget for capital projects.

Councilor Shortell stated he will vote for this but we have had a lot of money in this account over the years.

Councilor Zandri asked if this money can be kept in in cap and non-recurring. Mr. Barone answered yes.

ROLL CALL VOTE:
FISHBEIN: YES
LAFFIN: YES
LETOURNEAU: YES
MARRONE: YES
8-AYE
1-ABSENT
MOTION: PASSED

MORGENSTEIN: YES
SHORTELL: YES
TESTA: ABSENT
ZANDRI: YES
CERVONI: YES

8. PUBLIC QUESTION & ANSWER PERIOD

Opened Public Question and Answer Period at 9:13 p.m.

Bob Gross, Long Hill Road, asked Mr. Bowes if he checked on how the investment people get paid. Mr. Bowes answered yes and stated they get paid just what we allocate for them \$60,000 a year.

Adelheid Koepfer inquired about the \$307,000 electric item on consent for conservation purposes. Mr. Bowes responded in the affirmative.

Larry Morgenstein, South Main Street, asked if we will hear anything more about the Executive Session on the opioid issue. He then thanked Chairman Cervoni for his statement earlier tonight.

11. 6:30 p.m. Public Hearing to Consider and Act upon Amendment to Chapter 156, Property Maintenance, Article 1, Section 156-3.D of the Code of the Town of Wallingford.

Councilor Shortell summarizes that we are repealing the abandoned vehicles and amending the Blight Ordinance. He stated the goal is to have the property owner remove the vehicle and it does not diminish the police department's role in any way.

Chairman Cervoni opened the Public Hearing at 9:36 p.m. and no one spoke.

Chairman Cervoni closed the Public Hearing.

MOTION WAS MADE TO MOVE TO AMEND Chapter 156, Property Maintenance, Article 1, Section 156-3.D of the Code of the Town of Wallingford.

**MADE BY: SHORTELL
SECONDED BY: LAFFIN**

ROLL CALL VOTE:	MORGENSTEIN: YES
FISHBEIN: YES	SHORTELL: YES
LAFFIN: YES	TESTA: ABSENT
LETOURNEAU: YES	ZANDRI: YES
MARRONE: YES	CERVONI: YES
8-AYE	
1-ABSENT	
MOTION: PASSED	

12. 6:45 p.m. Public Hearing to Consider and Act upon Repeal of Chapter 214, Vehicles, Abandoned.

Chairman Cervoni opened the Public Hearing at 9:38 p.m. and no one spoke.

Chairman Cervoni closed the Public Hearing.

MOTION WAS MADE TO Repeal of Chapter 214, Vehicles, Abandoned.

**MADE BY: SHORTELL
SECONDED BY: MORGENSTEIN**

ROLL CALL VOTE:	MORGENSTEIN: YES
FISHBEIN: YES	SHORTELL: YES
LAFFIN: YES	TESTA: ABSENT
LETOURNEAU: YES	ZANDRI: YES
MARRONE: YES	CERVONI: YES
8-AYE	
1-ABSENT	
MOTION: PASSED	

13. Discussion and possible action on the establishment of a Taxpayer Credit Fund – Councilor Zandri - *Withdrawn*

14. Executive Session pursuant to Section 1-200(6)(D) of the Connecticut General Statutes with respect to the purchase, sale and/or leasing of property – Mayor - *Withdrawn*

MOTION TO ADJOURN
MADE BY: LETOURNEAU
SECONDED BY: MORGENSTEIN
ALL AYE
MOTION: PASSED

The Council adjourned the meeting at 9:40 p.m.

Respectfully submitted,

Lisa Moss
Council Staff
Meeting digitally recorded

RECEIVED FOR RECORD 11-15-19
AT 4:00 AND RECEIVED BY
Barbara Thompson TOWN CLERK

Vincent Cervoni BT
Vincent Cervoni, Chairman
Date 12/3/19

Barbara Thompson
Barbara Thompson, Town Clerk
Date 12/3/19