

**TOWN OF WALLINGFORD, CONNECTICUT
TOWN COUNCIL MEETING
Town Council Chambers
December 13, 2016**

RECORD OF VOTES & MINUTES

The Meeting of the Wallingford Town Council on Thursday, December 13, 2016 was called to order at 6:31 P.M. The Pledge of Allegiance was said. Councilors in attendance were: Craig Fishbein (left at 7:00), Thomas Laffin, John LeTourneau, John J. Sullivan, Vincent F. Testa, Jr. and Jason Zandri. Chairman Vincent Cervoni and Councilor Christopher K. Shortell were absent. Councilor Joseph A. Marrone, III arrived at 7:17 p.m. Mayor William W. Dickinson, Jr. and Town Attorney Gerald Farrell, Sr. were also present at the meeting.

1. Pledge of Allegiance
2. Roll Call
3. Consent Agenda
 - 3a. Consider and Approve Tax Refunds totaling \$3,495.33 (#505-533)
Acct. #1001001-41020 – Tax Collector
 - 3b. Consider and Approve Appropriation of funds in the amount of \$465.00 to Revenue Fees,
Acct. #2264002-47152 and to Expenditures, Acct. #22640150-58830 – Y&SS
 - 3c. Acceptance of Donations and Consider and Approve Appropriation of funds in the amount
of \$8,000 to Revenue, Acct. #2134002-47152 and to Expenditures, Acct. #21340100-
58830 – Y&SS
 - 3d. Acceptance of Donations and Consider and Approve Appropriation of funds in the amount
of \$3,922 to Revenue, Acct. #2134002-47152 and to Expenditures, Acct. #21340100-
58830 – Y&SS
 - 3e. Acceptance of funds from Operation Fuel and Consider and Approve Appropriation of
funds in the amount of \$400 to Donations, Acct. #2134002-47152 and to Expenditures,
Acct. #21340100-58830 – Y&SS
 - 3f. Acceptance of Donation from Wallingford Rotary and Consider and Approve
Appropriation of funds in the amount of \$546 to Donations, Acct. #2134002-47152 and to
Expenditures, Acct. #21340100 -58830 – Y&SS
 - 3g. Acceptance of Donations and Consider and Approve Appropriation of funds in the amount
of \$2,014.00 to Donations, Acct. #2134002-47152 and to Expenditures, Acct. #21340100-
58830 – Y&SS

- 3h. Consider and Approve Appropriation of funds in the amount of \$7,071 to Miscellaneous Revenue, Acct. #1009052-47040 and to Replacement Pay, Acct. #10020150-51500 – Fire Dept.
- 3i. Consider and Approve Appropriation of funds in the amount of \$200,000 to Outside Contractors, Acct. #10020050-51600 and to Charges for Current Services, Acct. #1002001-46020 – Police Dept.
- 3j. Consider and Approve Appropriation of funds in the amount of \$100,000 to Revenue-CRRA Distribution, Acct. #2001002-45000 and to Exp.- Fire Truck, Acct. # 200 - TBD – Fire Chief
- 3k. Acceptance of Donation from Ms. Deborah Fitzsimmons for repairs to the Center Street Cemetery and Consider and Approve Appropriation of funds in the amount of \$100 to Misc. Revenue Account, Acct. #1009052-47040 and to Soc. Serv. Contribution - Center St. Cemetery, Acct. #10040150-58224 – Mayor
- 3l. Consider and Approve a Bid Waiver to increase scope of work for Friar Associates, Inc. regarding Bid #15-120 in the amount of \$17,275 for additional design work at Lyman Hall High School Window Replacement Project – BOE
- 3m. Consider and Approve Reappointment of Edwin Makepeace to the Personnel and Pension Appeals Board for a five year tem effective immediately and expiring December 31, 2021 – Mayor
- 3n. Consider and Approve Appointment of James Loughlin to the Wallingford Housing Authority for a five year term effective immediately and ending October 31, 2021 - Chairman Cervoni
- 3o. Approve Town Council Minutes of November 22, 2016.
- 3p. Approve Town Council Minutes of Special Meeting of December 1, 2016.
- 3q. Consider and Approve a Transfer in the amount of \$26,500 from Distribution Plant-Street Light and Signal Systems, Acct. #373 to Distribution Operations-Street Light and Signal Systems, Acct. #585 – Electric Division

ADDENDUM TO CONSENT AGENDA

- 3r. Consider and Approve one Merit Increase - Personnel

MOTION WAS MADE TO APPROVE CONSENT AGENDA ITEMS 3a.-3r.

