

**TOWN OF WALLINGFORD, CONNECTICUT
REGULAR TOWN COUNCIL MEETING
Town Council Chambers
June 23, 2015**

RECORD OF VOTES & MINUTES

The Regular Meeting of the Wallingford Town Council was called to order at 6:39 P.M. The Opening Prayer was given by Pastor Will Marotti, New Life 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, was absent from the meeting. Mayor William W. Dickinson, Jr., Town Attorney G. E Farrell, Sr. and Comptroller James Bowes were also at the meeting.

Due to a powerful storm that came through Wallingford just prior to the meeting, Chairman Cervoni thanked everyone for their patience in waiting for the meeting to start. He announced that Councilor Russo was called to work and would not be at the meeting.

3. Consent Agenda

- 3a.** Consider and Approve Tax Refunds totaling \$11,344.02 (#831-838)
Acct. #1001001-41020 – Tax Collector
- 3b.** Acceptance of *2015 Distracted Driving High Visibility Enforcement Program Grant* and Appropriation in the Amount of \$13,078 to Revenue Highway Safety Acct # 1002001-45208 and to Police Overtime Acct # 10020050-51400 – Police Chief
- 3c.** Consider and Approve a Transfer on Funds in the Amount of \$250 from Professional Services Acct #10011050-56715 to Promotional Expenses Acct # 10011050-55405 \$100 and to Dues & Fees Acct # 10011050-58810 \$50 – Program Planning/EDC
- 3d.** Consider and Approve a Transfer on Funds in the Amount of \$1,000 from Regular Salaries and Wages Acct # 10020050-51000 to Vehicle/Property Damage Acct # 10020050-559700
- Police Chief
- 3e.** Consider and Approve a Transfer on Funds in the Amount of \$5,300 from Unemployment Insurance Acct # 10012100-52970 to Office Expenses & Supplies Acct # 10012000-56100
- Personnel
- 3f.** Consider and Approve a Transfer of Funds in the Amount of \$3,000 from Continuing Education and Training Acct # 10020150-55700 to PS-CMED Contribution Acct # 10020150-56744
- Fire Chief
- 3g.** Consider and Approve a Transfer of Funds in the Amount of \$410 from Purchased Services-Natural Resources Acct # 10011100-56704 to Office Expenses and Supplies Acct # 10011100-56100 - Conservation Commission
- 3h.** Consider and Approve a Transfer of Funds in the Amount of \$25,650 from Gas & Oil Acct # 10030000-53100 to
- | | | |
|--------------------------|-----------------------|----------|
| Maintenance of Vehicles | Acct # 10030000-54320 | \$15,000 |
| Maintenance of Equipment | Acct # 10030000-54325 | \$ 5,000 |
| Continuing Education | Acct # 10030000-55700 | \$ 1,650 |
| Maintenance of Buildings | Acct # 10030000-54315 | \$ 4,000 |
- Public Works

- 3i. Acceptance of *Assessment Development Grant* and Appropriation in the Amount of \$8,880 Assessment Reduction Grant from State Grant Revenue Fund #235 to Program Expenditures Fund #235 - Board of Education
- 3j. Schedule a Public Hearing for July 14, 2015 at 6:45pm for Amendment to Ordinance Concerning *Sources of Inflow and Infiltration into the Sanitary Sewer System*
- 3k. Approve Minutes of Regular Town Council Meeting of June 9, 2015
- 3l. Consider and approve a Transfer in the Amount of \$6,500 from Contingency-General Acct # 10019000-58820 to Professional Services-Lawyers Acct # 10010300-56710 - Law Department

MOTION WAS MADE TO APPROVE CONSENT AGENDA ITEMS 3a. to 3k.

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

- 4. Items Removed from the Consent Agenda - *None*
- 5. **PUBLIC QUESTION AND ANSWER PERIOD** - Chairman Cervoni asked three times for questions from the public, but there were no responses.

WAIVE RULE V. #1.

- 3l. Consider and approve a Transfer in the Amount of \$6,500 from Contingency-General Acct # 10019000-58820 to Professional Services-Lawyers Acct # 10010300-56710 - Law Department

MOTION WAS MADE TO WAIVE RULE V. TO TAKE UP A TRANSFER OF \$6,500 BY THE LAW DEPARTMENT.

MADE BY: LAFFIN
SECOND BY: FISHBEIN

ROLL CALL VOTE:

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

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

MOTION WAS MADE TO APPROVE A TRANSFER IN THE AMOUNT OF \$6,500 FROM CONTINGENCY-GENERAL ACCT# 10019000-58820 TO PROFESSIONAL SERVICES-LAWYERS ACCT # 10010300-56710.

MADE BY: LAFFIN
SECOND BY: FISHBEIN

Town Attorney Farrell, Sr. stated that this is for attorney fees for worker's compensation work until the end of the fiscal year. He said this is based on revised estimates from the attorneys and that funds are available from the Contingency account.

There were no comments from the Council or from the public.

