

**TOWN OF WALLINGFORD, CONNECTICUT
REGULAR TOWN COUNCIL MEETING**

OCTOBER 14, 2014

RECORD OF VOTES & MINUTES

The Regular Meeting of the Wallingford Town Council was called to order at 6:30 P.M. The Opening Prayer was offered by the Reverend Dee Ann Dodd Church of Wallingford. The Pledge of Allegiance was said. Councilors in attendance were: Chairman Vincent Cervoni and Councilors Tom Laffin, John Letourneau, Christine Mansfield, Larry Russo, John Sullivan and Vincent F. Testa, Jr. Councilors Parisi and Fishbein were not at the meeting with excused absences. Chairman Cervoni noted that Mr. Parisi was attending a Board of Education meeting and that Mr. Fishbein was unable resolve a conflict for the evening. Mayor William W. Dickinson, Jr. was at the meeting, and Town Attorney G.E Farrell, Sr. arrived at 6:35 P.M. with Comptroller James Bowes arriving at 6:47 P.M.

3. Consent Agenda
 - 3a. Consider and Approve Tax Refunds totaling \$11,279.71 (#108 - #231)
Acct. #1001001-41020 – Tax Collector
 - 3b. Acceptance of Donation from *The Friends of Kendrick Park* and Appropriation in the Amount of \$2,130 to Kendrick Park Project-Expenditures Acct # 25050050-58830-10111 and to Misc. Grants & Donations-Revenue Acct # 2505002-47152 – Parks & Recreation
 - 3c. Acceptance of Donation from the Wallingford Foundation for *Youth & Social Services Special Fund –STEM* and Appropriation in the Amount in the Amount of \$6,900 to Donations Acct # 2264002-47152 and to Expenditures Acct # 22640150-58830 – Youth and Social Services
 - 3d. Acceptance of Donation for *Youth & Social Services Special Fund –Alzheimer’s Association* and Appropriation in the Amount in the Amount of \$848 to Donations Acct # 2134002-47152 and to Expenditures Acct # 21340100-58830 – Youth and Social Services
 - 3e. Acceptance of Donation for *Youth & Social Services Special Fund-Coalition for a Better Wallingford* and Appropriation in the Amount in the Amount of \$55 to Donations Acct # 2134002-47152 and to Expenditures Acct # 21340100-58830 – Youth and Social Services
 - 3f. Acceptance of Donation *STEM Academy-Registration Fees* and Appropriation in the Amount in the Amount of \$375 to Donations Acct # 2264002-47152 and to Expenditures Acct # 22640150- 58830 – Youth and Social Services
 - 3g. Set a Public Hearing for October 28, 2014 at 6:45 P.M. for possible adoption of revisions to Chapter 198 of the Code of the Town of Wallingford, Streets and Sidewalks, Articles II and III.
 - 3h. Set a Public Hearing for October 28, 2014 at 7:00 P.M. for possible adoption of revisions to Chapter 210 of the Code of the Town of Wallingford, Trees and Shrubs, §210-3.D.
 - 3i. Acceptance of Connecticut Department of Public Health Grant- *Lead Poisoning Prevention* and Appropriation in the Amount of \$6,430 to *Lead Poisoning Prevention-Revenue* Acct # TBD and to *Lead Poisoning Prevention-Expenditures* Acct # TBD – Health Director
 - 3j. Acceptance of Grant and Appropriation in the Amount of \$2,971 to Highway Safety Grant-Revenue Acct # 1002001-45208 and to Police-Overtime Acct # 10020050-51400

- 3k.** Acceptance of Grant and Appropriation in the Amount of \$8,300 for *Town Clerk's Document Preservation Fund #228* to State Grant Acct # 2281002-45114 \$7,500 and to Town Clerk Fees Acct # 2281002-42030 \$800 and to Expenses-Program Acct # 22810650-58830 \$7,500 and to Expenses-Program Acct # 22810650-58830 \$800 -Town Clerk
- 3l.** Consider and Approve a Transfer in the Amount of \$321,710 for *Fire Union pay increase per Arbitration Award* from Contingency-Accrued Expenses Acct # 10019000-58821 to Various Wage and Benefit Line Accts - Comptroller
- 3m.** Consider and Approve a Transfer of Funds in the Amount of \$30,000 from Contingency-Gen/Misc Expenses Acct # 10019000-58820 to Fire Command Vehicle Acct # 10020150-TBD – Fire Chief
- 3n.** Consider and Approve an Appropriation of Funds in the Amount of \$1,452 to Misc. Revenue Acct # 11009052-47040 and to Expense-Fire Command Vehicle Acct # 10020150-TBD –Fire Chief
- 3o.** *Consider and Approve Farmland Lease Properties for Field 5A-Cooke Road and Field 7A-Northford Road to Cekarrelli Farms, LLC for Five-Year Terms- Conservation Commission*
Withdrawn
- 3p.** Approve Minutes of Regular Town Council Meeting of September 23, 2014

Chairman Cervoni announced that Consent Agenda Item 3o. had been withdrawn from the agenda.

