

**TOWN OF WALLINGFORD, CONNECTICUT
REGULAR TOWNCOUNCIL MEETING
Town Council Chambers
WEDNESDAY
NOVEMBER 12, 2014**

**RECORD OF VOTES & MINUTES
CORRECTED**

The Regular Meeting of the Wallingford Town Council was called to order at 6:54 P.M. The Opening Prayer was offered by the Reverend Margaret Jay of the First Congregational Church of Wallingford. The Pledge of Allegiance was said. Councilors in attendance were: Chairman Vincent Cervoni and Councilors Craig Fishbein, Tom Laffin, John Letourneau, Christine Mansfield, Robert F. Parisi, John Sullivan and Vincent F. Testa, Jr. Councilor Larry Russo had an excused absence from the meeting. Mayor William W. Dickinson, Jr. and Comptroller James Bowes were also at the meeting. Corporation Counsel Janis M. Small joined the meeting at 7:00 p.m.

- 3a.** Consider and Approve Tax Refunds totaling \$16,296.07 (#347 - #462)
Acct. #1001001-41020 – Tax Collector
- 3b.** [Acceptance of National Education Foundation Grant and Appropriation of Funds in the Amount of \\$4,000 Youth & Social Services Special Fund – STEM Academy to Donations Acct # 2264002-47152 and to Expenditures Acct # 26640150-58830 – Youth and Social Services](#)
- 3c.** [Acceptance of Donation for Youth & Social Services Special Fund-Coalition for a Better Wallingford and Appropriation of Funds in the Amount in the Amount of \\$430 to Donations Acct # 2134002-47152 and to Expenditures Acct # 21340100-58830 – Youth and Social Services](#)
- 3d.** [Acceptance of Donation for Youth & Social Services Special Fund-Holiday for Giving and Appropriation of Funds in the Amount in the Amount of \\$500 to Donations Acct # 2134002-47152 and to Expenditures Acct # 21340100-58830 – Youth and Social Services](#)
- 3e.** [Consider and Approve an Appropriation of Funds in the Amount of \\$724 to Revenue -Open Space Acct # 2151001-44060 and to Expenditures-Open Space Acct # 21511100-58830-10009 - Conservation Commission](#)
- 3f.** [Acceptance of Donation for Youth & Social Services Special Fund-Soldier Program and Appropriation in the Amount in the Amount of \\$968 to Donations Acct # 2134002- 47152 and to Expenditures Acct # 21340100-58830 – Youth and Social Services](#)
- 3g.** [Acceptance of State Department of Transportation Grant and Appropriation in the Amount of \\$9,525to Revenue -Highway Safety Acct # 1002001-45208 and to Expenditure-Police Overtime Acct # 10020050-51400 - Police](#)
- 3h.** Consider and Approve a Budget Amendment in the Amount of \$122,000 to Line Transformers Acct # 368 from Employee Pensions & Benefits \$12,000 Acct # 926 and from Retained Earnings \$110,000 – Electric Division
- 3i.** Consider and Approve a Transfer of Funds in the Amount of \$3,800 from Administrative and General Salaries Acct # 920 and to Operations-Supervision and Engineering \$900 Acct # 580 and to Operations-Meter Expenses \$2,000 Acct # 586 and to Maintenance-Supervision & Engineering \$900 Acct # 590 - Electric Division
- 3j.** Consider and Approve a Transfer of Funds in the Amount of \$3,270 from Materials & Supplies Acct # 10030000-56140 to Safety Equipment (Capital Line) Acct # 10030000-TBD – Public Works

- 3k.** Consider and Approve a Resolution authorizing submission of the Town of Wallingford Station Area Plan of Development in accordance with the Transit-Oriented Development (TOD) Planning Grant Program in the Amount of \$50,000 and Authorize Mayor William W. Dickinson, Jr. to sign the grant application and sign any other documents associated with administering the grant, including any amendments thereto – Planning and Zoning
Removed from the Consent Agenda.

- 3l.** Approve Minutes of Special Town Council Meeting of October 22, 2014

- 3m.** Approve Minutes of Regular Town Council Meeting of October 28, 2014

Chairman Cervoni announced that 3k. had been removed from the Consent Agenda for discussion in Item 4. And that Items 11. And 12. were withdrawn from the agenda and will be taken up at a Special Meeting in a week.

