

**TOWN OF WALLINGFORD, CONNECTICUT
TOWN COUNCIL MEETING
Town Council Chambers
October 24, 2017**

The Meeting of the Wallingford Town Council on Tuesday, October 24, 2017 was called to order at 6:41 P.M. There was a moment of silence and the Pledge of Allegiance was said. Councilors in attendance were: Chairman Vincent Cervoni, Craig Fishbein, Thomas Laffin, John LeTourneau, Christopher K. Shortell, John J. Sullivan and Vincent Testa, Jr. Councilors Joseph A. Marrone, III was absent and Jason Zandri arrived at 7:23 p.m. Mayor William W. Dickinson, Jr. and Attorney Gerald E. Farrell, Sr. were also present at the meeting.

Opening Prayer – Reverend Will Marotti, New Life Church

1. Pledge of Allegiance
2. Roll Call
3. Consent Agenda
 - 3a. Consider and Approve Tax Refunds totaling \$7,457.40 (#346-417)
Acct. #1001001-41020 – Tax Collector
 - 3b. Consider and Approve three merit review increases – Personnel Dept.
 - 3c. Consider and Approve Appropriation of funds in the amount of \$1,799 to Revenue, Acct. #2524002-47040 and to Expenditures, Acct. #25240150-58830 – 350th Jubilee
 - 3d. Consider and Approve a donation of 10 carbon monoxide detectors from an anonymous donor – Police Dept.
 - 3e. Acceptance of 2017 Distracted Driving High Visibility Enforcement Program Grant and consider and approve Appropriation of funds in the amount of \$8,894 to Revenue Highway Safety, Acct. #1002001-45208 and to Police Overtime, Acct. #10020050-51400 – Police Dept.
 - 3f. Acceptance of 2016/2017 Comprehensive DUI Enforcement Program Grant and consider and approve Appropriation of funds in the amount of \$5,505 to Revenue Highway Safety, Acct. #1002001-45208 and to Police Overtime, Acct. #10020050-51400 – Police Dept.
 - 3g. Consider and Approve Appropriation of funds in the amount of \$200,000 to Outside Contractors, Acct. #10020050-51600 and to Charges for Current Services, Acct. #1002001-46020 – Police Dept.
 - 3h. Acceptance of Donation for Holiday for Giving program and consider and approve Appropriation of funds in the amount of \$1,124 to Donations/Revenue, Acct. #2134002-47152 and to Expenditures, Acct. #21340100-58830 – Y&SS

- 3i. Consider and Approve a Transfer in the amount of \$4,400 from Distribution Maintenance Line Transformers, Acct. #595 to Transmission Maintenance Overhead Lines, Acct. #571 – Electric Division.
- 3j. Approve Town Council Minutes of October 10, 2017.

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

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

- 4. **Items Removed from Consent Agenda: *None***
- 5. **PUBLIC QUESTION & ANSWER PERIOD**

Opened Public Question & Answer Period at 6:45 p.m.

Wayne Gilbert, 44 South Cherry Street, stated that he is here to speak against the new change to the pension plan. He remarked that the town cannot afford it and the current fund cannot sustain it. He urges it to be voted down.

Mayor Dickinson indicated that the speaker is a union staff representative. Mr. Gilbert responded that he is not a staff representative and that he is retired. Mayor Dickinson then stated that the record should be clear that Mr. Gilbert is a representative of the Bargaining Unit.

Jonathan Chappel, East Dayton Hill Road, spoke about Charter Revision and the proposed provisions regarding the ability to remove elected officials.

Bob Gross, Long Hill Road, explained you do have the power to remove appointed positions and referred to Section 9 – Chapter II. He stated they are removing it all and went on to say that most towns have some provision to remove appointments.

Mr. Chappel stated that requiring an ordinance would also require a public hearing.

Mr. Gross stated that public hearings were not always well attended.

Closed Public Question and Answer Period at 6:55 p.m.

- 6. Discussion and possible action regarding tentative Pension Contract Agreement UPSEU 424-17.

*In Attendance: James Hutt, Personnel Director
Attorney Dennis Ciccarillo,*

MOTION WAS MADE TO MOVE TO APPROVE PENSION CONTRACT AGREEMENT UPSEU 424-17.

