

TOWN OF WALLINGFORD, CONNECTICUT

REGULAR TOWN COUNCIL MEETING

Town Council Chambers

May 26, 2009

6:30 P.M.

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, May 26, 2009. The Meeting was Called to Order at 6:38 P.M. Responding present to the Roll Call given by Town Council Secretary Sandra Weekes were Councilors Mike Brodinsky, Nick Economopoulos, Jerry Farrell, Jr., John LeTourneau, Robert F. Parisi, Rosemary Rascati and Vincent F. Testa, Jr. Mayor William W. Dickinson, Jr., Town Attorney Janis Small and Comptroller James Bowes were also present. Councilors Vincenzo M. DiNatale and Michael Spiteri were absent from the meeting.

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

2. Chairman's Report

Chairman Brodinsky announced the Town Council's Special Meeting on June 2 is a Public Hearing to consider the recommendations Charter Revision Commission. He said that following the Public Hearing, the Council will take up the recommendations of the Charter Revision Commission.

3. Consent Agenda

- 3a. Consider and Approve Tax Refunds (#653- #655) totaling \$655.39
Acct. # 001-1000-010-1170 - Tax Collector
- 3b. Consider and Approve an Appropriation of Funds in the Amount of \$100 *Youth and Social Services Special Fund* to Donations Acct # 213-1042-070-7010 and to Expenditures Acct # 213-3070-600-6000 – Youth and Social Services
- 3c. Consider and Approve a Transfer of Funds in the Amount of \$600 to Overtime Acct # 2035-101-1400 from Continuing Education & Training Acct # 2035-501-5700 – Fire Marshal
- 3d. Consider and Approve a Transfer of Funds in the Amount of \$600 to Gas & Oil Acct # 2035-300-3000 from Physical Exams Acct # 2035-901-9012 – Fire Marshal
- 3e. Consider and Approve an Appropriation of Funds in the Amount of \$5,250 to Miscellaneous Revenue Acct # 001-1075-070-7040 and to Medical Equipment Ambulance Acct # 001-2030-999-9111 – Fire Chief
- 3f. Consider and Approve a Transfer of Funds in the Amount of \$9,700 to Replace Radio System UPS & Antenna Acct # 001-2005-999-9912 \$5,700 and to Utilities Acct # 001-2005-201-2010 \$4,000 from Replacement Pay Acct # 001-2005-101-1500 – Police Chief

Wallingford Town Hall, 45 South Main Street

- 3g. Consider and Approve a Fair Housing Resolution – Mayor
- 3h. Consider and approve a Bid Waiver for Psychological Evaluation Services
- Personnel
- 3i. Consider and Approve an Appropriation of Funds in the Amount of \$3,060 *Youth and Social Services Special Fund* to Donations Acct # 213-1042-070-7010 and to Expenditures Acct # 213-3070-600-6000 – Youth and Social Services
- 3j. Consider and Approve use of Town Hall Steps June 13, 2009 for Flag Day Ceremonies held by Wallingford Elk's Lodge #1365 – Councilor Robert F. Parisi

MOTION

Mr. Testa made a motion to approve Consent Agenda Items 3a. to 3j. Mr. Parisi seconded. By voice all Councilors present (7) voted Aye. Councilors Vincenzo M. DiNatale and Michael Spiteri were absent from the meeting.

The motion passed.

4. Items Removed from the Consent Agenda

None

WAIVE RULE V

MOTION

Mr. Testa made a motion to Waive Rule V of the Town Council Meeting Procedures to allow a request for use of the Parade Grounds to be taken up on the agenda. Mr. Parisi seconded. By voice all Councilors present (7) voted Aye. Councilors Vincenzo M. DiNatale and Michael Spiteri were absent from the meeting.

The motion passed.

MOTION

Mr. Testa made a motion to approve use of the Parade Grounds on June 4, 2009 by the First Congregational Church. Mr. Parisi seconded. By voice all Councilors present (7) voted Aye. Councilors Vincenzo M. DiNatale and Michael Spiteri were absent from the meeting.

The motion passed.

5. PUBLIC QUESTION & ANSWER

Mike DelVecchia asked questions about the Whirlwind Hill Road Hall property which the town recently acquired. He asked about the price paid with regard to the appraisal, about 'building lot' status and made comments about the low tax rate for the entire 21 acre parcel.

