

TOWN OF WALLINGFORD, CONNECTICUT
TOWN COUNCIL MEETING
Town Council Chambers

October 12, 2010

MINUTES

The following Minutes are a record of the Regular Meeting of the Wallingford Town Council held in the Robert Earley Auditorium of the Wallingford Town Hall on Tuesday, October 14, 2010. The Meeting was Called to Order at 6:30 P.M. by Chairman Robert F. Parisi. Responding present to the Roll Call given by Town Clerk Barbara Thompson were Councilors Vincent Cervoni, Nick Economopoulos, Jerry Farrell, Jr., Craig C. Fishbein, John LeTourneau, Robert F. Parisi, Rosemary Rascati, John J. Sullivan and Vincent F. Testa, Jr. Mayor William W. Dickinson, Jr. and Town Attorney Janis Small were also in attendance. Comptroller James Bowes arrived at 6:40 P.M.

The meeting began with an Opening Prayer led by Deacon Eugene Riotte, Most Holy Trinity Church. Those in attendance recited the Pledge of Allegiance. The Roll Call was taken.

3. Consent Agenda

- 3a.** Consider and Approve Tax Refunds (#275 - #325) totaling \$16,488.71
Acct. # 001-1000-010-1170 - Tax Collector
- 3b.** Consider and Approve Merit Review - Personnel
- 3c.** Acceptance of Donation from the Wallingford Peer Advocates on behalf of the Alzheimer's Association – Connecticut chapter and Appropriation for *Youth & Social Services Special Fund* in the amount of \$651 to Donations Acct # 213-1042-070-7010 and to Expenditures Acct # 213-3070-600-6000 - Youth & Social Services
- 3d.** Acceptance of Donation from the Wallingford Peer Advocates on behalf of the Alzheimer's Association – Connecticut chapter and Appropriation for *Youth & Social Services Special Fund* in the amount of \$40 to Donations Acct # 213-1042-070-7010 and to Expenditures Acct # 213-3070-600-6000 - Youth & Social Services
- 3e.** Acceptance of Donation to *Youth & Social Services Special Fund* and Appropriation in the Amount of \$20 to Donations Acct # 213-1042-070-7010 and to Expenditures Acct # 213-3070-600-6000 - Youth & Social Services
- 3f.** Acceptance of Year 2 Firefighters Federal Grant 2009 in the amount of \$15,000 and Appropriation to Federal Fire Act Grant Acct # 223-1050-050-5000 and to Volunteer Recruitment Acct # 223-2030-605-6000 – Fire Chief
- 3g.** Consider and Approve a Bid Waiver in the Amount of \$7,800 for Volunteer Firemen's Insurance Service (VFIS) Emergency Vehicle Driver Training Program – Fire Chief
- 3h.** Consider and Approve a Resolution Authorizing the Mayor to make application to the State of Connecticut for an Hispanic Human Resources Development Program in the amount of \$90,232 – Program Planning
- 3i.** Consider and Approve an Agreement between the Town of Wallingford and the Spanish Community of Wallingford (SCOW) for an Hispanic Human Resources Development Program – Program Planning

- 3j.** Consider and Approve the modification to existing lease between the town of Wallingford and the Community Day Care Center to extend the lease term from 2014 to May 17, 2021 and Authorize the Mayor to sign same – Corporation Counsel
- 3k.** Approve Minutes of Special Town Council Meeting of August 17, 2010
- 3l.** Approve Minutes of Regular Town Council Meeting of September 14, 2010
- 3m.** Consider and approve a Transfer in the amount of \$2,000 to Purchase Professional Services –Recycling Contract Acct # 001-5015-901-9021 from Purchase Professional Services – Waste and compost Acct # 001-5015-901-9022 – Public Works

MOTION and SECOND

Mr. Farrell moved to approve the Consent Agenda, Items 3a. to 3m. Mrs. Rascati seconded the motion.

