

# TOWN OF WALLINGFORD, CONNECTICUT

## TOWN COUNCIL MEETING

February 10, 2009

The following is a record of the minutes of the Regular Meeting of the Wallingford Town Council held Tuesday, February 10, 2009 Robert Earley Auditorium of the Wallingford Town Hall. The Meeting was Called to Order at 6:40 P.M. Responding present to the Roll Call given by Town Council Secretary Sandra Weekes were Councilors Mike Brodinsky, Vincenzo M. DiNatale, Nick Economopoulos, Jerry Farrell, Jr., John LeTourneau, Robert F. Parisi, Rosemary Rascati, Michael Spiteri and Vincent F. Testa, Jr. Mayor William W. Dickinson, Jr., Town Attorney Janis Small and Comptroller James Bowes were also present.

The meeting began with a Moment of Silence, the Pledge of Allegiance and the Roll Call.

### 3. Chairman's Report

Chairman Brodinsky announced vacancies on Planning & Zoning Commission, Zoning Board of Appeals, the Housing Authority, Board of Assessment Appeals and the Inland Wetlands & Watercourses Commission. He said to contact the Town Council Office if interested. He announced the Public Hearing for the bonding of the sediment removal at MacKenzie Reservoir at the regular Town Council meeting on February 24, 2009. He announced a Special Town Council meeting February 11, 2009 with the town's auditor. In regard to the town's website, he read a letter of petition from the PUC that people can print out, sign and return to the PUC office. The petition is with respect to electric rates in the New England grid area and is addressed to our Federal legislators (Dodd, Lieberman and DeLauro)

### 4. Discussion and possible action on a 5-year contract with Paraprofessional Union (Local 222 CILU/CIPU) contract – Board of Education

Dale Wilson, Superintendent of Schools  
Mike Votto, Chairman, Board of Education  
Tom Hennessey, Member, Board of Education

Dale Wilson introduced the item stating that he has been negotiating this contract for eight months and that this is the most difficult negotiation of his career. He said that of the seventeen (17) unions in Wallingford, the Paraprofessional Union (Local 222 CILU/CIPU) is the only union without health benefits. He said in order to hold the cost down, the benefits would be phased in over the 5-year term of the contract. He said that the contract has been ratified by both the Union and the Board of Education. He said that it would have been a dangerous route to go to arbitration and that, if it had gone to arbitration, it would result in benefits being awarded to the union members with the likelihood that it would cost more than this ratified contract. In arbitration, it would be up to a third party to make the decisions. He said that in the contract negotiations, the union and the Board of Education all worked together and arrived at a contract that is fair to both sides. He believes that the contract item "health benefits" was not going to go away.

Mr. Farrell said, in regard to the Superintendent's low, sign-up estimate, and considering the current economic status with layoffs looming and with a loss of health benefits, that people might then enroll in the paraprofessional health benefit program. He asked if this isn't a Trojan Horse and if the Superintendent would need to layoff staff in order to fund the health benefits. Mr. Wilson said that it is hard to judge just how many will sign up and that he has funds in his paraprofessional account and in his contingency account.

Mr. Farrell said that he does not think it procedurally correct for the Council to determine this item. Mr. Wilson said that salaries are set by the Town Council according to the Charter of the Town of Wallingford.

Mr. Farrell expressed that we are playing the odds and conjecturing a small enrollment and said that he is not a gambling person. Mr. Wilson said that he doesn't not know how many will take health benefits and that the key strategy was to phase in the benefit at about \$200,000 per year and with respect to the cost of the insurance being high, and salaries being low, that few people will actually sign up. Mr. Farrell added that he agrees that the paraprofessional should have health insurance yet the Town Council is the fiduciary board for the town.

Mr. Hennessey said that the contract is a fair one for everyone.

Mr. Testa, considered his service on the Board of Education and now as a Town Councilor, said he follows the philosophy that the Board of Education has the responsibility to manage their budget and that the town determines that budget. He spoke about the growing numbers of paraprofessionals, since he was on the Board of Education. In adding to paraprofessionals over the years, they were added with the knowledge of the cost. With the passage of this item, the cost of this position will be different. He thinks that if health benefits had been offered ten years ago, that the Board of Education would not be employing 180 paraprofessionals today because of budgetary constraints. He said he brings this up because the reality is that people need to realize that this could result in difficult personnel decisions in subsequent years in staff reduction. Mr. Testa said that he would vote in favor of the item.