**MADE BY: LETOURNEAU
SECONDED BY: SULLIVAN**

Mr. Hutt explained that there would be no change for current employees. New employees will pay out 7% of their salary with a 5% employer contribution.

Councilor Fishbein asked when does the employer pay out and Mr. Hutt responded weekly, just as it is now.

ROLL CALL VOTE:	SHORTELL: YES
FISHBEIN: YES	SULLIVAN: YES
LAFFIN: YES	TESTA: YES
LETOURNEAU: YES	ZANDRI: ABSENT
MARRONE: ABSENT	CERVONI: YES
7-AYE	
2-ABSENT	
MOTION: PASSED	

7. Consider and Approve Inter-municipal Sanitary Sewer Use and Maintenance Agreement – 5 Midland Drive, Wallingford – Water & Sewer Division

*In Attendance: Richard Hendershot, General Manager, Electric Division
Neil Amwake, General Manager, Water & Sewer Division*

MOTION WAS MADE TO MOVE TO APPROVE INTER-MUNICIPAL SANITARY SEWER USE AND MAINTENANCE AGREEMENT – 5 MIDLAND DRIVE, WALLINGFORD.

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

Mr. Amwake explained that in late 2005 Meriden and Wallingford and the resident at #4 Midland Drive entered into an agreement to allow the resident on Midland Drive to become a Meriden sewer customer and now the resident at #5 Midland Drive wants to enter into the same agreement because of topography.

Councilor LeTourneau asked where is the current sewage going and Mr. Amwke responded to Meriden.

ROLL CALL VOTE:	SHORTELL: YES
FISHBEIN: YES	SULLIVAN: YES
LAFFIN: YES	TESTA: YES
LETOURNEAU: YES	ZANDRI: ABSENT
MARRONE: ABSENT	CERVONI: YES

7-AYE
2-ABSENT
MOTION: PASSED

8. Discussion and possible action regarding PA 17-155 Temporary Health Care Structures – P&Z

*In Attendance: Kacie Hand, Town Planner
James Seichter, Chairman, Planning & Zoning Commission*

**MOTION WAS MADE TO MOVE TO OPT OUT OF PUBLICACT #17-155
TEMPORARY HEALTH CARE STRUCTURES.**

**MADE BY: LAFFIN
SECONDED BY: FISHBEIN**

Mrs. Hand explained that the Public Act became effective October 1st of this year allowing Temporary Healthcare Structures to be placed on individual properties. In Wallingford we have many accessory apartments so we do not feel we need to comply with the Public Act. We may look to expand our accessory apartment rules and we are in the process of looking at them. Planning & Zoning at its last meeting voted unanimously to opt out of this legislation as it is written so all we need is your vote as a legislative body to also opt out.

ROLL CALL VOTE:	SHORTELL: YES
FISHBEIN: YES	SULLIVAN: YES
LAFFIN: YES	TESTA: YES
LETOURNEAU: YES	ZANDRI: YES
MARRONE: ABSENT	CERVONI: YES

8-AYE
1-ABSENT
MOTION: PASSED

18. Discussion and possible action regarding a Resolution in honor of Red Ribbon Week – Chairman Vincent Cervoni – *Resolution Attached*

**MOTION WAS MADE TO MOVE TO APPROVE THE ATTACHED
RESOLUTION.**

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

Councilor Fishbein is concerned that he received the Resolution the day before the Council meeting and it is revolved around politics and not good intentions. He explained that he supports portions of this language but he does not support attacking the Marino Bill which he does not think exists. He cannot support this.

Councilor Sullivan thought we would keep politics out but obviously not. He stated he supports this absolutely.

Mayor Dickinson commented that the DEA saw imminent danger in the flow of drugs and it curtailed their ability to do their job.

Councilor LeTourneau remarked that this is a difficult subject. He stated this Resolution is a help and he has a vested interest in this. He explained that he had a daughter who died of an overdose of oxycodone and her five year old son sat next to her and watched. We are at war with these drugs. It has to stop. He stated there is hope and the coalition and the police are doing great work but everyone today needs to do more.

Councilor Zandri wants to emphasize his support for this organization and noted we need everyone to help.

Councilor Testa stated that he is talking to these kids every day in school and trying his best to help.

Chairman Cervoni stated that he did some research and compromised the wording in the Resolution with the congressional candidates and softened it.

