

**TOWN OF WALLINGFORD, CONNECTICUT
TOWN COUNCIL MEETING
TUESDAY
APRIL 12, 2022
6:30 P.M.
RECORD OF VOTES & MINUTES**

The Town Council Meeting on Tuesday, April 12, 2022 was called to order at 6:34 p.m. There was a moment of silence and the Pledge of Allegiance was said. Councilors in attendance were Autumn Allinson, Samuel Carmody, Craig Fishbein, Thomas Laffin, Joseph A. Marrone, III, Christina Tatta, Vincent Testa and Chairman Vincent Cervoni. Councilor Zandri was absent. Mayor William W. Dickinson, Jr., Town Attorney Gerald E. Farrell, Sr., Corporation Counsel Janis Small, and Comptroller Tim Sena were also present.

3. Consent Agenda

- 3a. Consider and approve Tax Refunds totaling \$33,511.05 (#930-#1009)
Acct. #1001001- 41020 - Tax Collector
- 3b. Consider and approve Merit Review (2) – Human Resources
- 3c. Consider and approve a Transfer in the amount of \$400 from Health Promotion, Acct. #10040050-58831 to Facility Inspections, Acct. #10040050-56788 – Health Dept.
- 3d. Consider and approve a Transfer in the amount of \$10,000 from Regular Salaries & Wages, Acct. #10020050-51000 to Maintenance of Vehicles, Acct. #10020050-54320 – Police Dept.
- 3e. Consider and approve a Transfer in the amount of \$18,000 from Regular Salaries & Wages, Acct. #10020050-51000 to Continuing Education, Acct. #10020050-55700 – Police Dept.
- 3f. Consider and approve a Transfer in the amount of \$2,295 from Salaries & Wages, Acct. #10040100-51000 to Overtime, Acct. #10040100-51400 – Y&SS
- 3g. Consider and approve a Transfer in the amount of \$15,000 from Distribution-Operations Maint. of Station Equip., Acct. #592 to Distributions-Operations Misc. Distribution, Acct. #588 – Electric Div.
- 3h. Consider and approve a Transfer in the amount of \$20,000 from Distribution-Operations Underground Line Exp., Acct. #584 to Administrative-Maintenance of General Plant, Acct. #932 – Electric Div.

- 3i. Consider and approve a Transfer in the amount of \$50,000 from General Plant-Structures & Improvements, Acct. #390 to Transmission Plant-Station Equipment, Acct. #353-Electric Div.
- 3j. Consider and approve a Transfer in the amount of \$6,000 from Hypertension-Police, Acct. #10012100-52957 to Office Expense and Supplies, Acct. #10012000-56100 – Human Resources
- 3k. Consider and approve reappointment of Barbara Sibley as a regular member of the Historic Properties Commission for a five year term effective immediately and expiring March 27, 2027 – Chairman Cervoni
- 3l. Approve Town Council Minutes of March 22, 2022.

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

MADE BY: LAFFIN

SECONDED BY: FISHBEIN

VOTE: ALL AYE

MOTION: PASSED

4. **Items Removed from the Consent Agenda: *None***

5. **PUBLIC QUESTION & ANSWER PERIOD**

Bob Gross, Long Hill Road, stated since ARPA law passed there are additional monies coming in for mental health and schools. He hopes Council keeps that in mind tonight.

Mr. Gross stated last night the Police Dept. and Public Works said they could use additional personnel. He asked if it's too late to add funds to budget to add personnel. The Mayor stated those departments did not request additional personnel. The Mayor went on to state if we were to provide other funds to those departments we would have to take away funds from other departments to offset taxes.

Mr. Gross said if you are innovated with ARPA money you can use it.

6. 6:30 p.m. Public Hearing to Consider and Act to Repeal Article III of Chapter 62, "Alcoholic Beverages", of the Code of the Town of Wallingford to be repealed in its entirety – Chairman Cervoni

MOTION WAS MADE to Repeal Article III of Chapter 62, "Alcoholic Beverages", of the Code of the Town of Wallingford to be repealed in its entirety.

