

**TOWN OF WALLINGFORD, CONNECTICUT
REGULAR TOWN COUNCIL MEETING
Town Council Chambers**

November 26, 2013

RECORD OF VOTES & MINUTES

The Regular Meeting of the Wallingford Town Council was called to order at 6:33 P.M. The Opening Prayer was offered by Reverend Margaret Jay of the First Congregational Church of Wallingford. The Pledge of Allegiance was said. Councilors in attendance were as follows: Vincent Cervoni, Nick Economopoulos, Craig Fishbein, Thomas Laffin, John Letourneau, Chairman Robert F. Parisi, Rosemary Rascati, John Sullivan and Jason Zandri. Councilor Fishbein arrived at the meeting at 6:50 p.m. Absent from the meeting were Councilors Cervoni with an excused absence and Jason Zandri due to commuter train delays. Mayor William W. Dickinson, Jr. and Town Attorney G.E. Farrell, Sr. were present at the meeting.

2. Correspondence -*None*
3. Consent Agenda
 - 3a. Consider and Approve Tax Refunds totaling \$3,743.39 (#404-426)
Acct. #1001001-41020 – Tax Collector
 - 3b. Acceptance of American Medical Association for *Youth and Social Services Special Fund* and Appropriation in the Amount of \$8,000 to Acct # 2134002-47152 and to Expenditures Acct # 21340100-58830 – Youth and Social Services
 - 3c. Acceptance of Donation from private donors for *Youth & Social Services Special Holiday for Giving Fund* and Appropriation in the Amount of \$5,744 to Donations Acct # 2134002-47152 and to Expenditures Acct # 21340100-58830 – Youth and Social Services
 - 3d. Acceptance of Donation from Meriden YMCA for *Youth & Social Services Young Astronaut Special Fund (STEM Academy)* and Appropriation in the Amount of \$2,500 to Donations Acct # 2264002-47152 and to Expenditures Acct # 22640150-58830 – Youth and Social Services
 - 3e. Acceptance of Donation from Napier Foundation for *Youth & Social Services WE CARE Special Fund* and Appropriation in the Amount of \$5,500 to Donations Acct # 2134002-47152 and to Expenditures Acct # 21340100-58830 – Youth and Social Services
 - 3f. Acceptance of Donation from private donors for *Youth & Social Services Special Holiday for Giving Fund* and Appropriation in the Amount of \$3,842 to Donations Acct # 2134002-47152 and to Expenditures Acct # 21340100-58830 – Youth and Social Services
 - 3g. Acceptance of Donation from private donors for *Youth & Social Services Special Fund* and Appropriation in the Amount of \$4,165 to Donations Acct # 2134002-47152 and to Expenditures Acct # 21340100-58830 – Youth and Social Services

Wallingford Town Hall, 45 South Main Street

- 3h.** Acceptance of Donation from Operation Fuel for *Youth & Social Services Special Fund* and Appropriation in the Amount of \$300.00 to Donations Acct # 2134002-47152 and to Expenditures Acct # 21340100-58830 – Youth and Social Services
- 3i.** Consider and Approve trade offered by teacher at Lyman Hall Vo-Ag Program of one twenty four (24) year old horse, currently at Vo-Ag, valued at approximately \$500 for a nine (9) year old horse with approximate value of \$1,500 – Board of Education
- 3j.** Consider and Approve a Resolution authorizing the Mayor to execute on behalf of the Town of Wallingford a Personal Services Agreement with the State of Connecticut for financial assistance to construct the Town’s Phase III Quinnipiac River Linear Trail Project and also authorize the Mayor to execute all documents necessary to said grant including signing the Connecticut DEEP Affirmative Action Policy Statement and the State of Connecticut Non-Discrimination Certification - Engineering
- 3k.** Consider and Approve Awarding of Bids for Farmland Lease Properties a recommended by the Conservation Commission for nineteen (19) fields for a five-year (5) term - Conservation Commission
- 3l.** Set a Public Hearing for 7:00 P.M., December 10, 2013, for an Ordinance regarding General Standards and Permit Requirements of Salon Establishment - Ordinance Committee.
- 3m.** Approval of *Transmission Operating Agreement* with ISO-NE and the Wallingford Electric Division – Electric Division
- 3n.** Approval of Authorization to Execute a *Localized Cost Share Agreement* between United Illuminating (UI) and the Wallingford Electric Division - Electric Division
- 3o.** Approval of *Rate Design and Funds Disbursement Agreement* with ISO-NE - Electric Division
- 3p.** Approval of Bid Waiver increase for *Barnes and Thornburg* to \$50,000 - Water Division
- 3q.** Approval to Utilize the Qualifications-based selection procedure for network service provider for remote communications and internet service ‘ – Electric Division
- 3r.** Consider and Approve release of Easement – 1229 Old Colony Road - Electric Division
- 3s.** Approve Appointment of Michael Caruso as an Alternate to the Inland Wetlands and Watercourses Commission for a term expiring March 1, 2015 - Chairman Robert F. Parisi
- 3t.** Consider and Approve 2014 Town Council Calendar of Meetings – Chairman Robert F. Parisi
- 3u.** Approve Minutes of Regular Town Council meeting of November 12, 2013

MOTION WAS MADE TO APPROVE THE CONSENT AGENDA 3a. to 3u.