MADE BY: FISHBEIN
SECONDED BY: LETOURNEAU
VOTE: 6-AYE
MOTION: PASSED

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

5. **PUBLIC QUESTION & ANSWER PERIOD**

Bob Gross, Long Hill Road, inquired about the garbage issue on Woodhouse Avenue at the soccer fields and asked why the parking lot is blocked.

Councilor Zandri stated that he contacted Public Works and there has been an issue with people leaving their household garbage there.

Bob Gross asked if we have considered town-wide garbage pick-up.

Councilor Laffin indicated that he consulted with the local haulers and they are not in favor of it.

Ben Martin, 329 Ward Street, agrees with Bob Gross on the trash pick-up issue.

Richard Krombel, 38 North Elm Street, commented that he likes that we have combined the recycling and the trash.

Bob Gross asked if there was any update on the land lease for the solar panels.

Mayor Dickinson responded that we are working on it at this time.

Bob Gross inquired about the pension fund and asked if it is adapting to the bond market.

Mayor Dickinson responded that the Commission uses Advisers to oversee that.

6. Discussion and Possible Action regarding Tentative Agreement for a successor contract with AFSCME Co. 4 Local 1183 (public works, engineering, clerical and sewer) employees for two years from July 1, 2016 to June 30, 2018 – Personnel - *WITHDRAWN*

7. Discussion and Possible Action regarding a Program Establishing a Real Property Tax Incentive for the Incentive Housing Zone – Economic Development Commission

*In Attendance: Done Roe, Economic Development Coordinator
Tim Ryan, Economic Development Specialist
Joe Mirra, Chairman, Economic Development Commission*

Mr. Roe gave a presentation of the attached Property Tax Incentive for the Incentive Housing Zone. Mr. Roe thinks this proposal will work and hopes it will be adopted.

Mr. Mirra remarked that this is a well thought out plan.

Mr. Ryan hopes this program will rejuvenate the lower part of Center Street and noted that we want to encourage owners and investors to invest in this part of town.

Mr. Ryan stated that the first two years are designed to help developers during planning and construction and that the third and fourth years are a stabilizing period. He then went on to say that the Town is requiring that the developer's have 100 percent of units leased for 75 percent of the calendar year. He then explained that the Town reserves the right to recover abated taxes if a developer does not meet the leasing requirement.

Councilor Fishbein expressed support of the plan and congratulated everyone on working together to get this done.

Councilor Zandri remarked that he understood this to be a looser agreement than it is currently written.

Mr. Ryan responded stating we have the opportunity at any time to pull back on the regulations but we want to make sure there is genuine effort by the property owner to rent these properties.

Councilor Testa raised concern about the occupancy requirement that calls for developers to have 100 percent of properties leased for 75 percent of the third and fourth year. He then remarked that the intention is to assist developers in making this work.

Mr. Mirra explained that they did not want to have a give-away plan and that is where the percentages come in.

Councilor Testa asked with whom does the decision lie as to whether property owners are complying.

Mr. Roe responded stating that the Administration is responsible for handling that through different departments.

Councilor Sullivan expressed his appreciation for the time spent on this and stated that he agrees that only serious builders will pursue this with a \$1 million dollar minimum.

PUBLIC COMMENT

Ben Martin commented that tax abatement should not be talked about as a penalty, but as a benefit.

Mr. Ryan stated that these will be private transactions. He explained that the incentive is to combine adjoining properties since the parcels are so small and the minimum is \$1,000,000.