MADE BY: LAFFIN

SECONDED BY: MARRONE

Chairman Cervoni stated currently alcohol sales on Sundays are limited to 11:00 a.m. to 11:00 p.m.

Councilor Fishbein stated this is a sensitive issue to him because he had a close friend killed by a drunk driver and doesn't know if he can vote unbiased. Chairman Cervoni said he was sorry for the loss of Councilor Fishbein's friend and stated drunk driving is illegal no matter what time of day.

Councilor Laffin stated he did not know that Wallingford was more restricting than the rest of the state until restaurant owners approached him.

ROLL CALL VOTE:

ALLINSON: YES	TATTA: NO
CARMODY: YES	TESTA: YES
FISHBEIN: NO	ZANDRI: ABSENT
LAFFIN: YES	CERVONI: YES
MARRONE: YES	
6 -AYE	
1-ABSENT	
2-NAY	
MOTION: PASSED	

7. Discussion and Action on a motion to authorize the re-bidding of the community pool project, as originally approved and vetoed in order to determine costs for the project – Councilor Testa

Councilor Testa feels strongly that we should complete project as designed and to go forward. He does not want to see project whittled down. He said we decided that was the project we wanted to see and we had means to do it when we voted to do it and we have means to do it now. He went on to say project was approved to be bonded and we have a down payment.

MOTION WAS MADE TO AUTHORIZE REBIDDING OF THE COMMUNITY POOL PROJECT BASED ON ORIGINAL PROPOSAL. REBID INCLUDES BASE RENOVATION OF EXISTING FACILITY.

MADE BY: TESTA
SECONDED BY: CARMODY

Mayor feels this is not a good time to be bidding on a large project like this and that this is not a necessity. He went on to say the world is in chaos, the economy is not supportive and it will come in way above what it was before.

Councilor Tatta stated she is supportive of this. She would like to add to the motion putting out an RFP to see if pool can be renovated. She feels we need a backup plan and need to know all of our options including demolish pool, renovate pool, or go with new project.

COUNCILOR TATTA MADE A FRIENDLY AMENDMENT THAT IN ADDITION TO REBIDDING, WE ALSO BID OR ISSUE AN RFP TO SEEK COST OF RENOVATION.

SECONDED BY: CARMODY

Councilor Testa states he is not sure of semantics and does not welcome amendment.

He went on to state the economy is never good, he appreciates conservative views and wants to let people know where we stand.

Councilor Tatta explained we've never been told definitely that we can't renovate the pool. If bids come in and it's not affordable, we have no pool. She stated maybe we can afford \$3 million to renovate.

Councilor Testa accepts this Friendly Amendment.

Councilor Fishbein said since the veto he has spent a lot of time thinking about this and thinking about vision. When he looks around town he notices a lot of places that are not kept up and asks what the town has done to improve. He goes on to say the only way this project can happen is if we do it. He stated the motion tonight is basically a resolution and we have a chance of doing this project properly.

Chairman Cervoni stated amendment was accepted and seconded.

Councilor Fishbein feels we need a committee. He suggested having Council create a committee made up of Councilors or others.

**Councilor Fishbein wants a Friendly Amendment to amend the motion on the table.
Councilor Testa does not accept.**

Councilor Testa stated I see where you're going and don't know if we can do what you think we can do. He asks why don't we use what's already been done.

Councilor Fishbein stated part of this is a vision, not the vision we ended up with. He said he would like to share initial vision and noted there are so many different things we can do.

Chairman Cervoni stated we had a pool committee and they came to us with a proposal. He then asked Councilor Testa if that is that the project he wants to rebid. Councilor Testa stated yes and said he wants to see where Councilor Fishbein wants to go with this. Councilor Testa then stated he is sticking with what he started with.

Councilor Marrone asked if we are voting on Councilor Fishbein's proposed amendment. Chairman Cervoni stated there was no second to that amendment.