WAIVE RULE V. #1. 3I. Con't

ROLL CALL VOTE:

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

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

6. Consider and Approve Waiver of Bid for Fitzgerald & Halliday, Inc. (FHI) Consultants to conduct a Transit Oriented Development (TOD) Plan in an Amount of up to \$75,000 and enter into a contract with FHI in accordance with the Scope of Services as outlined with any amendments or changes as necessary – Planning & Zoning

MOTION TO APPROVE WAIVER OF BID FOR FITZGERALD & HALLIDAY, INC. (FHI) CONSULTANTS TO CONDUCT A TRANSIT ORIENTED DEVELOPMENT PLAN (TOD) IN AN AMOUNT OF UP TO \$75,000 AND ENTER INTO A CONTRACT WITH FHI IN ACCORDANCE WITH THE SCOPE OF SERVICES AS OUTLINED WITH ANY AMENDMENTS OR CHANGES AS NECESSARY.

MADE BY: LAFFIN
SECONDED BY: LETOURNEAU

In attendance: Kacie Costello, Town Planner

Ms. Costello recalled the time when she and Don Roe, Grants Administrator, appeared before the Council in 2014 to discuss applying for a State of Connecticut Transit Oriented Development grant. She said that they would basically take a TOD grant being funded by COG and build from it in Wallingford making it more property specific. She said that they did indeed receive the grant for \$75,000. She now she would like permission for a bid waiver in order to contract with the company who are performing the COG Study since they already have lots of the data and a foundation has been laid. She reported that they have a solid understanding of the basics here in terms of TOD in Wallingford. She said that they are two-thirds (2/3) of the way through the COG project, so it is the right time to start a project with them.

Councilor Letourneau asked about a start date. Ms. Costello stated that she has sent the Scope of Services to the consultant to review. There has been no discussion to date as she wanted to come to the Council first. She said that they would be prepared to enter into a contract within the next month. She said that she has spoken to both consultants regarding incorporating information into our Plan of Development.

Councilor Mansfield commented on the end date, recognizing all of the multiple, moving pieces and the public workshops, and asked the contract would have a deadline and, then, ultimately a presentation. Ms. Costello said the date would be at the end of the year which coincides with the Plan of Conservation and Development.

There were no further questions from the Council.

Gina Morgenstein, South Main Street, stated that she is in favor of this but also noted the big white building on the corner that is for sale and that a local business owner would like to purchase it. She thinks this should be on everyone's radar.

ROLL CALL VOTE:

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

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

WAIVE RULE V. #2.

Consider and Approve an Appropriation in the Amount of \$75,000 Miscellaneous Grants to Grant Revenue Fund #250 and to Expenditures –Transit Oriented Development (TOD) Study Fund #250 - Town Planner

MOTION WAS MADE TO WAIVE RULE V. TO TAKE UP AND APPROPRIATION FOR THE TOWN PLANNER.

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

MOTION WAS MADE TO APPROVE AN APPROPRIATION IN THE AMOUNT OF \$75,000 MISCELLANEOUS GRANTS TO GRANT REVENUE FUND #250 AND TO EXPENDITURES-TRANSIT ORIENTED DEVELOPMENT (TOD) STUDY FUND #250.

There were no comments from the Council or from the public.

ROLL CALL VOTE:

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

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

Chairman Cervoni called for a recess until 7:00P.M. when the Public Hearing will be heard.

RECESS PERIOD: 6:53 P.M. to 7:02 P.M.

7. Conduct a Public Hearing at 7:00 P.M. on the Sale of a portion of Beaumont Avenue to Choate – Law Department

Chairman Cervoni called for a summary of what is on the table before calling for public comments.

Mayor Dickinson stated that the basic issue is the sale of the end portion of Beaumont Avenue, a non-through street, measuring ninety (90) feet by fifty (50) feet. This will be used by Choate to enhance the facilities for students. In exchange for that the contract calls for the Town taking title of the property known as the 'boathouse' property at 320 Washington Street. He said that property contains the boathouse used by Choate and bounds on the lakebed of Community Lake and bounds on both sides property owned by the Town of Wallingford, the southerly boundary is property used by SCOW, the Spanish Community of Wallingford, and the Senior Center. Those are the basic terms and there are some contingencies to allow the appropriate approvals at Planning and Zoning and any other agencies necessary for the parties to move forward with the ability to do what they want with the property. He stated that there is an environmental assessment on the boathouse as well.

*In attendance: Richard Saltz, Chief Financial Officer, Choate Rosemary Hall
Joan Molloy, Attorney, Loughlin Fitzgerald Law Firm, 150 South Main Street*

Chairman Cervoni opened the Public Hearing at 7:04 P.M.

Pat Reynolds, 844 Old Durham Road, recalled a time when the boathouse came up in the past. And it was not approved. He asked what has changed. Referring to the newspaper, he asked if there would be a tax revenue loss. He expressed his concerns with the structure itself and asked if it would be torn down and the cost of tearing it down, and he commented on his environmental concerns of that property.