Craig Fishbein, Greib Road, a member of the Charter Revision Commission, asked that if the Council does not send the recommendations back to the Charter Revision Commission, that for the ballot the language of the changes of certain items be published to allow for public comment. He also asked about the posting of the Special Meeting that was held on May 21.

Robert Gross, 114 Long Hill Road, spoke about the budget, Reserves, taxes and the CRRA funds.

Tom Nagy, Barnes Road, said return the funds to the taxpayer and lower taxes.

Ben Martin, Ward Street, asked why he can't find the web cast of the Town Council meetings on the internet anymore and if bike racks will be placed around town.

Jason Zandri, Lincoln Avenue, commented on the web cast and on bike racks.

Mayor Dickinson encouraged people interested in using bike racks to make themselves known to his office so that the town can get a better idea on how useful they might be.

5a. Brief report from the Mayor and the Law Department on the status of:

a. Police Station Study

Mayor Dickinson said that a meeting with the architect will be scheduled within the next few weeks.

b. Sale of Tax Liens 1254 Old Colony Road

Attorney Small said that they soon will receive from the state the release of a lien from the estate and then the motions for a strict foreclosure will be filed.

c. Sale of Tax Liens 928 North Colony Road

Attorney Small said that they are waiting for the law days to expire for Yalesville Silver and the money is being held by the town in escrow. She said that this matter should be wrapped up in July.

d. American Legion Litigation

Attorney Small said that the trial judge had to postpone the status conference so that will happen in June. There is no date until the clerk calls back.

e. Simpson Village LLC (since last letter dated 9/9/08)

Attorney Small said that the site work will begin in June to be followed by construction.

f. Sale preparations for sale of 1300 Barnes Road

Attorney Small said that she has the bid document ready and that she met with the Purchasing Agent, Sal Amadeo. They discussed inspections, the Health Department

will provide perk test results next Monday, the sign has been ordered. As soon as the perk test is completed, they will be included in the bid specs.

g. Skate Board Park

Mayor Dickinson said that due to the economy, plans for the Skate Board Park are not proceeding at this time.

6. Consider and Approve a Transfer of Funds in the Amount of \$4,050 to Miscellaneous Expenses (Pumping) Acct # 461-8620-626 \$750 and to Office Supplies & Expense Acct # 461-8920-921 \$3,300 and from Maintenance Transmission & Collection Lines Acct # 461-8661-673 – Sewer Division

MOTION

Mr. Testa made a motion to approve a Transfer of Funds in the Amount of \$4,050 to Miscellaneous Expenses (Pumping) Acct # 461-8620-626 \$750 and to Office Supplies & Expense Acct # 461-8920-921 \$3,300 and from Maintenance Transmission & Collection Lines Acct # 461-8661-673 as requested by the Sewer Division. Mr. Farrell seconded.

In Attendance:

George Adair, Director, Public Utilities

Roger Dann, General Manager, Water & Sewer Divisions

By voice all Councilors present (7) voted Aye. Councilors Vincenzo M. DiNatale and Michael Spiteri were absent from the meeting.

The motion passed.

7. Consider and Approve a Transfer of Funds in the Amount of \$6,000 to Maintenance Structures Acct # 461-8640-651 from Maintenance Treatment /Equipment Acct # 461-8640-652 – Sewer Division

MOTION

Mr. Testa made a motion to approve a Transfer of Funds in the Amount of \$6,000 to Maintenance Structures Acct # 461-8640-651 from Maintenance Treatment /Equipment Acct # 461-8640-652 as requested by the Sewer Division. Mr. Farrell seconded.

In Attendance:

George Adair, Director, Public Utilities

Roger Dann, General Manager, Water & Sewer Divisions

By voice all Councilors present (7) voted Aye. Councilors Vincenzo M. DiNatale and Michael Spiteri were absent from the meeting.

The motion passed.

Chairman Brodinsky returned to Item 5a. to allow for Public Comment.