VOTE

All nine (9) Councilors voted aye. The motion passed

4. Items Removed from the Consent Agenda

None

- 5.** Executive Session pursuant to §1-200(6)(B) of the Connecticut General Statutes regarding strategy and negotiations with respect to the pending matter of Vece v. DeMaio (Town of Wallingford) – Law Department
- 12.** Executive Session pursuant to §1-200 (6)(D) of the Connecticut General Statutes with respect to the purchase, sale and/or leasing of property – Mayor

MOTION and SECOND

Mr. Farrell made a motion, seconded by Mrs. Rascati, to go into Executive Session pursuant to-

- 5.** §1-200(6)(B) of the Connecticut General Statutes regarding strategy and negotiations with respect to the pending matter of Vece v. DeMaio (Town of Wallingford) as requested by the Law Department.
- 12.** §1-200 (6)(D) of the Connecticut General Statutes with respect to the purchase, sale and/or leasing of property as requested by the Mayor.

VOTE

All nine (9) Councilors voted aye. The motion passed.

The Town Council entered into Executive Session at 6:34 P.M.

MOTION and SECOND

At 6:57 P.M., Mr. Farrell made a motion to come out of Executive Session. Mrs. Rascati seconded.

VOTE

All nine (9) Councilors voted aye. The motion passed.

EXECUTIVE SESSION ATTENDANCE:

Item #5: All nine (9) Councilors, Mayor Dickinson, Town Attorney Janis Small, and outside Counsel Martha Shaw.

6. Motion to Consider and Approve the settlement of the pending litigation matter of Vece v. DeMaio (Town of Wallingford) as discussed in Executive Session – Law Department

MOTION and SECOND

Mr. Farrell Made a motion to authorize the Town's insurance company to negotiate and settle Vece v. DeMaio as discussed in Executive Session. Mrs. Rascati seconded.

VOTE

All nine (9) Councilors voted aye. The motion passed.

7. PUBLIC QUESTION & ANSWER

Members of the public who participated in the Public Question and Answer period included the following: Robert Gross, 114 Long Hill Road regarding Covanta; Kathy Pavlik, 6 Saddlebrook Drive, regarding no support for purchasing the farm for a fire house; John Gervasio, 43 Jodi Drive, regarding the Incentive Housing proposal; Bill Cumerford, 5 Broadview Drive, regarding the parks and Rec Building; birds & health issues at same location; condition of town buildings; Christine Bee, 8 Saddlebrook Drive; regarding questions about the proposed firehouse; and Ben Martin, Ward Street; regarding public speaking time allotment.

8. Acceptance from the Rotary Club of Wallingford and the Wallingford Foundation of equipment and installation of said equipment for a low ropes training course in Bertini Park valued at \$8,500 – Parks & Recreation

MOTION and SECOND

Mr. Farrell made a motion to accept the donation of equipment and installation of said equipment for a low ropes training course in Bertini Park valued at \$8,500 from the Rotary Club of Wallingford and the Wallingford Foundation. Mrs. Rascati seconded.

In attendance: John Gawlak, Director Parks & Recreation; Chris Stone, Pond Hill School teacher, representing the Board of Education; Roz Gallagher, Parks & Recreation Commissioner, and Chairwoman of the Wallingford Foundation; and Sean Doherty, Executive Director, Wallingford Family Y

A presentation was made of the ten elements of the installation in Bertini Park to the Council. Questions concerning cost of maintenance, vandalism and park delinquency, and the activity of the park in relation to the new low ropes course were discussed.

The public had no questions.

VOTE

Eight (8) Councilors voted aye. Mr. Fishbein recused himself from the item. The motion passed.

9. Discussion and Possible Action regarding choice of a site for the North Farms Fire House pursuant to the Fire House Feasibility Study – Fire Chief

In attendance: Peter Struble, Fire Chief; Richard Heidgerd; Deputy Fire Chief; David Stein and Christopher Nardi, Architects, Silver, Petrucelli and Associates, Inc.

Mr. Stein read a statement of three main points that summarize their report add information to the presentation of their findings that were presented at the previous meeting. He discussed dollar comparison, neighborhood impact and the grading matrix. Mr. Stein and Mr. Nardi discussed with the