Mr. Economopoulos said that he is not in favor of having this contract go to an arbitrator. He said that when you consider the points that an arbitrator will take into consideration, such as what other unions have in benefits both in Wallingford but also in surrounding towns, that the ball would be in the paraprofessional court. He noted that Wallingford is the only town whose paras don't have health benefits and that of Wallingford's seventeen (17) unions that this is the only union without health benefits, so the ball would be in the paras court again. The arbitrator will look at the town's ability to pay, and we have that ability. He said that this is an agreement that has already been reached with the Board of Education and the union. He said that is the fourth ball that will be in the paras court. He can't see voting this down but he can see that the budget will be under more scrutiny.

Mr. LeTourneau said that this is a difficult contract and acknowledged the fine work in the negotiations that has been done. He said that he is troubled by the 3.25% increase in wages in the contract for the 180 paras. He said that over the five-year contract a para earning \$16,520 now and in five years that para would be earning \$18,773. He spoke about longevity and that some unions have given that up for new hires. Some of the town's unions are currently negotiating a 2% pay increase. He said that we are in dire times, and if this contract is approved, then we might not have 189 paras. He said that he would rather have 189 paras working than have fewer paras with health insurance. He said that he would not support this item.

Mr. Votto responded that it is difficult where cuts would be made stating that it would be programs not people. He said that in recent years the need for paraprofessionals has grown as a result of new laws. He explained that special education students need a paraprofessional in the classroom setting and in general to be more mainstreamed. He explained some of what the paraprofessionals might perform in working closely with a special education student. He said that it costs a tremendous amount of money to place special education students out of the system. The last few years the trend is to bring these children back into our system and that requires a support system which costs less than sending them out. Mr. Votto asked the Council to put their trust in the Board of Education in their decisions. He said that he will not support cuts that take away from the children.

Remarks were made concerning state laws; that a "no" vote will cause this contract to go to an arbitrator where the Board of Education would lose control over the outcome of the contract; that paraprofessionals help to teach and that 95% of the time a paraprofessional is working with multiple students; that it would have been difficult to bring in the Council before ratification in one Executive Session since the negotiations took many months.

Sharon Sanders, South Cherry Street, did not support the contract. Ben Martin, Ward Street, stated that people have a right to health care. Bill LaVorgne, 6 Grieb Court, stated that Gov. Rell is asking unions to give concessions; Robert Sheehan, 11 Cooper Avenue, said that the people who earn the least are being picked on and that the biggest budget we have is the education budget; Christian Rail, town business owner, said that this is a good contract; Paul Ciardullo, 2 Bayberry Drive, said that in this country, healthcare is a right, and why does the Board of Education have to seek approval from the Town Council. Chairman Brodinsky said because of what is in the Charter of the town. Mr. Ciardullo suggested a change in the Charter is in order.

Chairman Brodinsky summarized the conversation in regard to yes and no votes and acknowledged that perhaps in the future it could be addressed after the Council is brought in during negotiations and not after ratification.

#### MOTION

At the conclusion of the long discussion, Mr. Testa made a motion to approve the new 5-year contract with Paraprofessional Union (Local 222 CILU/CIPU) contract as presented by the Board of Education. Mr. DiNatale seconded the motion.

#### ROLL CALL VOTE

Brodinsky - yes, DiNatale - yes, Economopolous yes-, Farrell -no,  
LeTourneau - no, Parisi - no, Rascati - no, Spiteri - yes, Testa - yes

Five (5) Yes

Four (4) No

The motion passed. The contract was approved.

#### MOTION FOR A RECESS

The motion passed. At 8:30 P.M. Mr. Parisi made a motion for a recess. Mr. Testa seconded. All Councilors voted Aye. Mr. Farrell left the meeting at this time at 8:30P.M. The Council reconvened at 8:40 P.M.

5. Consider and Approve a Transfer of funds in the amount of \$14,500 to Network Equipment Acct # 001-2005-999-9918 from Overtime Acct # 001-2005-101-1400 – Police Department

MOTION

Mr. Testa made a motion, seconded by Mr. Parisi, to approve a transfer of funds in the amount of \$14,500 to Network Equipment from Overtime as presented by the Police Department.

In attendance: Police Chief Douglas Dortenzio.

Chief Dortenzio said that his department engaged a commercial firm to make a study of the Police Department IT network, and they submitted a plan with a number of recommendations that includes network topography to improve safety and security of the data that the police department stores. He said the company submitted a spec sheet, the police department bid the equipment, bids were opened recently, and they need to move \$14,500 to proceed. It was determined that the Town Council will be able to email the Police Department within this calendar year; that officers will be able to perform research in the department instead of off-site, and that the total cost of the system is \$162,000, which includes servers and firewalls. Jason Zandri said this is a good deal.