MADE BY: RASCATI
SECONDED BY: LAFFIN
VOTE: ALL SIX (6) COUNCILORS PRESENT VOTED AYE
THREE (3)-ABSENT

MOTION PASSED.

4. Items Removed from the Consent Agenda – None

The Town Clerk swore in Mr. Caruso as an Alternate to the Inland Wetlands and Watercourses Commission.

5. PUBLIC QUESTION AND ANSWER PERIOD

Tom Meizzi, 18 East Dayton Hill Road, said that he thinks Councilor Economopoulos is doing an excellent job. Next he commented on the length of time that that Center Street Cemetery can be used. He predicts its life to be ten years. With that in mind, he does not agree with the acquisition of large machinery or the purchase of adjoining properties for use by the Cemetery Association. He also stated that you cannot sell the American Legion Building without an appraisal.

Bob Gross, 114 Long Hill Road, announced a public meeting for Dec. 11 with Covanta and Deep with regard to a Title 5 Permit that is being sought by Covanta. The meeting will be held in the Town Council Chambers. He confirmed with the Mayor that this announcement will also be posted on the town's website and on Government Television.

Larry Morgenstein, South Main Street, was seeking information on the status of the twenty-eight trees slated for removal by the town. Mayor Dickinson responded that Henry McCully, Director of Public Works, has met with the tree committee which was organized by Wallingford, Inc. He reported that they have agreed on two types of trees and are getting quotes. They discussed maintenance and other details.

Bob Gross to the Mayor asked about a town-wide garbage pick-up. Mayor Dickinson said that it is an ongoing issue and all sides must be looked at.

It was noted that the Public Hearing could not begin as it was not yet 7:00 P.M.

Councilor Fishbein arrived at the meeting.

MOTION WAS MADE TO MOVE UP THE AGENDA ADDENDUM, ITEM #9.

MADE BY: LETOURNEAU
SECONDED BY: FISHBEIN
VOTE: ALL SEVEN (7) COUNCILORS PRESENT VOTED AYE
TWO (2) ABSENT

MOTION PASSED.

AGENDA ADDENDUM

9. Discussion and Possible Action on the adoption and use of a Welcome Letter and Packet for appointees to Boards and Commissions - Councilor Vincent Cervoni and Councilor Craig C. Fishbein, Co-Chairman of the Town Council Ordinance Committee.

MOTION WAS MADE TO ADOPT AND USE THE WELCOME LETTER AND PACKET FOR APPOINTEES TO BOARDS & COMMISSIONS.

MADE BY: RASCATI
SECONDED BY: LETOURNEAU

It was determined that the letter would go out from the Town Clerk's Office and that it would be used going forward. No public comments.

Called out vote:

Cervoni: Absent	Economopoulos: Aye	Fishbein: Aye
Laffin: Aye	Letourneau: Aye	Rascati: Aye
Sullivan: Aye	Zandri: Absent	Chairman Parisi: Aye

7-Aye; 2 Absent
The motion passed.

6. **Public Hearing at 7:00 P.M. regarding the Sale of 41 South Main Street.**

At 7:03 P.M., Chairman Parisi convened the Public Hearing.

Ray Rys does not want the house to be sold.

Attorney Farrell stated that the court had placed certain limitations on what can be done to the house.

Joseph Gouveia, Whirlwind Hill Road, wished the prospective, new owners good luck with the project. He reviewed the history of the declining purchase price and the costs involved in the restoration of the house.

In attendance: Richard & Erin Benham, 221 South Whittlesey Avenue, Wallingford
On display: A rendering of the house as prepared for Mr. Gouveia, except for the color of the building, by architect Daniel Lyon.

Councilor Fishbein was concerned about the appearance of the finished building appearance. Attorney Farrell noted that this contract is the same as it was for Mr. Gouveia when he proposed to purchase the house. He stated that the Council can add restrictions to the deed if they choose to do that. Councilor Fishbein said that he wants to see something in the deed. He said that he is concerned about this building and that it has been talked about yet there are no restrictions in the documentation.