Tom Nagy, Barnes Road, in reference to the sale of the 1300 Barnes Road property, asked how the town was going to market the land. Chairman Brodinsky said that a For Sale by Owner sign would be posted with a phone number. Those expressing interest can get a packet of information and submit a bid that has a deadline. There will be an announced date for bid opening, and finally, it will come to the Town Council for a determination. He explained why the town is not using a realtor because it is a relatively simple, straight-forward transaction and that it avoids a realtor's commission. Mr. Nagy gave examples of why using a realtor to sell the property might be advisable for the interests of the town. Attorney Small said that this property will be in the paper at least once.

Diana Hotchkiss, 38 Clifton Street, made comments regarding the Skate Board Park and how long it has been in the planning stage. Mayor Dickinson said that the funds of \$300,000 to \$400,000 are simply not available. He said fundraising by private concerns would certainly help.

8. Consider and Approve a Budget Amendment in the Amount of \$34,000 to Sludge Disposal Acct # 461-8640-645

from:

Transportation Equipment	\$14,900	Acct # 463-9012-392
Chemical Expense	\$11,050	Acct # 461-8640-641
Maintenance Treatment Equipment	\$ 6,050	Acct # 461-8640-652
Maintenance Transmission & Collection Lines -Sewer Division	\$ 2,000	Acct # 461-8661-673

MOTION

Mr. Testa made a motion to approve a Budget Amendment in the Amount of \$34,000 to Sludge Disposal Acct # 461-8640-645

from:

Transportation Equipment	\$14,900	Acct # 463-9012-392
Chemical Expense	\$11,050	Acct # 461-8640-641
Maintenance Treatment Equipment	\$ 6,050	Acct # 461-8640-652
Maintenance Transmission & Collection Lines	\$ 2,000	Acct # 461-8661-673

as requested by the Sewer Division. Mr. Farrell seconded.

In Attendance:

George Adair, Director, Public Utilities

Roger Dann, General Manager, Water & Sewer Divisions

By voice all Councilors present (7) voted Aye. Councilors Vincenzo M. DiNatale and Michael Spiteri were absent from the meeting.

The motion passed.

9. Consider and Approve a Transfer of Funds in the Amount of \$45,000 to Station Equipment-Transmission Plant Acct # 353 from Services-Distribution Plant Acct # 369

– Electric Division

MOTION

Mr. Testa made a motion to approve a Transfer of Funds in the Amount of \$45,000 to Station Equipment-Transmission Plant Acct # 353 from Services-Distribution Plant Acct # 369 as requested by the Electric Division.

Mr. Farrell seconded.

In Attendance:

George Adair, Director, Public Utilities

Richard Hendershot, General Manager, Electric Division

Thomas Sullivan, Electric Division Business Manager

By voice all Councilors present (7) voted Aye. Councilors Vincenzo M. DiNatale and Michael Spiteri were absent from the meeting.

The motion passed.

10. Consider and Approve a Transfer of Funds in the Amount of \$1,550 to Supervision & Engineering – Operations Acct # 580 from Miscellaneous Distribution Expense – Operations Acct # 588 – Electric Division

MOTION

Mr. Testa made a motion to approve a Transfer of Funds in the Amount of \$1,550 to Supervision & Engineering – Operations Acct # 580 from Miscellaneous Distribution Expense – Operations Acct # 588 9 as requested by the Electric Division.

Mr. Farrell seconded.

In Attendance:

George Adair, Director, Public Utilities

Richard Hendershot, General Manager, Electric Division

Thomas Sullivan, Electric Division Business Manager

By voice all Councilors present (7) voted Aye. Councilors Vincenzo M. DiNatale and Michael Spiteri were absent from the meeting.

The motion passed.

11. Consider and Approve a Transfer of Funds in the Amount of \$1,300 to Supervision and Engineering – Maintenance Acct # 590 from Maintenance Overhead Lines – Distribution Acct # 593 – Electric Division

MOTION

Mr. Testa made a motion to approve a Transfer of Funds in the Amount of \$1,300 to Supervision and Engineering – Maintenance Acct # 590 from Maintenance Overhead Lines – Distribution Acct # 593 as requested by the Electric Division.

Mr. Farrell seconded.

In Attendance:

George Adair, Director, Public Utilities

Richard Hendershot, General Manager, Electric Division

Thomas Sullivan, Electric Division Business Manager

By voice all Councilors present (7) voted Aye. Councilors Vincenzo M. DiNatale and Michael Spiteri were absent from the meeting.

The motion passed.

