

TOWN OF WALLINGFORD, CONNECTICUT
TOWN COUNCIL MEETING
Town Council Chambers

December 14, 2010

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, December 14, 2010. The Meeting was Called to Order at 6:34 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., Town Attorney Janis Small and Comptroller James Bowes were also in attendance.

The meeting began with a prayer by Deacon Eugene C. Riotte, Most Holy Trinity Church, Wallingford. Those in attendance recited the Pledge of Allegiance. The Roll Call was taken.

It was announced that Items 10 and 12. have been withdrawn from the agenda.

2. Executive Session pursuant to § 1-200 (6)(B) of the Connecticut General Statutes with respect to the matter of Janet Moore v. Town of Wallingford – Personnel

MOTION

Mr. Farrell made a motion to go into Executive Session.

SECOND

Mrs. Rascati seconded.

VOTE

All nine (9) Councilors present voted Aye.

MOTION & SECOND

The motion passed and the Council went into Executive Session at 6:35 P.M. At 6:53 P.M., Mr. Farrell made a motion to come out of Executive Session. Mrs. Rascati seconded. All nine (9) Councilors present voted Aye.

EXECUTIVE SESSION ATTENDANCE: The session lasted from 6:40 P.M. to 6:50 P.M.

Nine (9) Town Councilors, Mayor Dickinson, Town Attorney Janis small, Personnel Director, Terence Sullivan and Attorney Michael Rose of Rose Kaller Law Firm

3. Motion to Consider and Approve settlement with respect to the matter of Janet Moore v. Town of Wallingford as discussed in Executive Session – Personnel

Mr. Farrell made a motion to authorize the settlement with respect to the matter of Janet Moore v. Town of Wallingford as discussed in Executive Session.

Town Attorney Janis Small stated that at some point the settlement could come from insurance, the Risk Manager or the Town Attorney's budget.

Seven (7) Councilors voted Aye, and two (2) voted Nay, Mr. Economopoulos and Mr. Fishbein. The motion passed.

4. Consent Agenda

- 4a.** Consider and Approve Tax Refunds (#471 - #485) totaling \$6,288.95
Acct. # 001-1000-010-1170 - Tax Collector
- 4b.** Acceptance of Donation from Napier Foundation and Approval of Appropriation of \$6,000 to
Donations Acct # 213-1042-070-7010 and to Expenditures Acct # 213-3070-600-6000
– Youth & Social Services
- 4c.** Acceptance of Donation from Operation Fuel and Approval of Appropriation of \$210 to
Donations Acct # # 213-1042-070-7010 and to Expenditures Acct # 213-3070-600-6000
– Youth & Social Services
- 4d.** Acceptance of Donation from Wal-Mart and Approval of Appropriation of \$500 to Continuing
Education & Training Acct # 001-2030-501-5700 and to Miscellaneous Revenue Acct # 001-
1075-070-7040 – Fire Chief
- 4e.** Approve minutes of Special Town Council meeting of May 3, 2010
- 4f.** Approve minutes of Special Town Council meeting of May 5, 2010
- 4g.** Approve minutes of Regular Town Council meeting of September 23, 2010

MOTION & SECOND

Mr. Farrell made a motion to approve the Consent Agenda 4a. – 4g. Mrs. Rascati seconded.

All Councilors present (9) voted Aye. The motion passed.

5. Items Removed from the Consent Agenda

None

6. PUBLIC QUESTION & ANSWER

None

**7. Consider and Approve a Budget Amendment in the Amount of \$32,000 to Transmission & Distribution
Mains Acct # 433-9012-343 from Power Purchased for Pumping Acct # 431-8620-623 – Water Division**

MOTION & SECOND

Mr. Farrell made a motion to approve a Budget Amendment in the Amount of \$32,000 to
Transmission & Distribution Mains Acct # 433-9012-343 from Power Purchased for Pumping
Acct # 431-8620-623 as requested by the Water Division. Mrs. Rascati seconded.

Mr. Farrell read Mr. Dann's memo, which is part of the file of the meeting. Mr. Dann clarified
the request for Mr. Testa.

Each Councilor present (9) called out Aye. The motion passed.

