

**TOWN OF WALLINGFORD, CONNECTICUT  
SPECIAL TOWN COUNCIL MEETING**

**HELD REMOTELY  
at GoToMeeting.com**

**TUESDAY  
June 2, 2020  
6:30 P.M.**

**RECORD OF VOTES & MINUTES**

The Special Town Council Meeting on Tuesday, June 2, 2020 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 Craig C. Fishbein, Thomas Laffin, Joseph A. Marrone, III, Gina Morgenstein, Christopher K. Shortell (arrived 6:39 p.m.), Christina Tatta, Vincent F. Testa (arrived 6:39 p.m.), Jason Zandri and Chairman Vincent Cervoni. Mayor William W. Dickinson, Jr., and Comptroller James Bowes were also present (BY TELECONFERENCE).

**MOTION WAS MADE TO WAIVE RULE V FOR THE PURPOSE OF  
CENSURING OF COUNCILOR FISHBEIN**

**MADE BY: MARRONE  
SECONDED BY: LAFFIN**

Chairman Cervoni stated Waive Rule V does not apply and does not speak to the substance of the Motion. He indicated he does not condone Councilor Fishbein's actions and he speaks carefully about these issues.

Councilor Marrone is asking to speak about this tonight.

Councilor Morgenstein stated she understands that Attorney Small has been speaking to it and it is not out of order.

Attorney Small stated under FOI you are not supposed to add to a Special Meeting only regular meeting agendas.

**MOTION WAS MADE TO APPEAL THE RULING OF THE CHAIRMAN**

**MADE BY: SHORTELL  
SECONDED BY: ZANDRI**

Councilor Fishbein stated it appears I would have some interest and I will abstain.

<b>ROLL CALL VOTE:</b>		<b>SHORTELL: YES</b>
<b>FISHBEIN:</b>	<b>ABSTAIN</b>	<b>TATTA: YES</b>
<b>LAFFIN:</b>	<b>YES</b>	<b>TESTA: YES</b>
<b>MARRONE:</b>	<b>YES</b>	<b>ZANDRI: YES</b>
<b>MORGENSTEIN:</b>	<b>YES</b>	<b>CERVONI: NO</b>

**1-ABSTAIN  
1-NAY  
7-AYE  
MOTION: PASSED**

**VOTE ON MOTION TO WAIVE RULE V**

<b>ROLL CALL VOTE:</b>		<b>SHORTELL: YES</b>
<b>FISHBEIN: YES</b>		<b>TATTA: YES</b>
<b>LAFFIN: YES</b>		<b>TESTA: YES</b>
<b>MARRONE: YES</b>		<b>ZANDRI: YES</b>
<b>MORGENSTEIN: YES</b>		<b>CERVONI: NO</b>

**1-NAY  
8-AYE  
MOTION: PASSED**

**MOTION WAS MADE:**

**Whereas our nation is in a time of great civil unrest and frightening government abuses of power, the Wallingford Town Council does not condone racially insensitive and inappropriate humor, nor do we condone the mocking of someone else's insensitive remarks with poorly chosen comments of our own.**

**Specifically, the recent retweet by town Councilor Craig Fishbein smacks of ignorance and a disgusting and inappropriate tone.**

**Whereas Martin Luther King once said, "The ultimate measure of a person is not where one stands in moments of comfort and convenience, but where one stands in times of challenge and controversy." I move that this Council censure Craig Fishbein for standing on the wrong side of challenge and controversy by spreading a backward and unsophisticated joke on social media.**

**Further, as this language is inappropriate in any context, the Council wishes to distance itself from these comments as an affront to good taste and an attack on the liberty of others.**

**MADE BY: MARRONE  
SECONDED BY: MORGENSTEIN**

Council Fishbein stated he does not associate himself with the statement it was untimely and it was a mistake.

Ben Martin, public speaker, does not think censuring is good enough at this point. He said Wallingford has had a long standing problem with race and he is asking Councilor Fishbein to resign.

Councilor Morgenstein stated this body has no power to remove anyone from office.

Jaime Hine, South Elm Street, said he appreciates the Motion and thinks it is appropriate. He stated he has always defended Wallingford and Councilor Fishbein but his retweets makes no sense.

Jack Beecher, public speaker, takes Councilor Fishbein at his word but noted now we need to learn to talk to each other. He went on to say we all make mistakes and he was embarrassed by Councilor Fishbein’s tweet but we need to move forward.

Rajan Doering, Sharon Drive, stated he has a lot of respect for Councilor Fishbein but he did sign the petition for him to resign. He went on to say we all need to be respectful.

Chairman Cervoni stated to Councilor Fishbein that he appreciates his apology.