12. Consider and Approve Job Description of Assistant Office Manager/Electric Division
- Personnel

MOTION

Mr. Testa made a motion to approve the Job Description of Assistant Office Manager for the Electric Division as requested by the Personnel Director. The motion was seconded by Chairman Brodinsky.

In Attendance:

George Adair, Director, Public Utilities

Richard Hendershot, General Manager, Electric Division

Thomas Sullivan, Electric Division Business Manager

Mr. Hendershot said that the budget has a line for this position and that approval of the written job description as to what the job performs is a technicality. He said that the position is similar to the job in the Water-Sewer Divisions, and the process to this point is 15-months old to get the generic job description tailored to the Electric Division..

Mr. Economopoulos stated that the Mayor has not completed negotiations and asked why we are hiring at this time, and why it can't be delayed until we know where we are going.

Mr. Hendershot responded that acceptance of the job description does not guarantee a hire. It just creates a job description. This approval is just part of the process. He added that the process would be that the Electric Division would complete an Employment Authorization Form, which must be signed by the Mayor, Mr. Adair and Mr. Terence Sullivan, Personnel Director, before they could advertise in an attempt to fill the position.

Mr. Economopoulos stated that he thinks that the Electric Division is in a tough spot, considering the economy, to even ask for a job description at this time. He asked if what they want to do is to have the job description approved so that they are ready to act when the time comes.

Mr. Hendershot said that there are other approving authorities prior to that. He said that the approved budget has head count and funding, and there isn't a vehicle, so if the job is not filled and the funds are not spent, they would go into Electric Retained Earnings.

Mayor Dickinson said this is part of the process, but speaking for himself, he would not sign an authorization with the thought that we would be adding another person. If the net effect is that we either reduce staffing, or remain at level with staffing, then that would be under the auspice of moving forward with the filling of this position. We certainly would not be looking to adding another position, and he thinks that is the general idea on this. He said the utility would have to answer the critical issue questions that, if this job description with the requirements and qualifications that it outlines, has the office function better as a result of having this position, does it operate better, what are we not doing now that we would be able to do, and how is it more efficient, what are we responding to with the job description in the way of work load, and in the way of moving business for customers. He agrees with Mr. Economopoulos that we are not in a position to be adding another position.

Mr. Economopoulos asked if any new employees have been added in the last two months.

Mr. Hendershot said that the Electric Division has made an offer on the one that is in their current budget for nine months with the person beginning work in early June. He said that they are recruiting a Chief Engineer but that is to respond to a retirement. They have hired two apprentice linemen with existing, budgeted positions and are fully funded.

Mr. Economopoulos asked if in the next six months if these new hires would cause any problems if there are any layoffs. He asked about the layoff process.

Mr. Sullivan said that in essence it would be by seniority by classification because this unit is comprised of mostly single person positions or single positions, and it would be incumbent upon the Mayor and the department heads to find the position, not the person, that the town feels it could do without. It might not be the positions that Mr. Hendershot is speaking about.

Mr. Economopoulos said that one scenario could be that some of the people just hired are then laid-off; scenario two is a person, who is just hired and has a job, and someone who has been here in a different classification for eight years is laid off. He said he wants to prepare for this ahead of time.

Mr. Parisi asked about the position of Customer Relations Supervisor that the Council approved recently that dealt with bill collection and said that he thinks that this new job description for Assistant Business Manager is redundant to the tasks assigned to the Customer Relations Supervisor. Mr. Hendershot said that the Customer Relations Supervisor has three general areas of responsibility and that it supervises nine positions, which are five meter readers and four customer service representatives. In agreement with Mr. Economopoulos, Mr. Parisi asked who is performing these duties now because a lot of this touches on the customer relations aspect of the department. Mr. Hendershot said that the Business Manager, Tom Sullivan, has performed the supervisory aspect in the office since 1992. Mr. Parisi asked why now is there a decision that there is too much to do. He said that his concern is what he sees in this job description. He read some of the job description to illustrate his statement. He said that it is redundant and suggested that the item be tabled to give time to look into this a little further.