All Councilors present (8) voted Aye, and the motion passed. Mr. Farrell was absent.

6. Consider and Approve a Transfer of funds in the amount of \$27,000 to Gas & Oil Acct # 001-5015-300-3000 from various accounts - Public Works

MOTION

Mr. Testa made a motion, seconded by Mr. Parisi, to Approve a Transfer of funds in the amount of \$27,000 to Gas & Oil as presented by the Public Works department.

In attendance: Henry McCully, Director of Public Works

Discussion centered on the cost of fuel both diesel and unleaded gasoline. Mr. Bowes said that prices on fuel come down after the winter. He said the market is volatile and that costs are locked in, the 2009-2010 costs will be about half of what they were in 2008-2009. Mr. Testa wants to see this reflected in the upcoming, new budget for 2009-10. Mr. Bowes said that we do need to purchase a minimum number of gallons and that minimum is what we use. Mr. LaVorgna suggested making purchases collectively with other towns. Mr. Bowes responded that a savings would not be realized.

All Councilors present (8) voted Aye, and the motion passed. Mr. Farrell was absent.

7. Consent Agenda

- 7a. Consider and Approve Tax Refunds (#486 - #515) totaling \$4,357.84 Acct. # 001-1000-010-1170 - Tax Collector
- 7b. Merit Anniversary Increase - Mayor
- 7c. Job Description for the position of Chief Engineer for the Electric Division - Personnel

- 7d. Approval of a Bid Waiver to National Air Quality in the amount of \$11,779 for duct work – Board of Education
- 7e. Approve Town Council Special Meeting Minutes of January 27, 2009
- 7f. Approve Town Council Regular Meeting Minutes of January 27, 2009

MOTION

Mr. Testa made a motion, seconded by Mr. Parisi, to approve the Consent Agenda Items 7a. – 7f. All Councilors present (8) voted Aye to approve the Consent Agenda. Mr. Farrell was absent.

The motion passed.

8. Items Removed

*None*

9. PUBLIC QUESTION & ANSWER

Robert Gross, 114 Long Hill Road, made comments that the Trash Plant is a hazard; and asked about merit increases.

Geno Zandri, 9 Balsam Ridge Circle, said that parking lot lights are still not working and expressed that the public question and answer period of the meeting should be first.

Wes Lube, Montowese Trail, made business section parking lot comments that included street cleaning, lighting, plowing, pothole filling, signage, contour, reserved parking and traffic flow.

Paul Ciardullo, 2 Bayberry Drive, called for a tax moratorium in view of the Governor's comments that government need to do more with less. He asked the Council to vote on a tax moratorium.

Stuart Hecht, 360 Woodhouse Avenue, in reference to the town's ordinances made comments regarding sidewalk snow clearing. He also referred to a problem with his neighbor's outside steel furnace, used for heating, in that it is an "inappropriate use" in a neighborhood, such as his, and is really intended for very rural settings. He asked for the Council to get a "Cease and Desist" order.

10. Pension Redux: Discussion of Comprehensive Annual Financial Report (CAFR) pages 31-32 and pages 47-57; and discussion of the development of the Pension Investment Policy – Chairman Mike Brodinsky

Chairman Brodinsky addressed pages 31-32, regarding bond ratings, and pages 47-57 for which there were no questions. He asked about the development of the Pension Investment Policy by the Pension Commission and how it is being done. He said that other boards and commissions discuss pros and cons in open session.

Mayor Dickinson said that the commission cannot and does not meet behind closed doors and that all meetings are posted. He said that it is entirely appropriate for the Comptroller to gather and discuss information with a consultant to develop a draft.

Chairman Brodinsky said that decisions are being made outside of a meeting.

Mayor Dickinson said that the draft of the Pension Investment Policy is reviewed at a Public Meeting.

Bob Gross, 114 Long Hill Road, Paul Ciardullo, 2 Bayberry Lane and Sharon Sanders, South Cherry Street all made comments on the subject.