<b>ROLL CALL VOTE:</b>		<b>SHORTELL: YES</b>	
<b>FISHBEIN:</b>	<b>YES</b>	<b>TATTA:</b>	<b>YES</b>
<b>LAFFIN:</b>	<b>YES</b>	<b>TESTA:</b>	<b>YES</b>
<b>MARRONE:</b>	<b>YES</b>	<b>ZANDRI:</b>	<b>YES</b>
<b>MORGENSTEIN:</b>	<b>YES</b>	<b>CERVONI:</b>	<b>YES</b>
<b>9-AYE</b>			
<b>MOTION: PASSED</b>			

- 3. Discussion and possible action on Resolution of the Town of Wallingford to Reopen Businesses.

**MOTION WAS MADE TO PASS THE RESOLUTION THAT WAS DRAFTED FROM LAST MEETING.**

**MADE BY: FISHBEIN**  
**SECONDED BY: MARRONE**

Councilor Fishbein remarked in some aspects he doesn’t think it goes far enough. He stated he appreciates the quick work of the Law Department and went on to say this is not an act of defiance but many businesses are ready now to open.

Councilor Shortell says he has a mixed record with these resolutions. He said he wishes he had a consistent view on these things but he doesn’t. He then remarked that he doesn’t think the town constantly has their hand in the State’s or Federal Government’s decision. He went on to state he will support all the Wallingford businesses and he is more open to passing a local resolution not a state one. Councilor Shortell stated he will not support this.

Councilor Testa stated he went to great lengths at the last meeting but indicated if we appealed to the Governor that we take over the local timeframe we have to trust the experts in the big picture but he feels we should look at the smaller aspects. He noted when he saw the resolution he did not agree with the language, he is opposed to it and he felt betrayed in spirit as to how we were going to go forward. Councilor Testa will not support this.

Councilor Morgenstein stated this is very difficult times to be in town Government. She said she has not supported this from the start and she would vote on a resolution to support healthcare

workers and town workers. She stated she would support an appeal in support of the 100,000 people that died, but will not support this resolution.

Councilor Marrone thinks town businesses have never been shuttered like this before. He stated all the big box stores are still open and the mom and pop stores are struggling and he feels we need to open up again.

Councilor Zandri stated he's had a lot of discussions since he voted for this and remarked why can't I be in a small store instead of the big Walmart. He went on to say the argument will be some are essential and some are not.

Councilor Fishbein stated perhaps the word arbitrary should be replaced with inconsistent.

Councilor Laffin stated he was surprised how the resolution was worded compared to how the conversation went last time there are sections that are very political. He said he assumes Attorney Small drafted that.

Attorney Small stated she was only given the Motion and a sample from Cromwell and another from out of state and she didn't know what the Councilors wanted. She remarked to the Councilors it's your resolution you can change it to what you want.

Councilor Laffin said he wanted to understand where it came from.

**MOTION WAS MADE TO ADD TO RESOLUTION:**

**In the eighth paragraph of the resolution add; after town businesses in our town public health enforcement officials.**

**Councilor Fishbein accepts this as a friendly amendment.**

**Councilor Marrone stated he seconds the amendment.**

**MADE BY: LAFFIN**

**SECONDED BY: ZANDRI**

Councilor Shortell stated this virus has killed 100,000 people while the country has been on lockdown. He said this whole thing rubs him the wrong way and it's a political statement.

Attorney Small stated she did not write a resolution to the far right and noted she wrote it according to the Motion. She stated she takes strong objection to this.

Councilor Testa said he does not think this is written by Attorney Small to the far right. It's structured by someone specific as Councilor Shortell eluded. He said he is not on board with anything that eludes the state government has handled this badly. The orders are going to change gradually. He believes we all support our local businesses and love our town.

**COUNCILOR MARRONE CALLED THE QUESTION**

**SECONDED BY: COUNCILOR FISHBEIN**

**ROLL CALL VOTE:**

**FISHBEIN: YES**  
**LAFFIN: NO**  
**MARRONE: YES**  
**MORGENSTEIN: YES**

**6-AYE**

**3-NAY**

**MOTION: PASSED**

**SHORTELL: YES**

**TATTA: NO**

**TESTA: YES**

**ZANDRI: NO**

**CERVONI: YES**

**VOTE ON RESOLUTION:**

**ROLL CALL VOTE:**

**FISHBEIN: YES**  
**LAFFIN: YES**  
**MARRONE: YES**  
**MORGENSTEIN: NO**

**6-AYE**

**3-NAY**

**MOTION: PASSED**

**SHORTELL: NO**

**TATTA: YES**

**TESTA: NO**

**ZANDRI: YES**

**CERVONI: YES**

4. Discussion and possible action on amendments to the Town of Wallingford Budget for FY 2020-2021.

Councilor Shortell stated this has been a group effort. He went on to say the Mayor's budget is a good budget but this year we would like to deliver a 0% tax increase.