8. Consider and Approve a request for a Bid Waiver for New World Systems Record Management System in the amount of \$13,500 – Police Chief

Mr. Farrell read the item and from the memo to Mayor Dickinson regarding the bid waiver stating that this agency's current capital budget contains \$13,500 in an account 9906-AFIS Livescan Interface. Chief Dortenzio talked with the Town council during the budget season with regard to this item. This is a piece of proprietary software produced by the Police Department's existing software firm, New World Systems. The software permits a link between our existing records system and the AFIS Livescan Device and is only available from this company. This link eliminates the need for staff to perform the same time-consuming data entry work in two different systems. The State of Connecticut supplied and installed the long awaited AFIS Livescan device, and to complete the project, the police department needs to acquire the software interface from New World Systems.

The AFIS Livescan device captures digital fingerprint images during the booking process using something similar to a high resolution copier. The prints are transmitted to state and federal databases, where they are compared to fingerprints on file and the identity of the person in custody is verified. It also compares the fingerprints of those belonging to fugitives as well as to unknown latent fingerprints associated with unsolved serious crimes. Chief Dortenzio stated that he has an updated quote for \$13,500 from New World Systems.

MOTION

Mr. Farrell made a motion to Approve the request for a Bid Waiver for New World Systems Record Management System in the amount of \$13,500 as requested by the Police Chief.

SECOND

Mrs. Rascati seconded the motion

In attendance: Chief Douglas Dortenzio

Chief Dortenzio said that this is a specific issue and cannot be acquired from any other company. He said that it is a data transmission and that once the images are captured, transmission takes seconds. Councilor Fishbein recalled discussions with regard to New World Systems funding during the budget workshops and that this is just formalizing this item in the budget. He also remembered that this is the company with whom we should continue working. Chief Dortenzio confirmed that Mr. Fishbein is right about doing business with New World Systems and that their association with them is for ten or twelve years. Councilor Sullivan stated he sees from the New World systems website that they sell a lot of very sophisticated equipment for public safety and that he will support this item. He asked about updates for the software that is being purchased for \$13,500. Chief Dortenzio reported that the updates are separate but the police department has a multi-year maintenance and service contract with New World Systems. He said that this contract is bid. He added that the live-scan device is the size of a small refrigerator and it is basically a computer and a high resolution scanner and is tied to a state circuit for transmission of data and the interface marries that device to their internal network where the code from New World Systems and their data resides. This is a fractional T-1. Councilor Cervoni asked about the viability of the quote in that it is dated July 6, 2010 and good for 30 days. Chief Dortenzio said that they have been waiting for a while for the device to be installed by the state of Connecticut, so the Police Department quote has been refreshed by the company at the same price.

There were no other comments or questions from the Town Council or from the public.

VOTE

All Councilors present (9) voted Aye.

The motion passed.

9. Consider and Approve a request for a Bid Waiver for bus transportation service with Durham School Services – Dr. Salvatore Menzo, Superintendent of Schools

Ruling from Town Attorney - Town Council can select/determine the criteria of the bid waiver; Council not happy with three choices; determined that the Board of Education is recommending Option 1; Mayor's statement that only the first two years of this contract be set forth by the Town Council both of them at zero percent increase in the contract. Mayor Dickinson did not approve of Year 3 at 1.95% ,which most other Councilors thought was a gift. Board of Education, Superintendent Menzo and Linda Winters, Board of Education, Business Manager cannot say enough good with regard to this company. Examples of this stellar reputation with the Board of Education included their dependability, the manner and professionalism of the dispatcher, the excellent selection of the bus drivers by Durham School Services and the manner in which this company solves problems working with the Board Education and with families, especially at the beginning of the school year, problems with routes and timing; that they know the children that they carry as well as their parents. Durham School Services bus company has considerable bus service experience with the Town of Wallingford Board of Education twelve-years. There was discussion of whether the Town Council approves either the bid waiver but not the option or the option that the Board of Education has approved or if the Council approves the bid waiver with its own specifications, for example two (2) years and not three (3) years as the Mayor proposed.