11. *Discussion of Comprehensive Annual Financial Report (CAFR) pages 43-47 and 58-64 – Chairman Mike Brodinsky*

*Withdrawn*

12. Consider and Approve a Resolution authorizing the Mayor to enter into an Agreement between the State of Connecticut and the Town of Wallingford for the development of Contract Plans, Specifications and Estimates for Quinnipiac River Trail Phase III utilizing Federal Funds from the High Priority Project's Program and a certification indicating the Council adopts as its policy to support the non-discrimination agreements and warranties require under the Connecticut General Statutes – Engineering

#### MOTION

Mr. Testa made a motion to Approve a Resolution authorizing the Mayor to enter into an Agreement between the State of Connecticut and the Town of Wallingford for the development of Contract Plans, Specifications and Estimates for Quinnipiac River Trail Phase III utilizing Federal Funds from the High Priority Project's Program and a certification indicating the Council adopts as its policy to support the non-discrimination agreements and warranties require under the Connecticut General Statutes as requested by the Engineering Department.

Mr. Parisi seconded the motion.

Town Engineer John Thompson said the town received a federal designation several years ago for \$800,000 for Phase III of the Quinnipiac River Linear Trail project and as part of that project the Mayor needs to enter into this agreement with the State of Connecticut. He said that this is a standard state municipal agreement like we entered into with a number of trail projects as well as bridge projects. This time the difference is that with this agreement the state is asking for the advance payment \$8,800 as a deposit for their services during the design review process. Mr. Thompson said that Phase III takes the trail from the west side of the Wilbur Cross Parkway where the tunnel ends onto Fireworks Island and out to Main Street in Yalesville, about one mile of trail. He said that the town is two and one half years into the design process, and the final hydraulic review is in progress with the Connecticut Department of Transportation and with the Department of Environmental Protection. He said that they expect approvals at the end of 2009 or the beginning of 2010, and they would make certain that they have sufficient funds appropriated in future Capital Projects and then it would go to construction.

Chairman Brodinsky asked when was the last time this project was presented to the Town Council? Mr. Thompson said that he isn't familiar with any time when there was a formal presentation of Phase III to the Town Council except five or six years ago when he make several

presentations on the phases of the trail. He said that he would be happy to present the Phase III plans in the future.

No questions from the public.

All Councilors present (8) voted Aye. Mr. Farrell was absent. The motion passed

13. *Report from the Finance Department on a description of the funds in the Capital and Non-Recurring Account (detailed balance sheet)*  
– Chairman Mike Brodinsky

*Withdrawn*

14. Consider and Approve a Transfer in the amount of \$165,000 Cap & Non-Recurring to Reskin Drive Bridge Acct # 300-1403-554-0008-09 from Quinnipiac River Linear Trail Acct # 300-1403-554-0005-09 – Engineering Department

Town Engineer, John Thompson, said that the \$165,000 was appropriated for the 2008-09 fiscal year capital budget for the next Phase, Phase III, of the Quinnipiac River Linear Trail Project by the Public Works Department. They were to do advance clearing and create a soft trail and that permanent construction would come under the Phase III project. He said the trail area was inaccessible for myriad of reasons, and they determined that the project would not go forward during this fiscal year (2008-09). He said that Reskin Drive needs attention now due to a major storm event in December 2008, which caused the road to be closed. He said that the transfer of \$165,000 is to use the trail funds to do preparatory work and purchase materials for replacement of the Reskin Drive culvert. He said that this is not the total cost of the project on Reskin Drive and that the bridge project design is still underway. Chairman Brodinsky asked if this would prejudice the trail in that it would be short \$165,000. He said that there is an immediate need for these funds stating that no more trail work will occur during the present fiscal year.

Mr. LeTourneau wanted to know why the Council just approved \$8,800 for Phase III in Item 12 for the design phase on a project that is not going forward. Mr. Thompson said that the town appropriated \$200,000 in the six-year Capital budget 2 or 3 years ago and that we have been using that money for design purposes. He said that the design is going ahead and is going through the formal review process now but that the project is not at a completion stage yet. Mr. LeTourneau said that he sees a roadblock ahead if state or federal monies are not available. He asked aren't we designing a project and moving money around to a point where the trail project won't be able to move forward. Mr. Thompson said that the town has an \$800,000 commitment from the federal government, and it is moving forward, even in light of the economy.

Mr. Spiteri asked about the Senior Center Loop portion of the trail. Mr. Thompson said that this is part of the Hall Avenue project. He spoke with the Council about the trail development with respect the Senior Center loop and the Quinnipiac River Trail as one project as originally envisioned. He said that there is funding left, after installing curbing and sidewalks, to finish the Hall Avenue project. He said that in working with the state that it is the timing in relation the Hall Avenue and the Senior Center Loop. Mr. Thompson said, yes, that the \$165,000 was specifically allocated in the 2008-09 budget for Phase III.

