

TOWN OF WALLINGFORD, CONNECTICUT

REGULAR TOWN COUNCIL MEETING

APRIL 10, 2012

RECORD OF VOTES & MINUTES

The meeting was called to order at 6:30 P.M. The opening prayer was said by Prayer by the Reverend Dee Ann Dodd, St. Paul's Episcopal Church of Wallingford. The Pledge of Allegiance was said. Councilors in attendance were as follows: Vincent Cervoni, Nick Economopoulos, Craig C. Fishbein, Thomas Laffin, John LeTourneau, Chairman Robert F. Parisi, Rosemary Rascati, John J. Sullivan and Jason Zandri. Mayor William W. Dickinson, Jr. and Town Attorney Gerald E. Farrell, Sr. were also in attendance at the meeting. Comptroller James Bowes arrived at the meeting at 6:40 P.M.

2. Correspondence

None

3. Consent Agenda

- 3a. Consider and Approve Tax Refunds (#553 - #562) totaling \$3,252.43
Acct. # 001-1000-010-1170 - Tax Collector
- 3b. Set a Public Hearing for April 24, 2012 at 7:00 P.M. for a 2012 Small Cities Community Block Grant – Grants Administrator
- 3c. Set a Public Hearing for April 24, 2012 at 7:15 P.M. to act on the repeal and replacement of Chapter 122, Food Service Establishments, of the Code of the Town of Wallingford - Ordinance Committee Co-Chairmen
- 3d. Set a Public Hearing for April 24, 2012 at 7:30 P.M. to act the Repeal of Article I. "Drains" of Chapter 177, "Sewers" of the Code of the Town of Wallingford and to act on the adoption of an Ordinance concerning Sources of Inflow and Infiltration into the Sanitary Sewer System - Ordinance Committee Co-Chairmen
- 3e. Set a Public Hearing for April 24, 2012 at 7:45 P.M. to amend Chapter 43, Purchasing, of the Code of the Town of Wallingford by adding Section H(2)(j) to the Ordinance to address restrictions on employees contracting with the town to provide services - Ordinance Committee Co-Chairmen
- 3f. Consider and Approve a Transfer in the Amount of \$4,725 to Miscellaneous General Expense Acct # 46100930 from Maintenance of Transmission and Collection Mains Acct # 46100673 – Sewer Division
- 3g. Consider and Approve an Appropriation in the Amount of \$2,000 to Revenue-Recovery of Legal Fees – Miscellaneous Acct # 1009052-46300 and to Professional Services-Specialists–Corporation Counsel
- 3h. Approve Reappointments of John Smith as a Regular Member and Reverend Karen Cook as an Alternate Member to the Board of Ethics for three-year terms, effective immediately, expiring March 1, 2015 - Mayor
- 3i. Consider and Approve the Appointment of Robert Avery to the Board of Assessment Appeals, effective immediately, for a Term Expiring January 2015 – Robert F. Parisi, Chairman

- 3j. Consider and Approve the Appointment of Jeffrey Kohan to the Zoning Board of Appeals, effective immediately, for a Term Expiring January 8, 2015
– Robert F. Parisi, Chairman
- 3k. Consider and Approve the Reappointments of Joseph DaCunto, William Nolan and Timothy Wall as Constables for two-year terms Expiring January 8, 2014
– Robert F. Parisi, Chairman
- 3l. Consider and Approve a Transfer in the Amount of \$1,395 to Promotional Expenses Acct # 10011050-55405 from Office Expenses & Supplies Acct # 10011050-56100
- Economic Development Commission
- 3m. Consider and Approve minutes of Regular Town Council Meeting of March 27, 2012

MOTION WAS MADE TO APPROVE THE CONSENT AGENDA 3a. through 3m.

MADE BY: CERVONI
SECONDED BY: RASCATI
VOTE: UNANIMOUS; AYE-9
MOTION PASSED.

Mr. Jeffrey Kohan was sworn in as an alternate to the Zoning Board of Appeals by the Town Clerk.

4. Items Removed from the Consent Agenda

None

5. PUBLIC QUESTION & ANSWER

Robert Gross, 114 Long Hill Road, asked about televising budget workshops and the Public Hearing.

Geno Zandri, 9 Blasam Ridge Circle, asked about the plan for the park after the trees are cut down.

6. Discussion and Possible Action to establish and adopt a formal process for the selection of a vendor for the Wallingford Fireworks Celebration - Councilor Jason Zandri

In view of a light agenda, Town Council Chairman Parisi allowed a full discussion with regard to the Wallingford Fireworks Celebration with statements from Councilors Zandri and Fishbein, who initiated the Fireworks Fund, a 501(C)(3) non-profit, so that the town would not lose this celebration. Some ten thousand people attend this function every July. At the conclusion of the discussion, it was suggested that since only one department can be in charge of selecting a fireworks vendor that the Fireworks Fund might be included in talks with regard to vendors at the beginning of the process. It was recommended that the Mayor, Parks and Recreation Department and the Fireworks Fund all meet to decide on the best way to accomplish vendor selection and to work out the other details involved with the celebration.