ROLL CALL VOTE:		SHORTELL: YES
FISHBEIN: NO		SULLIVAN: YES
LAFFIN: YES		TESTA: YES
LETOURNEAU: YES		ZANDRI: YES
MARRONE: ABSENT		CERVONI: YES
7-AYE		
1-NAY		
1-ABSENT		
MOTION: PASSED		

9. Discussion Regarding a new town-wide emergency and departmental radio communication project – Police Chief and Fire Chief

*In Attendance: William Wright, Police Chief
Mark Mikulski, Deputy Police Chief
Richard Heidgerd, Fire Chief
Joseph Czentnar, Deputy Fire Chief*

Chief Wright presented that they are looking to purchase a two-way radio system that would include police, fire, public works and the school system. He stated they have been discussing this for the past 18 months and that currently the school system is not in that loop.

Councilor LeTourneau stated to Chief Wright the he provided a comprehensive report. He commented that he likes that it eliminates the dead zones and includes the schools. He then asked why not go out to bid and why Motorola?

Chief Wright stated all the corresponding departments already use Motorola plus they are the premier two-way system and we are not willing to have an inferior communication system. He explained that we also have a long standing relationship with Motorola. In order for us to go out to bid we would have to hire a consultant to write the specs and we do not have that expertise but our current vendor has done that for us.

Councilor Fishbein asked if there are any similarly sized towns that have gone out to bid that we could use their specs.

Chief Wright responded yes there have been and they have come in very close to the prices we are looking for, but each town has its own specifications and we wouldn't want to miss anything by copying another town's bid.

Councilor Sullivan asked what the life cycle is of these radio units and Chief Wright responded typically 15 -20 years. Councilor Sullivan then asked if the maintenance contract is a separate agreement and Chief Wright responded yes.

Councilor Sullivan asked the Mayor if this is something we would bond and the Mayor responded that the expectation would be to bond this.

Chairman Cervoni asked how you go from four towers to five towers topographically. Chief Wright responded that Chief Heidgerd and his men have worked very hard to make sure that they have had no drop spots anywhere. They did a lot of boots on the ground testing and making sure that the shoulder mics worked.

Councilor Testa stated that he is happy to hear that we are going to have an instant communication system between police, fire and the school system and he thinks that they have justified their need for a bid waiver.

Councilor Shortell wants to confirm that there will be an 18 month delay if we did not pass the bid waiver. Chief Wright clarified that we would have to hire a consultant to do the specs and that would take around 18 months. He stated that we would then have to go out to bid so the delay would be about two years.

Councilor Zandri stated that he is comfortable with waiving the bid for this and for bonding for this purpose. This is exactly what we should be bonding for.

10. Discussion and possible action regarding a bid waiver for Motorola Solutions in an amount between \$5.95-\$7 million dollars to allow negotiations of a contract – Police Chief and Fire Chief

MOTION WAS MADE TO APPROVE A BID WAIVER FOR MOTOROLA SOLUTIONS IN AN AMOUNT BETWEEN \$5.95-\$7 MILLION DOLLARS TO ALLOW NEGOTIATIONS OF A CONTRACT.

**MADE BY: LAFFIN
SECONDED BY: FISHBEIN**

ROLL CALL VOTE:	SHORTELL: YES
FISHBEIN: YES	SULLIVAN: YES
LAFFIN: YES	TESTA: YES
LETOURNEAU: YES	ZANDRI: YES
MARRONE: ABSENT	CERVONI: YES

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

11. Discussion and possible action regarding a bid waiver for V-COMM, L.L.C. in the amount of \$18,375 to secure additional radio channels – Police Chief and Fire Chief

MOTION WAS MADE TO APPROVE A BID WAIVER FOR V-COMM, L.L.C. IN THE AMOUNT OF \$18,375 TO SECURE ADDITIONAL RADIO CHANNELS.

**MADE BY: LAFFIN
SECONDED BY: LETOURNEAU**

ROLL CALL VOTE:	SHORTELL: YES
FISHBEIN: YES	SULLIVAN: YES
LAFFIN: YES	TESTA: YES
LETOURNEAU: YES	ZANDRI: YES
MARRONE: ABSENT	CERVONI: YES

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

12. Discussion regarding changing the name of High Street in Yalesville to High Road – Councilor Fishbein

Councilor Fishbein explained that while he was ringing doors with Councilor Shortell campaigning he came across residents from High Street in Yalesville complaining that they never receive their mail correctly and asked for his help in doing something about changing the name of the street since there are two High Streets in town.