Mayor Dickinson said that he does not think that it should be represented that that money is going to be available in the next budget. He said \$4 million of projects are slated for the 2010 for the

Capital and Non-Recurring, which needs to be reduced to no more than \$2 million. He said that there is money now in the budget that won't make it through the (*budget*) process. There has to be prioritization in that there is not enough funding for the loop around the lake. He said that yes there is \$800,000 coming from the Federal government but we aren't fully funded on this project. He said that Reskin Drive has to go forward because it is a street that is dead-ended and that there are water-sewer and gas that run under the road. This work has to take higher priority. He said that in the next budget \$200,000 will be needed to complete the Reskin Drive project. We are contracting and we will not be able to do everything.

Mr. Spiteri said that there isn't a list, and he hasn't had a choice. He said that it was decided to take the trail money and that \$165,000 could be taken from other sources, such as other capital projects, before he gives away money for something he considers important. He said he doesn't know if this is a transfer he wants to make tonight.

Mayor Dickinson said that there is a choice but administratively this is being recommended because Reskin Drive has a bridge washed out. It is a serious issue that needs to be repaired. He said that there is only \$116,000 in contingency to last until the end of this fiscal year. Mr. Spiteri is worried that the money won't be returned to the trail project. Mayor Dickinson said they aren't recommending another place because he is not aware of another place that the money can come from. Mr. Thompson said that Reskin Drive is a priority project that needs action now. Mr. Spiteri said he wants a choice on where else the money could be taken from. He gave an example that if the town were in the black at the end of the year, would the funds would be transferred back to the trail account.

Mayor Dickinson said that given what is going to happen on the budget this year that we will be fortunate to have such a small concern. In response to whether the funds would be returned the trail, he said probably not. Chairman Brodinsky said that the reason Item 13 was put on the agenda, which was a report out on the Capital and Non-Recurring Account, was to find out what is in there. He said that Item 12 is what sparked Item 13 on the agenda. He said that when Mr. Spiteri talks about a choice, it is well taken -what is in the cap and non-recurring account, -what items might there be other than the trail. He said that the thought is that this might be the end of the trail.

Mr. Testa asked if the source of these funds for this account is the Utility contribution to the town budget. Mayor Dickinson said that is the source of revenue. Mr. Testa asked, if in the upcoming year, there will be "x" number of dollars provided to this account as there is on a regular basis. Mayor Dickinson said that is correct. Mr. Testa said that before we look at new projects that the linear trail account should be paid back. Mr. Thompson said that there is already \$4 million in projects on the table for the 2009-10 budget and that \$165,000 wasn't even considered. There will be only \$2 million available and that cuts will be made. Mayor Dickinson asked that in Item 12, we are entering into an agreement for \$800,000, and we are worried about \$165,000 to fix a road in town? He said that he doesn't understand why all of a sudden, the trail is in jeopardy with almost one million coming from the federal government. Mr. Spiteri said that when you prioritize for \$165,000, you have choices, and these choices have not been brought before this Council.

Mr. Testa continued saying that he understands the Mayor's point and that we have a commitment for \$800,000. He said we also had a commitment in our cap and non-recurring for another amount and that is inherently recognition that the scope of the linear trail project exceeds \$800,000 so to imply don't worry about the \$165,000 because we have \$800,000 coming from the federal government. He said that also implies a possible recognition that we may be forced to



accept the fact that that the project needs to be scaled down. He said that logic is inescapable from what has just been said.

Mayor Dickinson said that is true, and we are going to have to realize that we do not have the money to do everything that has been envisioned. He said that this thing that is happening with the economy is going to hit us hard, and we are going to see the results of this very shortly, and it is amazing to him that we are talking about \$165,000 for the trail. We will be leaving things on the table that have far more significance to this town. It is unbelievable what's coming.

Mr. Testa said that concerns of this conversation acknowledge that they are valid concerns. He said that we just can't say we are shifting \$165,000 for this year only but that we are shifting the \$165,000 not only because it won't be used this year but also because it will never be used as it was initially allocated. Mayor Dickinson said that things change. He added that another \$200,000 has to be put into the next budget to finish this bridge. Mr. Testa said that by choosing this project as the source of this transfer, it's an acknowledgement that there is a very good chance that it's a permanent reduction in the money allocated to that project, not a temporary one. Mr. Thompson said that he would fight for the trail project but if we have a choice between fixing a road and re-opening a road versus the trail, then we have to look at priorities.