Town Council all of the following: traffic signals; hazardous materials abatement, if necessary, and related costs and the lack of access to North Farms property for testing, and therefore, that no comparison could be reported; septic/sewer and change over to sewer in Barnes Road location; road location is challenge to both sites; unknowns of cost of fitting out another building for Barnes Road construction period; concerns of areas around proposed firehouse location on North Farms Road and the use of berms, etc.; can it be made invisible; North Farms site high score due to great buffer zones in use of topography to buffer visual and audio from neighborhood; nearest neighbor at Barnes Road location is 150 feet, so challenge is greater and new building would be two stories and therefore a greater impact at Barnes Road than plan for North Farms Road; property purchase cost; demolition costs; volunteerism in the Fire Department and at Fire Stations; accommodation for both volunteers and career firefighters at one station location and the need to plan for the future should the volunteer ranks diminish; volunteers prevent need to hire career firefighters and cost savings could reach \$4 million to the town; great savings to have volunteer system in place; discussion of career and volunteer space in shared fire station location; the ability of the North Farms site feasibility to divide career and volunteer; functionality of building improves response time; Barnes Road site feasibility reveals two-story site with stairwells and elevators that add to inefficiency and “non-useable response time”; the circulation and flow of activity at the two sites; unknown cost of moving road at Barnes Road site and the related engineering study that may include wetlands; Barnes Road site must control water from residents through use of berms, rain gardens and/or storm sewers; future expansion not needed at North Farms site even if full career; training at Masonic Avenue location or on apron of building at North Farms location that is usually truck checking; impact of fire stations on neighborhoods; resident concern with property values; costs and relocation involved in using of old building at Barnes Road site while new building is constructed; two sites not studied with respect to management of two sites and two-site effectiveness now and in five years; travel route of call response; Barnes road site deed concerns; and wetland concern with respect to siting of building and routing of apparatus.

Public participants included the following residents;

John Benham, 861 North Farms Road, expressed that drive-through bays are not necessary, that two-story buildings are more efficient, and inquired about the cost to run each of the two buildings. He talked of heat loss (*Mr. Benham submitted a hand out of Meriden school fuel consumption which is filed with the record of this meeting*) and thinks cost of operation should precede selection of site; impact of fire house building across the street from his home; Mr. Stein spoke of green initiatives, building footprint and down the road cost pays off to geo-thermal aspects and North Farms Road architecture and bays do not face the street.

Ken Daly, 594 North Elm Street, remarked that in his opinion the biggest issue is land use in the residential area; that traffic is a problem; that maps were not to scale; that the conflict is values v. facts; he noted to not treat the land use issue lightly; why disturb it when you don't need to do that; commented that one-story building costs more to build, maintain and run.

Chief Struble answered in response to the first draft that it was reviewed with the architect and the Fire Chief.

John Bee, 8 Saddlebrook Drive, commented on cost of demolition; a slide that was in the presentation but was not in the Feasibility Study booklet; that the drawing was not to scale.

Mr. Stein responded that drawings originated in engineering per scale on 11 x 17 paper; that Booklet was not prepared by Mr. Stein's firm. Chief Struble stated that architect was hired to look at two sites.

Christine Bee, 8 Saddlebrook Drive, talked about the CRRRA money with \$7.2 million

set aside; asked when the seller approached the town; wanted to know if the Chief has a budget for what goes into the building. Chief Struble stated that funds for land, architect, construction of building. Mrs. Bee asked about intent of activity in the neighborhood & future growth as full career station; stated the \$1.5 million difference between the two sites could fund other critical things.

Bud Sielaff, 9 Saddlebrook Drive, commented from prepared notes with regard to property search committee; need of only 3 acres yet search found 11 acres; now the property may not be in place anymore; he listed needs of the town where funding is in question including fireworks, school roofs, Town Hall repairs, loss of teachers, that property not properly examined; lack of criteria objectivity for both sites; open, unanswered questions regarding cost to run and cost to maintain. He asked why is bigger better. He posed the question, "Can we spend this money when we have so many needs?"

Jim Carroll, volunteer fireman stated that neighbors come together for volunteer fire station it's neighborhood related, encouraged volunteers and the volunteer fire station.

Tim Wall, Volunteer Fire Chief, commented on procedure for this issue.

John Benham asked if the deed was drawn up and if there was anything that could bind the deed. Town Attorney Small stated that she would do that. Conservation easement and its legal position with this deed were discussed.

Mr. Fishbein asked about sewers, the IX zone and traffic signals.

Chairman Parisi confirmed with the town Attorney that she would have the deed and an appraisal for the next meeting. She said she would do her best.

It was agreed to table this item for another meeting.