MOTION WAS MADE TO APPROVE CONSENT AGENDA ITEMS 3a. to 3j. and 3l. and 3m.

MADE BY: LAFFIN
SECONDED BY: LETOURNEAU
VOTE: 8-AYE; 1 ABSENT (RUSSO)
MOTION PASSED.

- 4.** Items Removed from the Consent Agenda

- 3k.** Consider and Approve a Resolution authorizing submission of the Town of Wallingford Station Area Plan of Development in accordance with the Transit-Oriented Development (TOD) Planning Grant Program in the Amount of \$50,000 and Authorize Mayor William W. Dickinson, Jr. to sign the grant application and sign any other documents associated with administering the grant, including any amendments thereto – Planning and Zoning

MOTION WAS MADE TO APPROVE A RESOLUTION Resolution authorizing submission of the Town of Wallingford Station Area Plan of Development in accordance with the Transit-Oriented Development (TOD) Planning Grant Program in the Amount of \$50,000 and Authorize Mayor William W. Dickinson, Jr. to sign the grant application and sign any other documents associated with administering the grant, including any amendments thereto.

MADE BY: LAFFIN
SECONDED BY: LETOURNEAU

*In attendance: Kacie Costello, Town Planner
Don Roe, Program Planner*

Councilor Fishbein addressed his reasons for removing this item from the Consent Agenda. He stated that he is aware of the Incentive Housing Program and that he is also aware that to his knowledge the town doesn't own any property adjacent to where the new train station will be located, so that he is trying to understand this item.

Mr. Roe said the town has been immersed in the high-speed rail project in attempt to minimize negative impacts to the community. In talks with the State, it was identified if the state would provide funding to evaluate what potential the high-speed rail could have. In September 2014 the State announced that they were making funds available and requested applications. This item is to apply for funding to do a Transit Oriented Development (TOD) study to see what would fit and what would not fit in terms of figuring out how to attract capital investment that would link the station to downtown. The station is now on the extreme edge of downtown and the effort is in

trying to bridge it to downtown and to create a better relationship to increased rail service with downtown businesses.

Councilor Fishbein asked if he was to understand that the potential impacts are limited to the effect of the high-speed rail coming through or is it in conjunction with the IHZ?

Ms. Costello stated that currently the Council of Governments with separate funding is studying from a macro point-of-view in its member towns that have stations along the New Haven-Hartford-Springfield line what the potential is for transit-oriented development is. They are looking within a one quarter mile radius around those stations. We will get a report indicating the existing conditions within that radius and the general potential for TOD. What they are proposing to do with this grant, working with a consultant, is to determine how that potential for TOD might be implemented, specific actions that the town might take or specific changes to the regulations. She said it would expand the radius to one half mile around the southern platform of the new train station, and it then would incorporate the IHZ within that. It would consider the IHZ as one of the elements but it will also be looking at the regulations with regard to Route 5 and North Cherry Street. There lots of different zones in that area so zoning might be looked at. It would incorporate IHZ but it wouldn't be limited to that. It would take the downtown focus and that would be an element but really it's looking at TOD around the train station's southern platform.

Mr. Roe offered that the starting point is how to figure out to get capital investment into the downtown, how to make that a financially feasible area for people to invest in. He noted that the Resolution does not name an amount of money. In doing due diligence to determine the cost of a consultant, he said that the folks that are in this business are not the kind of consultants that the town has any experience with. Upon inquiry with COG and Meriden, they pointed to \$75,000. The State's minimum application amount is \$50,000.

Wes Lube, Montowese Trail, spoke.

AMEND THE MOTION:

MOTION WAS MADE TO AMEND THE MOTION TO REMOVE "IN THE AMOUNT OF \$50,000".

MADE BY: LAFFIN
SECONDED BY: LETOURNEAU

ROLL CALL VOTE:

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

VOTE: 8-AYE; 1 ABSENT (RUSSO)

MOTION PASSED.

ROLL CALL VOTE ON THE AMENDED MOTION:

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

VOTE: 8-AYE; 1 ABSENT (RUSSO)

MOTION PASSED.