7. Consider and Approve a Bid Waiver in the Amount of \$12,000 for Preservation Grant with Adkins Printing – Town Clerk

MOTION WAS MADE TO APPROVE A BID WAIVER IN THE AMOUNT OF \$12,000 FOR PRESERVATION GRANT WITH ADKINS PRINTING

MADE BY: CERVONI

SECONDED BY: RASCATI

In attendance: Town Clerk, Barbara Thompson

Ms. Thompson stated that this is a housekeeping issue and that Adkins is the only vendor in Connecticut that performs such preservation work. The added value to Adkins is that records are out of Town Hall for only a short amount of time and that the town has worked with this vendor for many years.

VOTE: UNANIMOUS; AYE-9
MOTION PASSED.

8. 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
9. Executive Session pursuant to the Connecticut General Statutes §1-225 (f) and §1-200 (6)(B) to discuss the following cases:

1. Jacobowicz v. Scrubbin Bubbles, LLC, et al
2. Bear Industries, LLC v. Town of Wallingford
3. Saldamarco v. Town of Wallingford

MOTION WAS MADE TO GO INTO EXECUTIVE SESSION PURSUANT TO §1-200 (6)(D) of the Connecticut General Statutes with respect to the purchase, sale and/or leasing of property and pursuant to the Connecticut General Statutes §1-225 (f) and §1-200 (6)(B) to discuss the following cases:

1. **Jacobowicz v. Scrubbin Bubbles, LLC, et al**
2. **Bear Industries, LLC v. Town of Wallingford**
3. **Saldamarco v. Town of Wallingford**

MADE BY: CERVONI
SECONDED BY: RASCATI
VOTE: UNANIMOUS; AYE-9
MOTION PASSED.

The Council entered into Executive Session at 7:37 P.M.

MOTION WAS MADE TO COME OUT OF EXECUTIVE SESSION.

MADE BY: CERVONI
SECONDED BY: RASCATI
VOTE: UNANIMOUS; AYE-9

MOTION PASSED.

- 8. ATTENDANCE AT EXECUTIVE SESSION 8:
NINE (9) COUNCILORS, MAYOR DICKINSON, TOWN ATTORNEY
GERALD E. FARRELL, SR. AND COMPTROLLER JAMES BOWES
TIME OF EXECUTIVE SESSION 8: 7:38 p.m. TO 8:09 p.m.**
- 9-1. ATTENDANCE AT EXECUTIVE SESSION 9-1:
NINE (9) COUNCILORS, MAYOR DICKINSON, TOWN ATTORNEY
GERALD E. FARRELL, SR. AND COMPTROLLER JAMES BOWES
TIME OF EXECUTIVE SESSION 9-1: 8:10 p.m. TO 8:20 p.m.**
- 9-2. ATTENDANCE AT EXECUTIVE SESSION 9-2:
NINE (9) COUNCILORS, MAYOR DICKINSON, TOWN ATTORNEY
GERALD E. FARRELL, SR. AND COMPTROLLER JAMES BOWES
TIME OF EXECUTIVE SESSION 9-2: 8:21 p.m. TO 8:22 p.m.**
- 9-3. ATTENDANCE AT EXECUTIVE SESSION 9-3:
NINE (9) COUNCILORS, MAYOR DICKINSON, TOWN ATTORNEY
GERALD E. FARRELL, SR. AND COMPTROLLER JAMES BOWES
TIME OF EXECUTIVE SESSION 9-3: 8:22 p.m. TO 8:25 p.m.**

- 10. Possible Action on Jacobowicz v. Scrubbin Bubbles, LLC, et al**

**MOTION WAS MADE TO AUTHORIZE THE TOWN ATTORNEY TO TAKE
ACTION AND SETTLE Jacobowicz v. Scrubbin Bubbles, LLC, et al AS DISCUSSED
IN EXECUTIVE SESSION.**

**MADE BY: CERVONI
SECONDED BY: RASCATI
VOTE: UNANIMOUS; AYE-9
MOTION PASSED.**

- 11. Possible Action on Bear Industries, LLC v. Town of Wallingford**

**MOTION WAS MADE TO AUTHORIZE THE TOWN ATTORNEY TO TAKE
ACTION AND SETTLE Bear Industries, LLC v. Town of Wallingford AS
DISCUSSED IN EXECUTIVE SESSION.**

**MADE BY: CERVONI
SECONDED BY: RASCATI
VOTE: UNANIMOUS; AYE-9
MOTION PASSED.**

- 12. Possible Action on Saldamarco v. Town of Wallingford**

**MOTION WAS MADE TO AUTHORIZE THE TOWN ATTORNEY TO TAKE
ACTION AND SETTLE Saldamarco v. Town of Wallingford AS DISCUSSED IN
EXECUTIVE SESSION.**

**MADE BY: CERVONI
SECONDED BY: RASCATI
VOTE: UNANIMOUS; AYE-9**

MOTION PASSED.

MOTION WAS MADE TO ADJOURN THE MEETING.

MADE BY: CERVONI

SECONDED BY: RASCATI

VOTE: ALL NINE (9) COUNCILORS VOTED AYE

THE MEETING ADJOURNED AT 8:31 P.M.

Respectfully submitted,

Sandra Weekes
Town Council Secretary

Robert F. Parisi, Chairman

Date

Barbara Thompson, Town Clerk

Date