10. Consider and Approve a Bid Waiver for AT & T and Authorization for the Mayor to Execute Seven-Year Agreement with AT & T – Mayor

MOTION and SECOND

Mr. Farrell moved to Approve a Bid Waiver for AT & T and Authorization for the Mayor to Execute Seven-Year Agreement with AT & T as requested by the Mayor.

Mrs. Rascati seconded.

Councilor John Sullivan announced that as his position as Chief of Staff for AT & T that he was recusing himself from the question as he sees this as a conflict of interest.

Mr. Farrell summarized the correspondence explain that the agreement is for seven years at almost the same dollar amount as it was ten years ago for all of the telecom, pole lines, and other telecommunications items.

*In attendance: Don Roe, Program Planning
Salvatore Amadeo, Purchasing Agent*

There was no discussion from the Council.

Robert Gross, 114 Long Hill Road, wanted to know if this went out to bid and how much this is.

Mr. Farrell stated \$143,122 is the budgeted amount.

Mayor Dickinson said that this did not go out to bid but rather the request is for a bid waiver because the absolute essential is dependable telephone communications. It deals with our public safety and many other services and features of local government. He stated that he is not supportive of going to some other telephone carrier and trusting that we will receive the same kind of dependable service that the town has been receiving.

Mr. Gross made comments with regard to other companies with spotless service and made comments about AT & T with regard to service staff. He said that some of these things need to go out to bid just to see what you can get for a price. He noted that you don't have to take it. He said you could have an RFP.

Mayor Dickinson said that he did not agree and that other departments have used other carriers and there are constant issues surrounding the service and the experience that they have had. He observed that the town has not had problems with AT & T. The company has served the town very well, especially with public safety, and he does not feel that the town should deal with anyone other than the carrier that has provided excellent service to the town for as long as he has been in office.

Both Mr. Amadeo and Mr. Roe stated that there have not been any problems with AT & T.

Mr. Fishbein asked about wireless services. Mayor Dickinson explained that it refers to pay phones and various plans cell phones contracts with other carriers that Utilities and other departments have purchased. Mayor Dickinson said that this refers to land lines where there have been no interruptions and have had excellent service. This is what we cannot jeopardize by 'dead spots' and the variety of things that happen with the wireless.

Mr. Roe said that they were trying to give one number from one year and a number from ten years ago over the total telecom expenditures for General Government. He explained that during that period of time there has been an increased use of wireless devices by departments using vendors other than AT & T. He said that this agreement is strictly for the AT & T provided telecom services. It does not include wireless services. It was to show you that on budget basis that our telecom expenses have remained constant and for more that the ten year period. Mr. Fishbein inquired about Utilities, the Senior Center and the Board of Education in relation to this contract. Mr. Roe stated that all Utilities fall under this central contract. Mr. Roe stated that the Senior Center recently switched to AT & T because of favorable rates and this will be the rate that they get. Mr. Roe reported that the Board of Education is a totally separate operation and that he can't speak to it.

Ben Martin, Ward Street, agreed that this should go out to bid. Mayor Dickinson responded that an expert would be needed to just write the specifications and then to interpret what is returned. This would have a cost attached to it. It's just not simple.

Mr. Bowes commented that the negotiated \$9 when the state bid price is \$12.

Bob Hogan, Grieb Road, made a comment with regard to bids.

In response to Mr. Gross, Mr. Roe stated that in the first paragraph of the letter what is identified is the AT & T telecom cost was for fiscal year 2009. He said that what is budgeted in total is \$143,122 for telecom services in General Government, and that includes wireless as well. The amount in General Government in 2009 paid to AT & T was \$114,000 and approximately \$31,000 for utilities and those numbers include long distance; however, this agreement does not address long distance. He said that the current agreement for long distance is for \$.04 per minute. Mr. Gross said that there are plans available that include unlimited long distance. He said that this is not apples to apples. Mr. Roe said that the fact is that the town is not a heavy user of long distance services so it was not a driver.

Mayor Dickinson wished to make certain that everyone was aware of it that from an historical perspective in FY 2001 \$142,196 was budgeted for General Government for these services including internet, wireless, toll calls, etc. and for FY 2011 \$143,122 has been budgeted, which is no increase in that time period.

Wes Lube, asked why we have to have a 7-year contract and if the increase is nominal, then why not put a lid on it of 1% or 3%, for example, for successive years.