James Hine, 342 Elm Street, stated that he reviewed the plan and is confused with the mixed development. He noted that he is bothered by years four and five and explained it looks like they are only giving two years to complete the project before having to have 75% of the units leased.

Mr. Ryan responds stating that is part of the incentive.

Joe Cretella, 103 Turnpike Road, stated he is developing a \$3 million dollar project in Yalesville for an age restricted development that hasn't been approved yet and asked if this program could help him outside the district.

Councilor Laffin answered no and explained this is for downtown only.

Bob Gross asked if the Town will buy any of these properties if they become available.

Mr. Mirra responded stating this plan wasn't developed that way.

Bruce Conroy, 13 Burke Heights, commented that he likes the Plan.

MOTION WAS MADE TO APPROVE THIS PLAN AS PRESENTED.

MADE BY: LETOURNEAU
SECONDED BY: SULLIVAN

ROLL CALL VOTE:	SHORTELL: ABSENT
FISHBEIN: ABSENT	SULLIVAN: YES
LAFFIN: YES	TESTA: YES
LETOURNEAU: YES	ZANDRI: YES
MARRONE: YES	CERVONI: ABSENT
6-AYE: YES	
MOTION: PASSED	

8. Discussion and Possible Action with regard to waiver of bid for the Sludge disposal service at the Sewer Treatment Plant to begin on January 17, 2017 – Water/Sewer Division

In Attendance: George Adair, Director, Public Utilities
Neil Amway, General Manager, Water-Sewer

MOTION WAS MADE TO APPROVE BID WAIVER FOR THE SLUDGE DISPOSAL SERVICE AT THE SEWER TREATMENT PLANT TO BEGIN ON JANUARY 17, 2017.

MADE BY: MARRONE
SECONDED BY: LETOURNEAU

ROLL CALL VOTE:	SHORTELL: ABSENT
FISHBEIN: ABSENT	SULLIVAN: YES
LAFFIN: YES	TESTA: YES
LETOURNEAU: YES	ZANDRI: YES
MARRONE: YES	CERVONI: ABSENT
6-AYE: YES	
MOTION: PASSED	

ADDENDUM TO AGENDA

12. Discussion and Possible Action regarding the PUC Electric Rate Increases – Councilor Zandri and Councilor Testa

*In Attendance: George Adair, Director, Public Utilities
Richard Hendershot, General Manager, Electric Division
Public Utilities Commission Members:
Patrick Birney, Joel Rinebold and Chairman Robert Beaumont*

Mr. Adair presents the information in the attached packet. He states the rate making process encompasses a lot of components and notes it is a five year plan. He then goes on to explain that we will all face the same regional increases but we are here to talk about Wallingford. He stated that figure 3 &4 of the attach packet addresses these increases but the real cost is the power supply costs.

Councilor Zandri inquired about the escalating jumps in increases and remarked that it doesn't seem like we did this in the past.

Mr. Hendershot stated we have never just chosen a flat rate increase; we always do a proportional study.

Mr. Beaumont stated this is the third rate study we have done to even out the rate increases.

Councilor Zandri thinks we should subsidize the residential increases.

Mr. Adair explained that there are fundamentals in rate collection and that it must cover your cost for the year. He then went on to say that costs must be captured in the same year as the energy is given and you cannot spread it out. He indicated we have a very healthy PCA factored into each year's increase to supplement the resident cost.

Councilor Zandri stated he does not understand how the residents are spending more in increases than commercial by percentage.

Mr. Adair responded stating we follow the same model each time we set the rates.

Councilor Zandri asked what percentage does residential use in kilowatts compared to commercial hours.

Mr. Hendershot replied residential is 38% and commercial & other is 62%.

Councilor Sullivan commented to Mr. Adair that the letter he sent implies that the PUC can do something to reduce the cost and asks if that will happen.

Mr. Adair indicated that will be decided in June after looking at the PCA and rates in hand.