After some discussion between the Mayor and the Police Chief, Chief Wright said that his department will do a survey of High Street in Yalesville regarding changing the name and will report back to the Council.

13. Discussion and possible action regarding a transfer for publication of explanatory notice on the Charter Revision ballot question – Town Council

Chairman Cervoni called up Christina Tatta and Jonathan Chappel from the Charter Revision Committee.

Mrs. Tatta stated that we as a Commission would like to have everyone informed on what the question means when they go to the polls so we would hope that the town would put the explanatory notice in the paper. Mr. Chappel stated it's just a one page summary that's informational.

Councilor Testa asked that we link the town website in the ad because it has the full redline version on the website.

Councilor Sullivan stated he knows that Barbara will do the right thing and get it in the paper the right way.

Pat Kohl, 50 North Street, is in favor of getting this out. She does not want people to be misinformed.

14. Consider and Approve a Transfer in the amount of \$390 from Contingency, Acct. #10019000-58820 to Town Council - Office Supplies, Acct. #10010050-56100 – Town Council

MOTION WAS MADE TO APPROVE THE FUNDS

MADE BY: TESTA

SECONDED BY: SHORTELL

There was an amendment on the motion.

Councilor Fishbein amended the motion to add the URL to make the ad ¼ page and to also put it in the Wallingford Post and to put a header on it: Attention Wallingford Voters.

The Amendment was seconded by Councilor Letourneau.

VOTE ON THE AMENDMENT:

ROLL CALL VOTE:

FISHBEIN: YES

LAFFIN: YES

LETOURNEAU: YES

MARRONE: ABSENT

8-AYE

1-ABSENT

MOTION: PASSED

SHORTELL: YES

SULLIVAN: YES

TESTA: YES

ZANDRI: YES

CERVONI: YES

VOTE ON THE MOTION:

ROLL CALL VOTE:

FISHBEIN: YES

LAFFIN: YES

LETOURNEAU: YES

MARRONE: ABSENT

8-AYE

1-ABSENT

MOTION: PASSED

SHORTELL: YES

SULLIVAN: YES

TESTA: YES

ZANDRI: YES

CERVONI: YES

15. 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 – Withdrawn
16. Executive Session pursuant to Section 1-225(f) and Section 1-200(6)(B) of the Connecticut General Statutes regarding strategy and negotiations with respect to the pending tax appeal matter of *Infinity Route 5 Limited Partnership v. Town of Wallingford* – Law Dept.

MOTION WAS MADE TO MOVE INTO EXECUTIVE SESSION AT 9:23 P.M.

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

MOTION WAS MADE TO MOVE TO EXECUTIVE SESSION PURSUANT TO Connecticut General Statutes Section 1-225(f) and Section 1-200(6)(B) regarding strategy and negotiations with respect to the pending tax appeal matter of *Infinity Route 5 Limited Partnership v. Town of Wallingford*.

MOTION WAS MADE TO MOVE OUT OF EXECUTIVE SESSION AT 9:30 P.M.

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

Time of Executive Session 9:23 p.m. to 9:30 p.m.

Attendance at Executive Session:

FISHBEIN MAYOR WILLIAM W. DICKINSON, JR.
LAFFIN ATTORNEY GERALD E. FARRELL, SR.
LETOURNEAU
SHORTELL
SULLIVAN
TESTA
ZANDRI
CERVONI

- 17. Motion to consider and authorize settlement in the pending tax appeal matter of *Infinity Route 5 Limited Partnership v. Town of Wallingford* as discussed in Executive Session – Law Dept.

MOTION WAS MADE TO AUTHORIZE settlement in the pending tax appeal matter of *Infinity Route 5 v. Town of Wallingford* as discussed in Executive Session

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

MOTION TO ADJOURN

MADE BY: SHORTELL
SECONDED BY: LAFFIN
MOTION: PASSED

The Council adjourned the meeting at 9:30 P.M.

Respectfully submitted,

Lisa Moss
 Council Staff
 Meeting digitally recorded

Vincent Cervoni, Chairman Date

Barbara Thompson, Town Clerk Date

RECEIVED FOR RECORD 10-27-17
 AT 12:00 AND RECEIVED BY
Barbara Thompson TOWN CLERK