MOTION TO APPROVE CONSENT AGENDA ITEMS 3a. to 3n. and 3p.

MADE BY: LAFFIN
SECONDED BY: LETOURNEAU
VOTE: 7-AYE; 2 ABSENT
MOTION PASSED.

4. Items Removed from the Consent Agenda - *NONE*

5. PUBLIC QUESTION AND ANSWER PERIOD

Robert Gross, 114 Long Hill Road, wanted to know how the police were paid for the 'Celebrate Wallingford' event.

Larry Morgenstein, talked about 'Red Ribbon Week' and handed out a brochure for the Council.

Bill Koval, 105 Grandview Ave., expressed concern over the firing of Coach Marone and its reflection on Lyman Hall High School Football and on the community. He conveyed his hope that the situation was being reviewed.

James Hine, 342 South Elm Street, asked his best time to make comments and ask questions with regard to the proposed purchase by the town of the 346 South Elm Street property.

Robert Gross asked about the changes with the Pension Fund.

Larry Morgenstein, South Main Street, told of unfavorable graffiti on the gazebo located on the green in front of the old train station along Route 5. He asked if it could be monitored since the graffiti has been painted over by Public Works three times to date.

Gina Morgenstein, South Main Street, echoed the same concerns.

6. Consider and Approve proposal to name the Dog Park *The Bert & Harry Subkowsky Bark Park* - Parks & Recreation

MOTION TO APPROVE NAMING THE DOG PARK “*The Bert & Harry Subkowsky Bark Park*”.

MADE BY: LAFFIN
SECONDED BY: LETOURNEAU

In attendance: John Gawlak, Director, Parks & Recreation Department

Mr. Gawlak gave a summary of the dog park and presented a brief biography of the Subkowsky family, prominent donors to the park, who served the town in many ways.

Town Attorney Farrell said the Law Department would like the Council to consider that while it’s a wonderful name for the park that there is no guarantee that this property will always be used for a dog park and that there is no requirement that the name as such be kept in perpetuity.

In understanding, Chairman Cervoni stated that subsequent Councils may not keep this name for the park or the same use of the park. Mr. Farrell concurred.

No comments from the public.

ROLL CALL VOTE:

FISHBEIN:	ABSENT	MANSFIELD:	YES	SULLIVAN:	YES
LAFFIN:	YES	PARISI:	ABSENT	TESTA:	YES
LETOURNEAU:	YES	RUSSO:	YES	CHAIRMAN CERVONI:	YES

7-AYE; 2-ABSENT
MOTION PASSED.

7. Request for Approval to utilize the State of Connecticut qualifications-based selection procedure for selection of Construction Inspection Firm to assist Town on the reconstruction of the Northfield Road Bridge – Engineering

MOTION TO APPROVE THE UTILIZATION OF State of Connecticut qualifications-based selection procedure for selection of Construction Inspection Firm to assist Town on the reconstruction of the Northfield Road Bridge.

MADE BY: LAFFIN
SECONDED BY: RUSSO

In attendance: John Thompson, Town Engineer

Mr. Thompson explained the background and that this is not a new process and that he has used it with good experience in the past for Quinnipiac Linear Trail projects, for bridge projects and road projects and that the advantage for using the state’s qualifications-based selection procedure rather than the town’s process is the project reimbursement from the state. He presented the background for his request for the Northfield Road bridge and updated the Council with regard to property

owners abutting the project. He stated that there have been some delays due to a bank repossession of a property and that another property owner lives out of state. He included a third property owner who appeared at a Council meeting and said that is resolved. He expects construction bids late October with construction in the spring of 2015.

No comments from the public.