Councilor Sullivan, speaking with the Benhams, asked about who drew the rendering on display. Mr. Benham stated that it was by Dan Lyon. They discussed the bump-out that they plan to remove. They talked about the porch. Councilor Sullivan said that this is somewhat a re-hash of the Gouveia presentation. They discussed the back of the building.

Councilor LeTourneau talked about the color of buildings on Main Street over which owners have control. He noted that the Council has only seen artist renditions of the way the restored building could look. He said he has no problem at all with incorporating the rendering into the documents. He added that it was the Attorney General's Office who gave permission to remove those parts of the building that were added after the building was originally built. The windows' placement must remain the same. He thinks that the Benhams will do a great job. The porch replicates an early 1900s postcard of the building.

Councilor Economopoulos stated that he will vote against this transaction. He said he is in disagreement with the Council's past actions towards prospective buyers.

Councilor Laffin said he trusts what the Benhams will accomplish, and he will vote for this transaction.

Councilor Fishbein said that he does not question the intents of the Benhams, rather he is trying to protect the taxpayers. He cares about the downtown. He asked if his understanding to incorporate the rendering as part of these documents is correct. The Benhams concurred.

Councilor Economopoulos believes that limitations and specifics better be in the contract.

Chairman Parisi made a statement that he trusts the Benhams and he said that they will take pride in this project.

MOTION WAS MADE TO CLOSE THE PUBLIC HEARING.

MADE BY: LETOURNEAU

SECONDED BY: SULLIVAN.

**VOTE: ALL SEVEN (7) COUNCILORS PRESENT VOTED AYE
TWO (2) ABSENT**

MOTION PASSED.

The Public Hearing closed at 7:27 P.M.

7. Consider and Approve the Sales Agreement, License Agreement and Warranty Deed for the Sale of 41 South Main Street

MOTION WAS MADE TO INCORPORATE THE RENDERING THAT WAS PRESENTED TONIGHT INTO THE CONTRACT AS SCHEDULE B AND TO MARK THE WARRANTY DEED AS SCHEDULE C AND COMPLETE THIS TRANSACTION AS ANTICIPATED.

MADE BY: FISHBEIN

SECONDED BY: LETOURNEAU

A FRIENDLY AMENDMENT WAS STATED BY AS FOLLOWS:

WE INCLUDE THE AUTHORITY TO MAKE MINOR CHANGES TO THE CONTRACT AS MAY BE NEEDED.

MADE BY: RASCATI

SECONDED BY: SULLIVAN

Councilor Economopoulos continued to be concerned about lack of specifics.

It was pointed out by the Town Clerk to the Council that on page 1 of the agreement Schedule B is the deed, and on page 2 Schedule C is the License Agreement. She suggested that the rendering be Schedule D.

Councilor Fishbein removed his motion from the table. Councilor LeTourneau removed his second.

NEW MOTION.

MOTION WAS MADE THAT THE RENDERING PRESENTED TONIGHT BECOME SCHEDULE 'D' TO THE CONTRACT AND THAT WE DO THE CONTRACT FOR 41 SOUTH MAIN STREET AS PRESENTED.

**MADE BY: FISHBEIN
SECONDED BY: LETOURNEAU**

A FRIENDLY AMENDMENT WAS STATED BY AS FOLLOWS: THAT THERE IS THE AUTHORITY TO MAKE MINOR CHANGES TO THE CONTRACT AS MAY BE NEEDED.

**MADE BY: RASCATI
SECONDED BY: LAFFIN**

Gina Morgenstein made a comments about the house looking better.

AMENDMENT VOTE:

ROLL CALL VOTE:

CERVONI: ABSENT	ECONOMOPOULOS: NAY	FISHBEIN: AYE
LAFFIN: AYE	LETOURNEAU: AYE	RASCATI: AYE
SULLIVAN: AYE	ZANDRI: ABSENT	CHAIRMAN PARISI: AYE

6- AYE; 1-NAY; 2- ABSENT

THE MOTION PASSED.

VOTE ON AMENDED MOTION:

ROLL CALL VOTE:

CERVONI: ABSENT	ECONOMOPOULOS: NAY	FISHBEIN: AYE
LAFFIN: AYE	LETOURNEAU: AYE	RASCATI: NAY
SULLIVAN: AYE	ZANDRI: ABSENT	CHAIRMAN PARISI: AYE

5- AYE; 2-NAY; 2- ABSENT

THE 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 *Withdrawn*

MOTION TO ADJOURN

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

The meeting adjourned at 7:35 P.M.

Respectfully submitted,

Sandra Weekes
Secretary to the Town Council
Meeting digitally recorded

Robert F. Parisi, Chairman

Date

Barbara Thompson, Town Clerk

Date