Dr. Menzo reported that it appears that the Town Council approves the bid waiver or it doesn't. He added that this may not be the case. Mr. Testa was interested in how the motion will be presented and that it be proper. Chairman Parisi was interested in how the Council is to deal with three-part bids in the future, and if, in fact, the Town Council controls the options. Town Attorney Janis Small stated that the Town Council controls whether or not to grant the bid waiver and under what conditions. She continued stating that when you give a bid waiver, it is normally for a specific deal. She said that you don't grant a bid waiver, and then say to choose what you want. She posed the question asking if the Town Council could approve a bid waiver, and then say to the Board of Education that they can choose whatever option they want. She said that you could work it that way but she doesn't think that has ever been done. She stated that if the Town Council were to vote for a bid waiver and the Council wanted an option that the Board didn't want, or hasn't recommended, that the Council could say that the bid waiver is being granted for Option 2, and if the Board didn't want to exercise that option, then they would be free to go out to bid. Chairman Parisi asked for a specific opinion in writing.

Linda Winters stated, when asked by Robert Gross, that the contract is about \$5 million each year of the contract for regular transportation and transportation for children with special needs. Mr. Gross did not understand why approving the third year of the contract is an issue, and why it would not be approved when considering that the recent AT & T contract is for ten (10) years with a no bid process and that there is no bid process for the Third Party Administrator either. Mayor Dickinson stated that the AT & T contract actually has a decline in the rates over the time of the contract.

MOTION & SECOND

Mr. Fishbein, referring to the correspondence from Durham School Services dated December 3, 2010 to Dr. Menzo, made a motion to approve a request for a Bid Waiver for the Board of Education with regard to Durham School Services described as Option 1, a three-year contract, July 2011 through June

2014, a zero percent increase in the rates for 2011-12 school year, zero percent increase for the rates for 2012-2013 and 1.95% increase in rates for the 2013-2014 school year, additionally that Durham School Services will equip all vehicles with GPS during the first year and that other terms and conditions will remain the same. Mr. Sullivan seconded.

ROLL CALL VOTE:

Cervoni	Yes	Letourneau	Yes
Economopoulos	Yes	Rascati	Yes
Farrell	Yes	Sullivan	Yes
Fishbein	Yes	Testa	Yes
		Chairman Parisi	Yes

Aye-9

The motion passed

10. Consider and Approve Wallingford Regional Solid Waste Project Reserve Agreement – Mayor

Withdrawn

11. Discussion with Covanta representatives regarding Resource Recovery Plant, status of combustion unit off-line and environmental issues – Mayor

In attendance: *Stephen Diaz, Regional Vice-President*

Cheryl Thibeault, Business Manager, Wallingford Facility

Derek Grasso, Regional Environmental Manager for New England for Covanta

A presentation was made by Covanta. Mr. Grasso provided a timeline of events in this most recent violation. Covanta representatives addressed questions and many concerns from the Town Council and from the public with regard to the trash-burning plant stack that has been shut down since July 2010 and the lawsuit between Covanta the Department of Environmental Protection with attention to the dioxins emissions released by the faulty stack. It was noted that this is the second time for this type of over allowed limits of dioxin emissions by Covanta. It was noted that there was no health risk in these emissions in testing of the area near the plant. Councilors expressed confusion in how you could be over-limit and not be a health risk. Mr. Grasso explained dioxins and responded to questions regarding how the dioxin emission is not harming the environment or the people around the plant. The Town Council asked many questions about testing and testing intervals in particular and that if there is a problem and has been a problem, why isn't there more testing initiated by Covanta other than what is required. There were some subjects that could not be discussed due to litigation but Mr. Grasso estimated that the stack would be once again be operating in 60 to 90 days. Mr. Robert Gross asked the Town Council to join the lawsuit to require more testing. Mr. Dennis Demont, Mr. Ben Martin, Representative Mary Mushinsky and Mr. Geno Zandri also had comments.

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

Withdrawn

Mr. Farrell made a motion to adjourn the meeting. Mrs. Rascati seconded. All Councilors present voted Aye. The motion passed. The meeting adjourned at 9:22 P.M.

Respectfully submitted,

Sandra R. Weekes
Town Council Secretary

Meeting digitally recorded

Robert F. Parisi, Town Council Chairman

Date

Barbara Thompson, Town Clerk

Date