ROLL CALL VOTE:

FISHBEIN:	ABSENT	MANSFIELD:	YES	SULLIVAN:	YES
LAFFIN:	YES	PARISI:	ABSENT	TESTA:	YES
LETOURNEAU:	YES	RUSSO:	YES	CHAIRMAN CERVONI:	YES

**7-AYE; 2-ABSENT
MOTION PASSED.**

- 8. Consider and Approve a Transfer in the Amount of \$225,000 from Distribution Plant-Underground Conductors Acct # 367 and to Distribution Plant-Underground Conduit Acct # 366 – Electric Division**

MOTION WAS MADE TO APPROVE A TRANSFER in the Amount of \$225,000 from Distribution Plant-Underground Conductors Acct # 367 and to Distribution Plant-Underground Conduit Acct # 366.

MADE BY LAFFIN
SECONDED BY: LETOURNEAU

*In attendance: George Adair, Public Utilities Director
Rick Hendershot, General Manager, Electric Division*

It was explained that this is basically a budgetary housekeeping change so that it is easier to keep track of invoices and from which account they are paid. The remaining balance in account #367 is approximately \$200,000, which is more than sufficient to the end of the fiscal year.

No comments from the public.

ROLL CALL VOTE:

FISHBEIN:	ABSENT	MANSFIELD:	YES	SULLIVAN:	YES
LAFFIN:	YES	PARISI:	ABSENT	TESTA:	YES
LETOURNEAU:	YES	RUSSO:	YES	CHAIRMAN CERVONI:	YES

**7-AYE; 2-ABSENT
MOTION PASSED.**

- 9. Discussion and possible action regarding scheduling an interview of Michael McCann for a position on the Wallingford Housing Authority Board - Chairman Cervoni**

THE COUNCIL AGREED TO SCHEDULE AN INTERVIEW WITH MICHAEL McCANN FOR WEDNESDAY, OCTOBER 22, 2014, 6:30 P.M. IN ROOM 315 IN A SPECIAL TOWN COUNCIL MEETING.

10. Discussion and Possible Action to Purchase property at 346 South Elm Street and authorization to execute the agreement – Law Department

MOTION WAS MADE TO PURCHASE PROPERTY AT 346 SOUTH ELM STREET AND AUTHORIZATION TO EXECUTE THE AGREEMENT.

MADE BY: LAFFIN
SECONDED BY: LETOURNEAU

With the aid of a large map of the property as it relates to Pat Wall Field, Mayor Dickinson explained the various aspects of the property. He said that the purchase will allow for a parking lot for the nearby athletic field and that it will be connected to the field with a walkway only. He informed the Council that the total purchase price will be approximately \$135,000 and include capping the water and sewer systems from a house that once stood on the property, environmental testing, title and closing costs. The funds will come from the CRRA account. There will be future costs that address design and construction of the parking lot.

Some Councilors acknowledged the need for more parking. Mr. Thompson addressed questions with regard to lighting, screening and the shifting of the new parking location away from the nearest resident. He said the lot will be designed according to specifications in the Planning and Zoning Regulations. There will be a Public Hearing on this property on November 10, 2014. He was asked about maintenance. Mr. Thompson stated that this lot would be under the Parks & Recreation Department, which works with the Department of Public Works. No construction date is set. The only connection is pedestrian and that driving between the lots has been ruled out. The parking lot access and egress is through one location at South Elm Street. No environmental issues are foreseen. The surface will be hard.

James Hine, 342 South Elm Street, the abutting neighbor to the proposed parking lot, addressed the Mayor and the Town Council and stated that he only heard of this issue that very afternoon. He has a small child. He expressed his concerns, which include lighting, buffers, screening and others items that he did not enumerate. He asked the Council to put themselves in his place. He said he sees no need for this parking lot. In the six years he has lived in his house, he has only seen overflow parking onto South Elm Street four times. He reported that he has not seen the map. He stated that the Council does not seem informed.

Mayor Dickinson commented that questions will be answered at the Public Hearing by the Planning and Zoning Commission. He said the purchase is separate from the parking plan. He continued stating that Planning and Zoning will make the decisions on this property and how it will impact everyone.

Mr. Hine stated that the property has been on the market for two years, and he doubts that the town will lose it.

Chairman Cervoni remarked that there is a contingency on this property that the town can cancel the contract if Planning and Zoning does not approve a parking use for the property.

Mr. Thompson offered to meet with Mr. Hine in order to address Mr. Hine's concerns for presentation to the Planning and Zoning Commission. Mr. Hine expressed that that Council should not vote on this property tonight.

John Gawlak named all the teams and leagues that use Pat Wall Field.

Gina Morgenstein asked that other projects in town that are waiting to be done be looked at before approval to buy more property.