5. PUBLIC QUESTION AND ANSWER PERIOD

Robert Gross, 114 Long Hill Road; Larry Morgenstein, Main Street; and Ray Ross all spoke during the Public Question and answer period. Their questions were in regard to Covanta and youth gatherings and graffiti in downtown.

Item 10. was called by Chairman Cervoni.

10. Report and update from the Health Department Director on public health for the upcoming winter flu season – Councilor John LeTourneau

In attendance: Eloise Hazelwood, Director of Health

Mrs. Hazelwood reported that the flu season runs from September to May. She stated that flu is a reportable illness. She gave some statistics and said that this will not be a bad flu season. She said they follow CDC Guidelines and that she meets weekly with Wallingford’s Emergency Medical Service.

Councilor Sullivan recused himself from all Board of Education questions; Items 6, 7 and 8.

6. Discussion and Possible Action regarding Wallingford Educational Secretaries’ Contract from October 1, 2013 through June 30, 2016 – Board of Education

*In attendance: Dr. Salvatore Menzo, Superintendent of Wallingford Public Schools
Cindy Lavalette, Assistant Superintendent, Personnel
Roxane McKay, Chairwoman, Board of Education*

Assistant Superintendent, Cindy Lavalette, reviewed the seventy-one (71) member Wallingford Education Secretaries Negotiation highlights (*part of the record of the meeting*). She talked about insurance deductible increases, an increase in premium cost shares, a sunset waiver out of contract, a reduction or sunset on longevity and severance, a move to bi-weekly paychecks and holding salary increases to two percent or less.

There were no comments or questions from the Town Council. Robert Gross, 114 Long Hill Road, was interested in the cost/savings to the Board.

MOTION WAS MADE TO ACCEPT THE *Wallingford Educational Secretaries’ Contract from October 1, 2013 through June 30, 2016.*

**MADE BY: LETOURNEAU
SECONDED BY: TESTA**

ROLL CALL VOTE:

FISHBEIN:	NO YES	MANSFIELD:	YES	SULLIVAN:	RECUSE
LAFFIN:	YES	PARISI:	YES	TESTA:	YES
LETOURNEAU:	YES	RUSSO:	ABSENT	CHAIRMAN CERVONI:	YES

**VOTE: 6-AYE; 1-NAY (FISHBEIN); 1- RECUSE (SULLIVAN); 1-ABSENT (RUSSO)
MOTION PASSED.**

7. Discussion and Possible Action regarding Educational Administrators’ Association of Wallingford (EAAW) Contract from July 1, 2015 to June 30, 2016 –Board of Education

*In attendance: Dr. Salvatore Menzo, Superintendent of Wallingford Public Schools
Cindy Lavalette, Assistant Superintendent, Personnel
Roxane McKay, Chairwoman, Board of Education*

Assistant Superintendent, Cindy Lavalette, reviewed the highlights of the *Educational Administrators' Association of Wallingford (EAAW) Contract*. She covered several points with respect to insurance; bereavement and family illness days; the holding of salary increases to 3 % plus step over two years with a third year "re-opener"; and a move to bi-weekly paychecks. This union has 25 members.

Councilor Parisi was acknowledged for attending all of the negotiations as Town Council Liaison. He said he was impressed with how the negotiations were handled and conducted. He thanked everyone. There were no comments or questions from the Public.

MOTION WAS MADE TO ACCEPT THE *Educational Administrators' Association of Wallingford (EAAW) Contract* from July 1, 2015 to June 30, 2016.

MADE BY: LETOURNEAU
SECONDED BY: TESTA

ROLL CALL VOTE:

FISHBEIN:	NO YES	MANSFIELD:	YES	SULLIVAN:	RECUSE
LAFFIN:	YES	PARISI:	YES	TESTA:	YES
LETOURNEAU:	YES	RUSSO:	ABSENT	CHAIRMAN CERVONI:	YES

VOTE: 6-AYE; 1-NAY (FISHBEIN); 1- RECUSE (SULLIVAN); 1-ABSENT (RUSSO)
MOTION PASSED.