**MOTION WAS MADE TO MOVE TO CUT TOWN COUNCIL.**

**MADE BY: SHORTELL**

**SECONDED BY: TATTA**

**MOTION: WITHDRAWN**

Councilor Shortell stated we know that there is \$1.2 in Cap & Non so we can take money in the Pilot – WED. Councilor Shortell also noted he wants to pass this as an entire package.

**MOTION WAS MADE TO PASS THIS PACKAGE AS PRESENTED.**

**MADE BY: SHORTELL**

**SECONDED BY: TATTA**

Chairman Cervoni inquired about using the Electric Division's pilot money this year to offset tax increases which is now a revenue item and then asked if we would start the next year with a deficit.

Councilor Testa stated he appreciates the work everyone put into this. He did not want to cut education but the amount is small so he is okay with it. He then asked if we can divert pilot money to Cap & Non per ordinance or by Charter.

Councilor Testa stated he does not think we can do this. He indicated he can go along with a cut but not using the pilot money. He feels we should just use money from the fund balance.

Councilor Laffin thanked the Councilors for the details on this. He said he has never been a fan of using the pilot money and noted future budgets are made from these cuts. He indicated he would trust department heads to adjust their budgets as they see fit.

Chairman Cervoni stated procedurally, we have to cut specific line items.

Councilor Fishbein stated working with budgets is difficult and he gives a lot of credit to Councilor Shortell.

Mr. Bowes stated that \$848,375 should not be used every year for the electric pilot money and noted it's meant for capital improvements, not budget line items.

Councilor Zandri asked when do we use reserves. Mr. Bowes replied we have used it the past three years.

Councilor Zandri said we allocate it and then never use it and he has a problem with that. He went on to say we historically never use half of what we allocate.

Councilor Marrone stated we cannot base our actions on what might happen in the future. He remarked this administration is always doom and gloom. He feels it's misleading to say we use \$7 million in reserves. We just keep kicking it down the road and putting it back into next year's budget.

Mayor Dickinson explained every year there are reserves going into the budget or there will be a tax increase or a cut in services. He went on to say there are over a half million people unemployed in this state now and businesses have three months-time to pay their taxes. We don't know if we will receive payment. He said the people in this town have depended on this town year after year to successfully spend public money.

Councilor Tatta indicated she was looking for savings. She stated she was looking for 1% across the board and she feels it was reasonable to ask for. She then said those cuts are not enough to get us to 0% so the \$1.2 in Cap & Non is just sitting there and it's an economic crisis. She feels this is a catastrophe and we cannot raise taxes.

Councilor Fishbein asked who is the budget making authority by statute. Mayor Dickinson replied the Executive Branch of Government.

**MOTION WAS MADE TO DIVIDE THE QUESTION TO SEPARATE THE CUTS FROM THE REVENUE INTO TWO PARTS**

**MADE BY: LAFFIN**

**SECONDED: CERVONI**

Councilor Tatta indicated this won't work for her and stated this is not how we planned it.

Councilor Fishbein agrees and stated it's one package.

Councilor Laffin stated each part isn't dependent on the other.

<b>ROLL CALL VOTE:</b>		<b>SHORTELL: YES</b>
<b>FISHBEIN:</b>	<b>NO</b>	<b>TATTA: NO</b>
<b>LAFFIN:</b>	<b>YES</b>	<b>TESTA: NO</b>
<b>MARRONE:</b>	<b>NO</b>	<b>ZANDRI: NO</b>
<b>MORGENSTEIN:</b>	<b>NO</b>	<b>CERVONI: YES</b>
<b>3-AYE</b>		
<b>6-NAY</b>		
<b>MOTION: FAILED</b>		

**MOTION WAS MADE TO PASS THIS PACKAGE AS PRESENTED.**

<b>ROLL CALL VOTE:</b>		<b>SHORTELL: YES</b>
<b>FISHBEIN:</b>	<b>YES</b>	<b>TATTA: YES</b>
<b>LAFFIN:</b>	<b>NO</b>	<b>TESTA: YES</b>
<b>MARRONE:</b>	<b>YES</b>	<b>ZANDRI: YES</b>
<b>MORGENSTEIN:</b>	<b>YES</b>	<b>CERVONI: NO</b>
<b>7-AYE</b>		
<b>2-NAY</b>		
<b>MOTION: PASSED</b>		

The meeting was adjourned at 10:25 p.m.

Respectfully submitted,

Lisa Moss  
Council Staff  
Meeting digitally recorded

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Vincent Cervoni, Chairman

Date

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Barbara Thompson, Town Clerk

Date

RECEIVED FOR RECORD 6-5-2020  
AT 4:30 AND RECEIVED BY  
Barbara Thompson TOWN CLERK