Representative Mary Mushinsky, Co-Chair of the Linear Trail with Lynn Hoffman, who was also in attendance. She said that they have come to the Council meeting because it is their job to represent the trail project, and that this transfer, which makes a deletion from the project, was a surprise to them. She said that they received no communication that the transfer was about to happen. She said that they oppose the transfer and that they hope that they can get additional federal funds by talking to members of Congress. She said there may be additional pedestrian trail funds eligible as "shovel ready" projects. She said there may also be funds available as economic stimulus projects, and that the transportation budget sometimes has a separate category for alternate transportation funding. She said that in Connecticut \$35 million of shovel ready projects have gone in, and ours was submitted as a possible addition to that file through our Congress people and Speaker Donovan. She said that had they seen this item ahead of time that they would have spoken to DOT directly to re-visit their decision to not let the town gain access to the site for clearing to do some preparatory clearing for the Senior Center Loop to connect the Senior Center to the long trail.

Jason Zandri, Lincoln Drive, like the trail and would like to see it finished.

Ben Martin, Ward Street, made comments about Reskin Drive in that people can get to their homes and that they are dealing with an inconvenience. He said that finishing the Phase III and the Senior Center Loop would offer the town an alternate transportation route.

#### MOTION TO TABLE

Chairman Brodinsky summarized the conversation and made a motion to table the question for two weeks. Mr. Testa seconded.

Mr. Parisi asked if it would be on the agenda February 24<sup>th</sup>. The Mayor said that they would bring it back. He said we have to fix a road. Mr. Thompson said that tabling for another two weeks is not a problem. Chairman Brodinsky said we will make a request right now of what is in the Capital and Non-Recurring account for the next meeting.

ROLL CALL VOTE

Brodinsky - yes, DiNatale - yes, Economopolous - yes, Farrell - ABSENT,  
LeTourneau - no, Parisi - no, Rascati - no, Spiteri - yes, Testa - yes S

Five (5) Yes; Three (3) No. Mr. Farrell was absent.

The motion passed and the item was tabled.

15. *Brief Report on developments concerning Community Lake*  
– *Chairman Mike Brodinsky*

*Withdrawn*

16. *Brief Report on developments concerning the Parking Lot behind*  
*Simpson Court - Chairman Mike Brodinsky*

*Withdrawn*

17. Motion to Consider and Possible Action on the Bid response to the Town's offer to sell Tax Liens on 1254 Old Colony Road – Law Department

MOTION

Chairman Brodinsky made a motion, seconded by Mr. Parisi, to consider and action (*intending to reject the offer*) on the bid response to the Town's offer to sell Tax Liens on 1254 Old Colony Road asked for by the Law Department.

Adam Mantzaris, Corporation Counsel, said that the town received one bid in the amount of \$2,000. Mr. Mantzaris said that he wrote a letter saying that the Council not accept the bid. The Purchasing Agent needs some indication of your action, and he thinks that the Council should tell him (*Mr. Mantzaris*) if it is OK to reject the bid, so he can inform the Purchasing Agent. Mr. Mantzaris said that the next item is for the same property with an offer of \$200,000 to purchase the liens.

Chairman Brodinsky said that it is self-evident to reject the \$2,000 because we have a much better offer that is coming up on Item 18. He asked if the Council saw it that way.

All Councilors present (8) voted Aye to reject the bid. Mr. Farrell was absent.

The motion carried to reject the bid offer.

18. Motion to Consider and Possible Action on an unsolicited offer to purchase the Tax Liens on 1254 Old Colony Road – Law Department

MOTION

Chairman Brodinsky made a motion to approve the unsolicited offer to purchase the Tax Liens on 1254 Old Colony Road in the amount of \$200,000 as asked for by the Law Department. Mr. Testa seconded.

Mr. Mantzaris said that it is a substantial amount of money on a piece of property that the town has owned for a number of years. He said that he does not expect problems on the contract and that the purchaser will do something with the property to develop it. Mr. Testa asked if this is an

“as is” sale and would the town will not be required to perform any studies or assessments on the property. Mr. Mantzaris said this is an “as is” sale, and that the town will not be required to do anything.

No comments from the public.

All Councilors present (8) voted Aye to reject the bid. Mr. Farrell was absent.

The motion carried to accept the unsolicited the bid offer of \$200,000 for the property..