8. Discussion and Possible Action regarding *Wallingford Education Association Teachers Contract* from September 1, 2015 to August 31, 20217 – Board of Education

*In attendance: Dr. Salvatore Menzo, Superintendent of Wallingford Public Schools
Cindy Lavalette, Assistant Superintendent, Personnel
Roxane McKay, Chairwoman, Board of Education*

Assistant Superintendent, Cindy Lavalette, reviewed the highlights of the *Wallingford Education Association Teachers contract*. She talked about insurance controls; premium cost share increase; third year re-opener; insurance waiver reduction; sunset waiver; reduction of bereavement and family illness days; and holding the salary increase to 3% plus step over two years with a third year reopener. The WEA is a 570 member union of whom 322 are at the top step.

This discussion had many comments from the Council, most of whom did not like the agreement but said at the same time that they would support the negotiation with a yes vote. Councilors want to avoid arbitration. They are worried about the tax impact to their constituents. The hard work of this negotiation was acknowledged.

Dr. Menzo noted the \$9,000 loss to some families due to the change in insurance reimbursement. He also said that he feels teacher evaluations will lead to more innovation. He said that the Board had looked at lay-offs. There was complaint on the true nature of the raises by the time step increases, etc. were added to the base raise. One councilor said that this is a crisis that can't be dealt with again.

Resident, Rob Fritz, Robert Gross, Wes Lube, Paul Ciardullo all spoke to this question.

MOTION WAS MADE TO ACCEPT THE *Wallingford Education Association Teachers Contract* from September 1, 2015 to August 31, 20217.

MADE BY: LETOURNEAU

SECONDED BY: TESTA

ROLL CALL VOTE:

FISHBEIN: NO YES

MANSFIELD: YES

SULLIVAN: RECUSE

LAFFIN: YES

PARISI: YES

TESTA: YES

LETOURNEAU: YES

RUSSO: ABSENT

CHAIRMAN CERVONI: YES

**VOTE: 6-AYE; 1-NAY (FISHBEIN); 1- RECUSE (SULLIVAN); 1-ABSENT (RUSSO)
MOTION PASSED.**

9. **Conduct a Public Hearing for Wednesday, November 12, 2014 at 6:45 P.M. to be held in connection with an ordinance entitled:**

AN ORDINANCE APPROPRIATING \$30,000 FOR ARCHITECTURAL COSTS FOR THE CENTER STREET CEMETERY MAINTENANCE AND ADMINISTRATION BUILDING AND AUTHORIZING THE ISSUE OF \$30,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Chairman Cervoni convened the Public Hearing and stated the \$30,000 Center Street Cemetery maintenance and administration building architectural costs bond ordinance, which is the subject of this Public Hearing, is available to the public and may be obtained at this meeting from the Town Clerk.

PARISI MOVED, AND THE MOTION WAS SECONDED BY LETOURNEAU, THAT THE TITLE AND SECTION ONE OF THE ORDINANCE BE READ AS PROPOSED IN ITS ENTIRETY AND TO WAIVE THE READING OF THE REMAINDER OF THE ORDINANCE, INCORPORATING ITS FULL TEXT INTO THE MINUTES OF THE MEETING.

ROLL CALL VOTE:

FISHBEIN: YES

MANSFIELD: YES

SULLIVAN: YES

LAFFIN: YES

PARISI: YES

TESTA: YES

LETOURNEAU: YES

RUSSO: ABSENT

CHAIRMAN CERVONI: YES

**VOTE: 8-AYE; 1-ABSENT (RUSSO)
MOTION PASSED.**

The title and section one were read aloud:

AN ORDINANCE APPROPRIATING \$30,000 FOR ARCHITECTURAL COSTS FOR THE CENTER STREET CEMETERY MAINTENANCE AND ADMINISTRATION BUILDING AND AUTHORIZING THE ISSUE OF \$30,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Section 1: The sum of \$30,000 is appropriated for Architectural Costs for the Center Street Cemetery maintenance and administration building (hereafter "Project"). The Project may include design of the utility building, supporting structures and attachments, utilities, site work, related consultants and improvements, administrative, printing, legal and financing

costs related thereto. Said appropriation shall be in addition to all prior appropriations for said purpose.