Councilor LeTourneau questioned how the rates go down in years four and five.

Mr. Adair responded energy generation and explained we have hedged into the future and it has declined at that point.

Councilor Marrone commented that the Town is always put down for not being proactive yet the PUC has been proactive. He then went on to say that there is a lot the consumer can do to cut their own rates.

Councilor Laffin remarked that businesses are not faceless, they are our neighbors. He then went onto say they are having difficulties and making cuts. He believes we should be fair all around. He feels the PUC is doing a good job and a lot of time has been spent on this to come to these proposed rates.

Councilor Testa feels there is some correction that has been made on the residential side.

Mr. Adair responded no and went on to say that they do a rate study every time and they know that residential use is lower. He explained that it has been done on a purposeful cost of service analysis and our consultant has come up with this. He stated, historically, there was a slight advantage to the residential consumer.

Mayor Dickinson stated there is a methodology to setting rates that is followed and a standard that has to be used.

MOTION WAS MADE FOR THE COUNCIL TO VETO THE PUC RATE INCREASE CHANGE

MADE BY: ZANDRI
SECONDED BY: TESTA

Councilor Marrone comments to Mr. Adair that he keeps referring to the 750 kilowatt residential standard, so then asks what is the commercial and industrial standard?

Mr. Hendershot responds we don't really have a standard for commercial and industrial. They use so much more energy than residential customers. It is an enormous difference.

PUBLIC COMMENT

Ben Martin asks if the mission is to provide service and cover the cost.

Mr. Adair explained that by State Statute, when any income is produced, we remit to the Town. There is no profit or profit sharing.

James Hine asked Mr. Adair if any commercial company ever approached him to lower their rates.

Mr. Adair answered no.

James Hine asked Mr. Adair why he didn't show any commercial chart rates.

Mr. Adair indicated that he reviewed other town's commercial rates.

Mr. Gross asked Mr. Adair if the residential kilowatt rate is higher than commercial.

Mr. Adair answered yes.

ROLL CALL VOTE:	SHORTELL: ABSENT
FISHBEIN: ABSENT	SULLIVAN: OBSTAIN
LAFFIN: NO	TESTA: YES
LETOURNEAU: NO	ZANDRI: YES
MARRONE: NO	CERVONI: ABSENT
2-AYE: YES	
MOTION: FAILED	

9. **MOTION WAS MADE TO GO INTO EXECUTIVE SESSION pursuant to Section 1-225(f) and Section 1-200(6)(B) of the Connecticut General Statutes regarding strategy and negotiations with respect to the pending tax appeal matter of *Connecticut CVS Pharmacy, L.L.C. v. Town of Wallingford* .**

MADE BY: LETOURNEAU
SECONDED: SULLIVAN
VOTE: ALL-AYE
MOTION PASSED

10. **MOTION WAS MADE TO MOVE TO AUTHORIZE A SETTLEMET in the pending tax appeal matter of *Connecticut CVS Pharmacy, L.L.C. v. Town of Wallingford* as discussed in Executive Session.**

MADE BY: LETOURNEAU
SECONDED: SULLIVAN
VOTE: ALL-AYE
MOTION PASSED

MOTION TO MOVE OUT OF EXECUTIVE SESSION AT 9:52 P.M.

MADE BY: LETOURNEAU
SECONDED: SULLIVAN
VOTE: ALL-AYE
MOTION PASSED

11. Executive Session pursuant to Section 1-200(6)(D) of the Connecticut General Statutes with respect to the purchase, sale and/or leasing of property – Mayor - *WITHDRAWN*

Time of Executive Session 9:48 p.m. to 9:52 p.m.

**Attendance at the Executive Session: 6 Councilors, Mayor Dickinson and Town Attorney
Gerald E. Farrell, Sr.**

The Council adjourned the meeting at 9:54 P.M.

Respectfully submitted,

Lisa Moss
Council Staff
Meeting digitally recorded

Vincent Cervoni, Chairman

Date

Barbara Thompson, Town Clerk

Date