19. Discussion and possible action on marketing of 1300 Barnes Road,  
a Town-owned property – Chairman Mike Brodinsky

Chairman Brodinsky gave a history of the 2.8 acres piece of property that was acquired in a foreclosure action in 1946 and has been off the tax roles since that time. He referred to two recent appraisals, one in 2007 for \$107,000 and one in 2008 for \$125,000. He suggested two ways to sell the property 1) that the town could do this with a straight bid, allowing enough time for people to submit their bids; 2) we could ask the law department if we could put a for sale sign on the property, given the amount of traffic on Rt. 68. And, he said, that we could do nothing. He said the Council’s question regarding driveway encroachment is not there. It is negligible.

Tom Nagy, 1298 Barnes Road, next-door neighbor of the subject property, said regarding the sale of the land that this might not be an opportune time considering the low market. He said that he was notified around the beginning of December about the encroachment issue. He said they received a letter from the Town Attorney on a Friday, and there was a story in the newspaper on Tuesday, painting them as criminals for building this driveway on town property. He said that they purchased this property just over three years ago and that they are the second owners. He said that the first owners lived there for 50 years, or as long as the house and the driveway have been there. He said that they telephoned the Town Attorney immediately, who told them that it was just talk, so it was disturbing to read it in the newspaper. He said that no one informed them that there was a town meeting that involved this property, and he doesn’t think that this is good policy considering that we are the people at question, and that, if the town decides to sell the property, he would like the triangle right in front of their house sub-divided from the main property so he could purchase it, adding on to their property. He wants to avoid someone coming in and cutting all of the trees on that part of the property exposing his house to Rt. 68. He talked about frontage and accessibility to 1300 Barnes Road. He said that he is asking that if the town decides to sell it that he could have an option to purchase the property in front of their house. Chairman Brodinsky said that it is in 2-acre zoning, and the lot is 2.08 acres and would be a non-conforming lot if it were sub-divided.

Mayor Dickinson said that this property came up when Habitat for Humanity expressed an interest and that the property is not large enough for open space. He said that the Council looked at it and said that it was too good a lot for residential purposed to give to Habitat for Humanity.

Ben Martin, Ward Street, asked if there could be some consideration to preserving the wooded lot.

Geno Zandri, 9 Balsam Ridge Circle, said to market the property and put it back on the tax roles. He suggested a deed restriction for over age 55. He added that selling to a family with children costs the town money.

Wes Lube, Montowese Trail, suggested a non-conforming land swap to maintain the two acres.

Tom Nagy responded to comments regarding the property saying the comments were speculation based on someone's opinion and that there are other opinions as well.

#### MOTION

Chairman Brodinsky made a motion to market the property owned by the Town of Wallingford known as 1300 Barnes Road through the Purchasing Agent with a bid and that the date of the bid opening is to be selected by the Purchasing Department but in June to as to give people enough time to learn about it that bid offering. The Purchasing Department would determine when the bids would be due and that every effort should be used to put a sign on the property advising people that the town is selling the property, a "For Sale by Owner" sign with a phone number. Mr. Testa seconded the motion.

Mr. Parisi asked if the town was going to work with the property neighbor in a land swap. Chairman Brodinsky said that if he wants to make an offer that he could do that and said that it isn't in the best interests of the town but if there is something concrete, then it would come before the Council. He said that the land he would be getting is the most level of the lot because of the slope issues, and it could easily be seen by a new buyer as the most preferred way to get into the property with a level driveway, so if we give that up, then we are de-valuing the property.

Robert Gross, 114 Long Hill Road, asked if the town was marketing this property after 63 years of ownership in this economy.

#### MOTION ADDITION

Chairman Brodinsky interjected that he would like to add to his motion. He added to the motion that the bid documents should state that the Council would be free to reject any and all bids, if it doesn't meet the price. He continued saying that the Council knows the appraised value in 2007. If there are low bids, then the Council could say no and go to alternative measures.

#### RE-STATEMENT OF THE MOTION

Chairman Brodinsky made a motion to market the property owned by the Town of Wallingford known as 1300 Barnes Road through the Purchasing Agent with a bid and that the date of the bid opening is to be selected by the Purchasing Department but in June to as to give people enough time to learn about it that bid offering. The Purchasing Department would determine when the bids would be due and that every effort should be used to put a sign on the property advising people that the town is selling the property, a "For Sale by Owner" sign with a phone number. He added to the motion that the bid documents should state that the Council would be free to reject any and all bids, if it doesn't meet the price.

Mr. Testa seconded the motion.