Councilor Marrone stated the Mayor is correct the economy is not in good shape and he liked the plan presented. He went on to state there's no guarantee the economy gets better and he is concerned that the cost went up on the plan presented. He likes Councilor Fishbein's idea of using ARPA funds and stated letting the park sit idle is the worst option. He suggests putting it out to bid again and come up with a plan.

Councilor Allinson stated she is for the community pool and feels it's an important part of the community. She feels a committee is not going to help move anything along. She is not for creating any new committee. She does not think it would be wise to commit ARPA money. She went on to say she understands and appreciates the Mayor and his conservative knowledge of the town. She thinks the Mayor does what he feels is best for the town.

Councilor Laffin does not support a new committee or starting over but he does support a new bid. He stated in hindsight the pre-covid prices were the best and the time to rebid was two years ago. Councilor Laffin thanked Councilor Testa and stated he does support the rebid.

Councilor Fishbein stated committees only have the power they are given and the ARPA committee was given no power and it has no authority. There is a collective understanding that a lot of us would like to see a nice pool in our town and we have authority to have project rebid and paid for by ARPA money.

**MOTION WAS MADE TO AMEND TO ADD TO PRESENT MOTION THE
REBIDDING OF THE PRIOR PROJECT AS APPROVED BY THIS BODY WITH
THE ANTICIPATION OF THE PROJECT BEING PAID FOR BY ARPA FUNDS.**

**MADE BY: FISHBEIN
THERE WAS NO SECOND.**

The Mayor stated you have no authority to spend ARPA funds without approval of Administration.

Attorney Small stated to Councilor Fishbein you have authority to hire an attorney if Town Council wishes to do so.

Councilor Testa stated it's not necessary.

The Mayor stated we need to solve ARPA and get application out and find out what needs are.

Councilor Testa asks if we can at least rebid it. The Mayor responds lets deal with ARPA, applications can go out then we can talk about it.

Chairman Cervoni said to Mayor Councilor Testa does not disagree with you.

Councilor Testa asked Mayor if he can just authorize the bid and explained he does not want to use ARPA funds for the pool he just wants to rebid the pool to be up to date and get current numbers. He states we can do more than one thing at a time and we need to know how much it's going to cost.

The Mayor repeated what he said before to decide on ARPA, it's a critical issue for the town.

Councilor Testa said he doesn't understand how he's not understood.

Councilor Tatta states the only way we have to get pool done is to use ARPA funds. She went on to say the community pool is not in next year's budget and we will lose another two years. The community repeatedly asks us to get this done. She doesn't see harm in spending APRA money on this. She asked the consultant who has authority to appropriate money.

Councilor Carmody stated he couldn't agree with Councilor Tatta more and he is disappointed with the Mayor.

Councilor Fishbein comments about the memo from Attorney Small and terms in the Charter.

Attorney Small stated it requires both of you to agree, Administration and Council.

Chairman stated we allocate BOE cost sharing grants, administered just like any other.

Attorney Small states that is the law that is our Charter.

Councilor Fishbein and Attorney Small discuss Charter language and Councilor Fishbein suggests Town Council seek their own legal counsel and get a second opinion on this. Councilor Testa asked where we are going to get the money for this and Councilor Fishbein stated from contingency.

**MOTION WAS MADE TO AMEND CURRENT MOTION TO REBID PROJECT
AND USE UP TO \$7 MILLION OF ARPA FUNDS TO COMPLETE IT.**

**MADE BY: FISHBEIN
SECONDED BY: TATTA**

ROLL CALL VOTE:

ALLINSON: NO	TATTA: YES
CARMODY: YES	TESTA: NO
FISHBEIN: YES	ZANDRI: ABSENT
LAFFIN: NO	CERVONI: NO
MARRONE: YES	

4 -AYE

1-ABSENT

4-NAY

MOTION: FAILED

Councilor Laffin asked if we should amend motion with intent to bond project.

Councilor Tatta states putting money aside, not taxpayer money, is the only way we have any control over this. She suggests asking the consultant and stated if we don't, project is dead.