Mr. Testa said the Town Council is not in business to enter into the details of the Public Utilities and how they manage their operations. He said this is not what we do. He said that they are not like the departments in that they are an operating business. He said that the Council approves things because that is what the rules are but this is talking about micromanaging the operation at a level where we have no idea what's right or wrong. He said that we pay a lot of money to professionals to operate that business, and in doing so they are watching out for ways to improve the service to make the business run more efficiently. Mr. Testa said that when he sees a presentation like this, he sees that there is a lot of thought into how can we make the operation run better, smoother and more efficiently. He said that if this is a position that would achieve those goals that he can't see the Council getting involved in looking for more justification.

Mr. Parisi said that his comments were basic management observations. He said that so far he does not have a clear understanding of the position.

Mr. Economopoulos said that anytime there is a job description that has the word 'assistant' in it, or in the title, it assumes that someone is already doing the job, as Mr. Parisi said, and that they need some help. He said that is fine to make the operations smoother but that now is not the time.

Ms. Rascati confirmed that there is funding in the 2009-10 budget for this position. She asked if this is approved, then they can go out and hire. Mr. Hendershot said only with Mayoral approval. She said that she can't see hiring in this economy at this time and that they should continue to do the job as they are now doing.

Mr. Adair said that Mr. Sullivan (Terence) had put this job description forward at an earlier meeting and that he, Mr. Adair, asked that it be pulled just to see the outcome of the ongoing discussions on a number of issues mentioned tonight. We asked to go ahead to complete the 15-month effort to match up the job description with a position that is in fact in the budget. He said that in these times that filling this position will be given great thought with a review to the division's total head count. He said that they would pursue putting this position in place without a net addition of people. He said that this is not a rubber stamp, or a green light, to start immediately filling it. He said that this is a challenging time.

Chairman Brodinsky said that he wants everyone to be clear as to what the questions are about this issue so that if this does not go forward tonight that everyone is aware of what new information should be coming back.

Mr. Parisi said that his observations were that it appeared to be redundant. He listed the redundancy functions: receivables, collections, program, business office functions relating to electronic meter reading, interactions with others pertaining to meter reading, functions as assigned, functions in accounts payable and receivable, decisions related to delinquent accounts and collections correspondence, billing complaints, and delinquent accounts. He said that it occurs to him that this sounded like the other job description and that it is very, very similar to it.

Mr. Hendershot directed the Council to the paragraph at the top of the page that describes the job in more general terms as to overall duties and functions of the job. He said the 'examples of duties', to which Mr. Parisi referred, needs to be explicitly spelled out in

that it is a job that is within a bargaining unit. He also pointed to the second, fourth and fifth paragraphs in 'examples of duties' as not redundant to the other description. Mr. Parisi said that we already approved a position for these duties and that the town has lived without it for 13 years. He said that he is not comfortable with this at this time. Mr. Hendershot spoke about the meter reading differences, including the automatic meter reading that has been in place for 15 to 20 years.

There were no comments from the public.

Mr. Testa said that considering that this is a bargaining unit position, a good point was made in that all things the position would perform has to be part of the job description even if one of the functions is performed only once per year. He said that this has been a long process to develop the job description, and he doesn't see the logic in the Council refusing to accept the job description that the business organization of the town has put together. He suggested that the Council accept the job description, and then make it clear that the Council doesn't want to see it filled, or to not approve the position during the budget process. He said that this is a management function that we have no business in.

Mr. Parisi said that the council is the 'board of directors' of the company and that as such have a responsibility to comment.

Mr. Economopoulos had one final question. He asked if the Council approves this job description, would it be possible in July for there to be layoffs in the Electric Division with a new Assistant Business Manager hired and working. The answer was yes.

ROLL CALL VOTE:

DiNatale –Absent; Economopoulos –No; Farrell –No; LeTourneau –Abstained;
Parisi –No; Rascati –No; Spiteri –Absent; Testa –Yes; Brodinsky –Yes
2 –Aye; 4 –Nay; 1 –Abstain; 2 –Absent

The motion failed.

13. 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. Testa made a motion, seconded by Mr. Farrell, to adjourn.

By voice all Councilors present (7) voted Aye. Councilors Vincenzo M. DiNatale and Michael Spiteri were absent from the meeting.

The motion passed.

The meeting adjourned at 8:03 P.M.

Respectfully submitted,

Sandra R. Weekes
Town Council Secretary

Meeting recorded by Sandra Weekes

Chairman, Mike Brodinsky

Date

Town Clerk, Barbara Kapi

Date