Mr. Nagy responded to comments from Chairman Brodinsky regarding the property and saying that judgment was passed as to what he (Mr. Brodinsky) believes to be the best entrance point. He said that if no one else has seen the property, he just doesn't want anyone else to feel that what Chairman Brodinsky is considering is the best entrance point is exactly the best entrance point. Mr. Nagy said that if you drive past the property, it may look to be the most level but that anywhere else on that road is about three feet high above the street, which is easily dealt with. He went on to explain more about the property in question.

Mr. Testa referred to comments and concerns that were expressed about the economy and taxes. He said this is an asset that could be sold and generate some money. That's a good thing.

Mr. LeTourneau said that he agrees that the property should be marketed. He said that before we do this, he would like to table the item for another two weeks, so that the town can get the opinion from a realtor, a professional, to investigate whether the town can work with the gentleman (Mr. Nagy) and do a land swap and to look at the driveway instead of working with opinions.

Chairman Brodinsky asked how we are going to get a realtor, through an RFP? And how is that going to work. Mr. LeTourneau asked how we get a realtor. Chairman Brodinsky said that we pay them. Mr. Parisi said perhaps there would be a volunteer. Mr. LeTourneau said perhaps there is one here.

#### MOTION TO TABLE ITEM #19

Mr. LeTourneau made a motion, seconded by Mr. Parisi, to table the item for two weeks.

All Councilors (8) present voted Aye. Mr. Farrell was absent.

The motion passed to table the item.

#### 20. Discussion and Possible Action on means to control spending to achieve a zero percent (0%) increase for Fiscal Year 2009-2010 – Councilor Michael Spiteri

Mr. Spiteri said that during the last Town Council meeting, Mr. Paul Ciardullo discussed and requested a vote on a moratorium supporting a zero-based budget. He said that at that meeting the Chairman replied that although he did not support such a motion, that Mr. Ciardullo was free to contact any of the other eight (8), and if a Councilor requested of the Chair, he would put this on the upcoming agenda. Mr. Ciardullo called him on Tuesday and made that request. Mr. Spiteri said that he did some research, and he planned to go over zero-based budgeting but that he isn't certain if this is the interest of Mr. Ciardullo.

Paul Ciardullo, 2 Bayberry Drive, said that his main purpose is to take up his suggestion of the issue of a tax moratorium and that it be put on the agenda. He said that his objective is to understand where the Council is on support or non-support of that issue, specifically a vote on the part of the Council. He said that the listing on the agenda does not quite fit that.

There was some discussion as to whether to continue with this item as the terms zero-based budget and tax moratorium represent two different approaches to budgeting and taxes.

Mr. Testa said that this is something that he would like to learn more about but it is complicated and represents a complete change in the fiscal management of the community. He said that it is worthy of a lengthy discussion at a later meeting. He commented to Mr. Ciardullo saying that he can't sit as a Councilor and feel he is being responsible or honest, if he were to vote and make a commitment today to a zero tax increase because he doesn't know if he can vote that way when the budget comes before the Council. He said that there are various reasons for that because of the increases that the town will have. He said that there is an unwillingness to order the necessary cuts to achieve that.

Mr. Ciardullo wanted to know how the rest of the Council feels. He said that if the Council made the commitment it would set the context for the town. He asked the Council to start the process with the understanding of what the town wants.

Mr. Spiteri said that this needs to be looked at now before the budget process.

Geno Zandri, 9 Balsam Ridge Circle, thanked Mr. Spiteri for putting the item on the agenda and suggested that it be on every future agenda. He made some budget related suggestions-

- review town car use

- offer early retirement packages

- discuss concessions with the unions

- review and look at the total cost for trash removal

- attend a CRRA Board meeting and request for available funds

- review special interest groups, such as Library, Wallingford Center, Inc., SCOW

Jason Zandri, 35 Lincoln Drive, talked about his company and lay-offs. He suggested a wage freeze and unpaid vacations.

Wes Lubeck, Montowese Trail, said that he was disappointed, embarrassed and ashamed that not one leader has made a statement about our direction.

Mr. Ciardullo said to take action from the top down. He said to ask what are the revenues and to then develop the budget.

21. *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*

#### MOTION

Mr. Parisi made a motion to adjourn. Mr. LeTourneau seconded.

All Councilors (8) present voted Aye. Mr. Farrell was absent.

The motion passed. The meeting adjourned at 11:35 P.M.

Respectfully submitted,

Sandra R. Weekes  
Town Council Secretary

Meeting recorded by Sandra Weekes

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Chairman, Mike Brodinsky

Date

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Town Clerk, Barbara Kapi

Date