Public Comment

Joe Mirra, EDC, stated there is no free money it's all taxpayer money. He is in favor of the pool as long as it doesn't affect ARPA funds.

Mr. Gross stated he is an advocate of the pool and would like to see it done. He feels it is important to the whole community and suggests going after a community challenge grant for the pool.

The Mayor stated the railroad station is a challenge grant. Mr. Gross said it could be parallel up to \$10 million. The Mayor stated we have already applied for another grant for another project and we're waiting to hear.

Mr. Gross feels Wallingford is tarnished and we are lacking compared to other communities. The Mayor said he does not agree with him at all.

COUNCILOR TATTA MADE A FRIENDLY AMENDMENT TO AMEND MOTION TO ADD \$7 MILLION OF ARPA MONEY TO COMMUNITY POOL PROJECT.

COUNCILOR MARRONE SECONDS.

The Mayor stated we are making judgment on ARPA money before we have applications assessing needs.

Councilor Fishbein stated in present budget ARPA funds are spent on vehicles. He agrees that people are hurting but can't, at the same time, use money to buy a truck and a backhoe. He states he's having difficulty dealing with two philosophies. The Mayor replied public safety items are justified.

Councilor Laffin states he does not support allocating ARPA funds for this and that this is a project to bond.

ROLL CALL VOTE:

ALLINSON: NO	TATTA: YES
CARMODY: YES	TESTA: NO
FISHBEIN: YES	ZANDRI: ABSENT
LAFFIN: NO	CERVONI: NO
MARRONE: YES	

4 -AYE

1-ABSENT

4-NAY

MOTION: FAILED

VOTE ON:

MOTION TO AUTHORIZE REBIDDING OF THE COMMUNITY POOL PROJECT BASED ON ORIGINAL PROPOSAL. REBID INCLUDES BASE RENOVATION OF EXISTING FACILITY AND FRIENDLY AMENDMENT THAT IN ADDITION TO REBIDDING, WE ALSO BID OR ISSUE AN RFP TO SEEK COST OF RENOVATION AS ACCEPTED.

ROLL CALL VOTE:

ALLINSON: YES TATTA: YES
CARMODY: YES TESTA: YES
FISHBEIN: YES ZANDRI: ABSENT
LAFFIN: YES CERVONI: YES
MARRONE: YES

8 -AYE

1-ABSENT

MOTION: PASSED

8. Discussion and Possible action regarding ARPA funds, including a discussion with UHY consultant – Chairman Cervoni

*In Attendance: Jack Reagan, Managing Director, UHY Advisors
Janis Small, Corporation Counsel*

Mr. Reagan introduced himself and noted he prepared three sets of applications to be presented to the ARPA Committee for their review and comment.

Councilor Laffin spoke about what the committee discussed.

There was lengthy discussion with Mr. Reagan regarding ARPA applications.

MOTION WAS MADE TO ALLOCATE 50% OF FUNDS ON MUNICIPAL PROJECTS, ALLOCATE 25% TO NON PROFITS AND 25% TO BUSINESSES.

MADE BY: MARRONE

SECONDED BY: FISHBEIN

MOTION TO AMEND TO STRIKE OUT 50% MUNICIPAL PROJECT PORTION OF MOTION ON TABLE.

MADE BY: LAFFIN

SECONDED BY: ALLINSON

ROLL CALL VOTE:

ALLINSON: YES TATTA: NO
CARMODY: YES TESTA: YES
FISHBEIN: NO ZANDRI: ABSENT
LAFFIN: YES CERVONI: YES
MARRONE: NO

5-AYE

1 -ABSENT

3 -NAY

MOTION: PASSED

ROLL CALL ON MOTION AS AMENDED:

ROLL CALL VOTE:

ALLINSON: YES	TATTA: NO
CARMODY: YES	TESTA: YES
FISHBEIN: NO	ZANDRI: ABSENT
LAFFIN: YES	CERVONI: YES
MARRONE: NO	

5-AYE
1 -ABSENT
3 -NAY
MOTION: PASSED

MOTION TO APPROVE APPLICATION DRAFTS AS PRESENTED.