Mr. Roe said that their line charge is being reduced by \$2.00. The Mayor said that it is the same price for seven years. Attorney Small add that there is a charge for terminating early. Mr. Roe said that it can be reviewed after three years in relation to the largest telecom user of AT & T services, which is the State of Connecticut, where the Town of Wallingford would be offered the same rate as the State if it is favorable to Wallingford. It is a negotiated term.

Mr. Economopoulos asked if there was a bid, must the town accept the lowest bid. Chairman Parisi stated that the town would have to justify not taking it. Town Attorney Small added that it would have to come to the Council with a reason for rejecting the low bid and a basis for it.

Mr. Testa commented on putting something out to bid

ROLL CALL VOTE

Cervoni	Yes	Letourneau	Yes
Economopoulos	NO	Rascati	Yes
Farrell	Yes	Sullivan	RECUSED
Fishbein	NO	Testa	Yes
		Chairman Parisi	Yes

6 Aye; 2 Nay; Mr. Sullivan recused himself.

The motion passed.

**11. Discussion and questions for the Wallingford Housing Authority Commissioners
– Councilor Nick Economopoulos**

Chairman Parisi announced that he received a call late today that Mr. Nere’s counsel advised him to not participate in the meeting tonight, and that after speaking with Mr. Economopoulos, it was decided to go forward with the meeting.

*In attendance: Wallingford Housing Authority Commissioners
Commissioner Bill Fischer, Chairman Commissioner Patricia Hogan*

*Commissioner Tom Mezzei
Commissioner Bob Prentice*

Commissioner Fred Monahan

Mr. Economopoulos explained why he asked for this item with regard to a water main break last April that he discussed with Mr. Nere (Housing Authority Executive Director). He stated that now after the summer he has learned that the problem still exists and that it did not have to do at all with a water main break. Mr. Economopoulos decided then to attend the Housing Authority Commission meetings. He said that he was surprised at the tension that existed at this meeting for a number of reasons. Tenants expressed a fear of reprisal. He referred to a newspaper article that disparaged the tenants. Mr. Economopoulos reported that the tenants face including wet basements, mildew, no insulation between the vinyl siding and the interior walls, asbestos problems- he knows that the asbestos is being addressed now. He stated that he thinks that it is time to bring out these problems and the ones that he has learned about since the news article.

Mr. Economopoulos inquired about who runs the Housing Authority. Mr. Fischer responded that Mr. Nere is the Executive Director in charge of running the Housing Authority. The Commissioners make the policy and direct Mr. Nere as to what they want him to do. Mr. Nere is in charge of the day-to-day operations. Mr. Economopoulos wanted to address the water problems at the Housing Authority as over half of the units have water in their basements. Mr. Fischer said that it was before his time.

Bob Prentice stated that he asked Mr. Nere to check all of the units as a result of Mr. Economopoulos's interest in the subject. He reviewed 132 units and produced a report. Mr. Prentice summarized that there are 132 moderate level rental units at Wharton Brook, and he gained entry into 130 units with his staff. He said they did a 'range of water infiltration from one to ten'. He stated that from 1 to 3 might require some vacuuming when there is a big rain storm; 3-6 would be considered for sump pumps; 7-10 would be a very serious issue. Mr. Prentice stated that 47 of the units revealed varying signs of water. He said that 30 were in the 1-2 range and the other 15-17 units need sump pumps, which will be installed soon. He said he asked Mr. Nere to have this done. Mr. Economopoulos said that Mr. Prentice stated that the water problems are irreversible. Mr. Prentice acknowledged that is the case and that most of the problem sites are near Wharton Brook. These problems go back to the time of construction and the depth of the foundations. He enumerated the ways they have attempted to remedy the problem.

Mr. Economopoulos inquired about mold spores; plants growing in the rain gutters; asbestos problems and their locations, the remedy including how materials are being discarded. Mr. Economopoulos asked that if there are 32 vacant units and 30 people on the waiting list if this is proper management. He reported that Masters Manna's latest report included the information that 6 families are living in their cars at Masters Manna and that they expect 7 more. Mr. Economopoulos asked why it takes so long, 4-5 months, to renovate and make ready a vacant unit, especially in light of the fact that there is such a great need in Wallingford. He also wanted to know why the Housing Authority employs only three (3) maintenance workers when there are 317 units to manage. There were also questions with regard to full-time and part-time workers.