Daniel Champagne, 345 South Elm Street, who lives across the street from the existing parking lot, asked how the town knows it needs another parking lot. He stated that he has witnessed parking overflow only 3 or 4 times in the years he has lived across from the existing lot, which, he said, is receiving no maintenance now. He asked the Council to vote this down.

Robert Gross stated that the town should go for a grant on this project and to take their time and do it right.

Lars Edeen, 104 Center Street, President of Wallingford Little League, stated that he has witnessed the confusion in the moving of cars when one team is in the process of leaving as another arrives. He commented that even curb cutting would help. He said acquiring this property for parking is a no brainer.

Mr. Champagne asked for the present lot to be resurfaced. There are large mud puddles.

Mr. Hine again expresses his concern over notice of about six hours. He asked the council to table the item.

Attorney Farrell said they need a contract to go to Planning and Zoning. He said he was not sure about notification to property owners.

There were no other comments.

ROLL CALL VOTE:

FISHBEIN:	ABSENT	MANSFIELD:	YES	SULLIVAN:	YES
LAFFIN:	YES	PARISI:	ABSENT	TESTA:	YES
LETOURNEAU:	YES	RUSSO:	YES	CHAIRMAN CERVONI:	YES

**7-AYE; 2-ABSENT
MOTION PASSED.**

- 11. **Consider and Approve an Appropriation in the Amount of \$135,000 to CRRA Distribution Revenue Fund # 2001002-45000 and to Property Purchase-346 South Elm Street Fund#200-TBD - Mayor**

MOTION WAS MADE TO APPROVE AN APPROPRIATION in the Amount of \$135,000 to CRRA Distribution Revenue Fund # 2001002-45000 and to Property Purchase-346 South Elm Street Fund#200-TBD.

**MADE BY: LAFFIN
SECONDED BY: SULLIVAN**

Mayor Dickinson explained that this is for the purchase of the property only.

ROLL CALL VOTE:

FISHBEIN:	ABSENT	MANSFIELD:	YES	SULLIVAN:	YES
LAFFIN:	YES	PARISI:	ABSENT	TESTA:	YES
LETOURNEAU:	YES	RUSSO:	YES	CHAIRMAN CERVONI:	YES

**7-AYE; 2-ABSENT
MOTION PASSED.**

12. Discussion and Possible Action regarding a request for a Bid Waiver for procurement of a consultant to advise the Town regarding matters under negotiation with LS Power - Comptroller

MOTION WAS MADE TO APPROVE A BID WAIVER for procurement of a consultant to advise the Town regarding matters under negotiation with LS Power

**MADE BY: LAFFIN
SECONDED BY: SULLIVAN**

In attendance: James Bowes, Comptroller

Mr. Bowes explained the need for the bid waiver to hire Federal Appraisal and Consulting at a cost of no more than \$35,000. He noted that Federal Appraisal and Consulting is the best and most sought after firm to evaluate what LS Power does. They are busy; and he recalled that in the past he was unable to engage them for another project as they were not available.

More than one Councilor thought this bid waiver was too open-ended.

AMENDMENT TO THE MOTION ON THE FLOOR

**MR. LAFFIN AMENDED HIS MOTION TO INCLUDE A SUM NOT TO EXCEED \$35,000 WITH THE FIRM OF FEDERAL APPRAISAL AND CONSULTING.
MR. RUSSO SECONDED THE AMENDMENT.**

ROLL CALL VOTE ON THE AMENDMENT:

FISHBEIN:	ABSENT	MANSFIELD:	YES	SULLIVAN:	YES
LAFFIN:	YES	PARISI:	ABSENT	TESTA:	YES
LETOURNEAU:	YES	RUSSO:	YES	CHAIRMAN CERVONI:	YES

**7-AYE; 2-ABSENT
MOTION PASSED.**

ROLL CALL VOTE ON THE AMENDED MOTION:

FISHBEIN:	ABSENT	MANSFIELD:	YES	SULLIVAN:	YES
LAFFIN:	YES	PARISI:	ABSENT	TESTA:	YES
LETOURNEAU:	YES	RUSSO:	YES	CHAIRMAN CERVONI:	YES

**7-AYE; 2-ABSENT
MOTION PASSED.**

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 TO ADJOURN.

**MADE BY: PARISI
SECONDED BY: LETOURNEAU
VOTE: 7-AYE; 2 ABSENT
MOTION PASSED.**

The meeting adjourned at 8:20 P.M.

Respectfully submitted,

Sandra Weekes
Secretary to the Town Council
Meeting digitally recorded

Vincent Cervoni, Chairman

Date

Sandra Weekes, Secretary to the Town Council

Date