MADE BY: LAFFIN
SECONDED BY: TESTA

FRIENDLY AMENDMENT TO MOTION TO STRIKE THE LANGUAGE THAT LIMITS THE EMPLOYEE SIZE OF THE APPLICANT.

MADE BY: FISHBEIN
COUNCILOR LAFFIN DOES NOT ACCEPT AS A FRIENDLY AMENDMENT.

COUNCILOR FISHBEIN MADE A FRIENDLY AMENDMENT THAT FOCUS OF APPLICATIONS BE ON FORWARD PROJECTS.

COUNCILOR LAFFIN ACCEPTS AS FRIENDLY AMENDMENT.

COUNCILOR ALLINSON SECONDS THE FRIENDLY AMENDMENT.

COUNCILOR FISHBEIN MOTIONS TO RESTRIKE THE LANGUAGE THAT LIMITS THE EMPLOYEE SIZE OF THE APPLICANT.

SECONDED BY TATTA

ROLL CALL VOTE:

ALLINSON: YES	TATTA: YES
CARMODY: YES	TESTA: YES
FISHBEIN: YES	ZANDRI: ABSENT
LAFFIN: YES	CERVONI: NO
MARRONE: NO	

6 -AYE
2 -NAY
1-ABSENT
MOTION: PASSED

VOTE ON MOTION AS MODIFIED FROM FRIENDLY AMENDMENT TO SEND THESE AMENDED APPLICATIONS TO CONSULTANT TO POLISH AND ADJUST TOWARDS A FORWARD MOTION. APPLICATION TO COME BACK FOR COUNCIL REVIEW AT THE NEXT SUBCOMMITTEE MEETING.

ROLL CALL VOTE:

ALLINSON: YES	TATTA: NO
CARMODY: YES	TESTA: YES
FISHBEIN: YES	ZANDRI: ABSENT
LAFFIN: YES	CERVONI: YES
MARRONE: YES	

7-AYE

1 -NAY

1-ABSENT

MOTION: PASSED

9. Discussion and action regarding a bid waiver for the purpose of entering into a new school transportation agreement with Specialty Transportation – BOE

*In Attendance: Comptroller, Tim Sena
Tammy Raccio, BOE Chair
Dominic Barrone, Business Manager, BOE
Janis Small, Corporation Counsel*

MOTION TO APPROVE A BID WAIVER FOR BOE FOR THE PURPOSE OF ENTERING INTO A NEW SCHOOL TRANSPORTATION AGREEMENT WITH SPECIALTY TRANSPORTATION.

MADE BY: LAFFIN

SECONDED BY: ALLINSON

Mr. Barrone stated the reason for this is we had some challenges with the current contract provider and we are looking to mutually separate and contract with a different vendor for the next school year.

Chairman Cervoni asked about financial impact.

Mr. Barrone and Ms. Raccio spoke about some analysis.

Councilor Fishbein feels we should talk about this in Executive Session.

Attorney Small stated separation is being negotiated on behalf of the Board by Shipman and Goodwin and that the goal is to resolve it in a mutual way.

There was further discussion and questions from Councilors.

ROLL CALL VOTE:

ALLINSON: YES

CARMODY: YES

FISHBEIN: YES

LAFFIN: YES

MARRONE: YES

8-AYE

1-ABSENT

MOTION: PASSED

TATTA: YES

TESTA: YES

ZANDRI: ABSENT

CERVONI: YES

The meeting was adjourned at 11:40 P.M.

Respectfully submitted,

Lisa Moss
Council Staff
Meeting digitally recorded

RECEIVED FOR RECORD 4-18-22
AT 4:45 p.m. AND RECEIVED BY
Deborah McKiernan TOWN CLERK

Vincent Cervoni, Chairman Date

Deborah McKiernan Town Clerk Date