Wes Lube, Montowese Trail, asked about process. These are funds to hire an architect to make a design that will be a biddable document so that it can go out to bid. Peter Gouveia, President of the Center Street Cemetery Association, made comments. He reported that they will go ahead even if they don't get the state grant.

Councilor Parisi left the meeting at 9:15 P.M.

Hearing no response from the Public, Chairman Cervoni closed the Public Hearing at 9:16 P.M.

LAFFIN MOVED, AND THE MOTION WAS SECONDED BY LETOURNEAU, THAT THE ORDINANCE ENTITLED: "AN ORDINANCE APPROPRIATING \$30,000 FOR ARCHITECTURAL COSTS FOR THE CENTER STREET CEMETERY MAINTENANCE AND ADMINISTRATION BUILDING AND AUTHORIZING THE ISSUE OF \$30,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE", a copy of which is attached hereto, BE ADOPTED.

Councilor Fishbein asked what the \$30,000 would be used for. Mr. Bowes responded that it is outlined in Section 1. When the design is ready, there can be bids for the architect. Mr. Gouveia reviewed how they arrived at \$30,000.

Councilor Fishbein asked why we need to bond when we have the cash. Mr. Bowes said that this is basically an authorization and that bonds don't lapse, which is an advantage. The Mayor pointed out another advantage, that of being able to keep the bookkeeping for one project, such as this, all in one place. We are eligible and hoping for a grant.

ROLL CALL VOTE:

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

**VOTE: 7-AYE; 2-ABSENT (RUSSO & PARISI)
MOTION PASSED.**

Chairman Cervoni declared the ordinance adopted.

- 11. *Discussion and Possible Action regarding Amendment to the Municipal Solid Waste Agreement with Covanta Projects of Wallingford, L.P. – Mayor*
Withdrawn
- 12. *Discussion and Possible Action regarding Amendment to Host Municipality Fee Agreement between Wallingford and Covanta Projects of Wallingford, L.P. – Mayor*
Withdrawn
- 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

14. Executive Session pursuant to Connecticut General Statutes §1-225(f) and 1-200(6)(B) to discuss pending litigation(1-200(9)(c) relating to enforcement of noise laws –Law Department

LAFFIN MOVED THAT THE COUNCIL GO INTO EXECUTIVE SESSION PURSUANT TO Connecticut General Statutes §1-225(f) and 1-200(6)(B) to discuss pending litigation (1-200(9)(c) relating to enforcement of noise laws.

LETOURNEAU SECONDED.

VOTE: 7-AYE; 2 ABSENT (RUSSO & PARISI)

MOTION PASSED.

LAFFIN MOVED THAT THE COUNCIL COME OUT OF EXECUTIVE SESSION.

FISHBEIN SECONDED.

VOTE: 7-AYE; 2 ABSENT (RUSSO & PARISI)

MOTION PASSED.

EXECUTIVE SESSION: 9:23 p.m. TO 9:56 p.m.

EXECUTIVE SESSION ATTENDANCE: Seven (7) Councilors (absent Russo and Parisi); Mayor Dickinson; and Corporation Counsel Janis M. Small

15. Consider and Approve Waiving the Bid in order to hire experts for enforcement of noise laws – Law Department

MOTION WAS MADE TO APPROVE Waiving the Bid in order to hire experts for enforcement of noise laws.

MADE BY: LAFFIN

SECONDED BY: FISHBEIN

ROLL CALL VOTE:

FISHBEIN: YES

MANSFIELD: YES

SULLIVAN: YES

LAFFIN: YES

PARISI: ABSENT

TESTA: YES

LETOURNEAU: YES

RUSSO: ABSENT

CHAIRMAN CERVONI: YES

VOTE: 7-AYE; 2-ABSENT (RUSSO & PARISI)

MOTION PASSED.

MOTION TO ADJOURN.

MADE BY: LAFFIN

SECONDED BY: FISHBEIN RUSSO

VOTE: ALL AYE (9)

MOTION PASSED.

The meeting adjourned at 9:58 P.M.

Respectfully submitted,

Sandra Weekes

Secretary to the Town Council

Chairman Vincent Cervoni Date

Town Clerk, Barbara Thompson Date