Mr. Sullivan asked about rehabbing units and the length of time that it takes for a new occupant. Mr. Fischer said that not all of the units that are vacant are being worked on. Mr. Sullivan asked Mr. Fischer who Mr. Nere works for. Mr. Fischer responded that he works for the Commission, that he administers the policy of the Board. They spoke about the Forensic Audit that was currently being prepared. Mr. Sullivan inquired about the letter from Mr. Nere to the tenants notifying them that the Tenant Commissioner position would soon be open. Commissioner Hogan reported that she informed other sections and unit areas who had not received Mr. Nere's letter. Mr. Sullivan inquired about the

staff of the Housing Authority and how many were management as opposed to maintenance workers. There are four (4) managers and three and one half (3.5) maintenance workers.

Mr. Economopoulos discussed with Mr. Prentice expenditures asking about \$600 Commission-approval purchases and how they use audits to inform themselves and to see if they are in compliance. Mr. Prentice said these are not taxpayer dollars and the Commission is responsible for finances. He named the agencies who have oversight. Mr. Economopoulos asked about the large number of checking accounts that the Housing Authority uses and wanted to know why so many. They talked about Section 8 regulations. Mr. Economopoulos continued by inquiring about electric rates, roof repairs and those costs, about contracts, warranties, bids and invoices. He wanted to know about the plumber who is paid \$1,500 per month.

Mr. Fishbein was interested in the checking accounts and asked what caused the Forensic Accounting study. He commented on the 6% - 7% vacancy rate.

Mr. Testa asked if Mr. Nere was asked to solicit the Tenant Commissioner. Mr. Testa stated his observation of the demeanor of the Commission dysfunction.

Mrs. Rascati remarked on the Executive Director's vehicle with regard to the policy change. Commissioner Monahan stated that it was a breach of contract.

Chairman Parisi agreed with Mr. Testa and asked the Commissioners if there was something to reign in the Commission to work together and to sweeten the group.

Mr. Monahan told the Jim Savage story.

Chairman Parisi asked the Commissioners to remember Jack Savage as they move forward to solve their issues.

Attorney E. James Loughlin, Counsel for the WHA, said that he had some points to make and that it would be brief.

Chairman Parisi said that this will be brought up again.

Attorney Loughlin explained that Mr. Nere's attorney advised him to not attend tonight. He said he hopes that the lawsuit will go away quickly, so that Mr. Nere could attend next time and that be very articulate, knowledgeable and experienced in addressing questions from both sides of the issue.

Chairman Parisi said that he would promise that he could be on first at the next meeting that this is brought up. He said that he would rather end this. It's ten after midnight and that he has had enough and that his colleagues have too.

Mr. Economopoulos stated that he thinks that the public has been here since 6:30 P.M. and that to send them home without having a say... Chairman Parisi said that they can talk at the next meeting.

Mr. Economopoulos said that has been sitting here for six hours.

Wendy Lissio, Wharton Brook, member of the Wallingford Tenant Council representing Wharton Brook, expressed a great thank you for doing this and bringing up all of this material and out to the light by asking these questions.

Chairman Parisi said thank you and stated that they will continue this. There will be another meeting, and this will be brought up, and hopefully, Mr. Nere can take part in it. Attorney Loughlin asked if the Council could come up with a list of topics that the Council wants to talk about that would exclude certain issues that he named. He added that he would speak with the other lawyers involved in Mr. Nere's lawsuit

Chairman Parisi said that it doesn't work that way because a lot of the questions are generated through the conversation, and that if the Council has to, they will continue the way they are without Mr. Nere. He said that he is sorry but he knows that they have all had it and that it took so long but that is the way Council meetings are.

MOTION

Mr. Fishbein moved to adjourn.

SECOND

Mr. Farrell seconded.

VOTE

Eight (8) Councilors voted aye. Mr. Economopoulos voted Nay. The motion passed.

The meeting was adjourned at 12:12 P.M.

Mr. Farrell made a motion to adjourn. Mrs. Rascati seconded. All Councilors present (9) voiced Aye. The motion passed.

Respectfully submitted,

Sandra R. Weekes
Town Council Secretary
Meeting digitally recorded

Robert F. Parisi, Town Council Chairman

Date

Barbara Thompson, Town Clerk

Date