Mayor Dickinson spoke of the Choate request in the past to close Old Durham Road and its connection to the boathouse. He said there was interest in owning the boathouse because it would give the town a complete line of ownership along Community Lake. He said that failed as a result of people not wanting to close Old Durham Road but this is a different situation where we are not closing a road. It is not an issue for travel but there is interest in owning a complete sweep of that lake property. He said that the Conservation Commission, SCOW and the Senior Center are all interested in owning that property. There will be some expenses. He named first the environmental assessment to make sure that there are no hazardous materials or anything that needs to be cleaned up. He said his belief is that the boathouse is not in great condition, and the town will, most probably, be looking to tear it down, an additional expense.

Iris Papale, 46 South Cherry Street, Board Member, Committee on Aging, said she was in favor of this Agreement. She said this property is an extension from the Senior Center and that they along with SCOW will use it.

Larry Morgenstein, South Main Street, said that he is in favor of this action but expressed concerns that the town has only looked at one option. He suggested looking at a cash payment.

Mayor Dickinson said that the issue of bargaining is to reach a conclusion that is agreeable to both parties. And, he said, the agreement has been reached.

Kathy Avery, North Elm Street, commented on the house and that the town doesn't know what it is getting. She noted problems it could have that included asbestos and lead. She said that the town may not like the type of building and added that there will be cost to the taxpayer.

Mayor Dickinson stated again that there will be an environmental study and that there is a contingency to get out of the contract if need be.

Richard Nunn, 45 Montowese Trail, President of the Committee on Aging, reported that the Board is in total agreement for the Town to have this property, that it makes sense for the Senior Center and for SCOW. He said his fifteen (15) board members will be discussing this property at their July board meeting..

Steve Knight, 289 Ivy Street, supports the agreement and said buying property is an opportunity.

Mary Heffernon, Chairwoman, Conservation Commission, stated that this property is a valuable habitat.

Maria Harlow, Executive Director, SCOW, stated that she supports the swap.

Cathy Granucci, 53 South Orchard Street, Co-Chairwoman, Quinnipiac River Linear Trail Advisory Committee, also said she supports the property swap.

Gina Morgenstein, South Main Street, asked what the costs might be to the town before the deal is sealed.

Mayor Dickinson said that they have looked into the costs of demolition and the environmental study. He said the long term view of this property and the whole area is one on passive recreation. He said there is not a lot of time to do this project.

Gina Morgenstein said she wants the downtown to get some attention.

Dianne Saunders, Northford Road, recalled when the Town acquired the 743 acre Tyler Mill parcel. She said that taking an historical perspective that this land is open land with pristine habitat.

Rob Angier said he is not opposed to this exchange but has not heard the value. He commented on economic development in our downtown.

Councilor Laffin read a letter from Martha S. Triplett into the record.

The Public Hearing closed at 7:38 P.M.

8. Consider and Approve Agreement with the Choate Rosemary Hall Foundation, Inc. for the sale of a portion of Beaumont Avenue in exchange for the Choate property at 320 Washington Street (boathouse property) – Law Department

*In attendance: Richard Saltz, Chief Financial Officer, Choate Rosemary Hall
Joan Molloy, Attorney, Loughlin Fitzgerald Law Firm, 150 South Main Street*

Councilor Mansfield announced that she is recusing herself from this question.

Councilor LeTourneau stated that this is for the student activity center at Choate.

Mayor Dickinson said that the valuation to 90' x 50' is approximately \$25,000 and that portion of Beaumont is the only portion that Choate wants

Councilor LeTourneau asked if we could have Choate maintain Beaumont Avenue.

Mayor Dickinson pointed out that by the time the Town has completed plowing the major roads that Choate has already plowed Beaumont Avenue.

Councilor LeTourneau said he wanted it on the records that there will not be an auditorium in conjunction with the student activity center.

Councilor Fishbein asked Town Attorney Farrell, Sr. about taxes. Attorney Farrell, Sr. said he thinks about \$4,000. Councilor Fishbein brought up several housekeeping issues with the 'Agreement' and asked that they be cleaned up.

Attorney Molloy said that they are still working with Planning and Zoning.

Councilor Fishbein stated that this is a no-brainer.

Councilor Testa stated that the Town is in effect 'buying' the boathouse property because in accepting this transaction the Town is acknowledging that the Town is going to be investing money into this property at some point. He said that he thinks demolition cost would be \$20,000 to \$40,000; or there may be renovations. He said he is looking at this from a point where the Town is willing to invest some money in this property for future use. He said on the flipside that there is an established value to the boathouse property, and we need to be committed to invest. He said he does not object to this, and he was in favor of the concept in the past, since it is continuous to existing property along the lakebed. He does not want to see now even through representations make any commitment as to what the Town might do with the property. He said he has visited the property and looked very carefully. He agrees that the brick structure on the property seems sturdy and potentially very nice. He stated that without question everything of wood needs to come down. He said he would like to see the Town turn this into some type of Town nature center in conjunction with other uses that might be brought forward by the Senior Center and others. He said it is a beautiful area but that it needs investment. He is pleased with the condition in the contract that allows the Town to back out if the Town discovers some real environmental problems. He also likes that if there is a real problem, there is opportunity for Choate to do some investment of their own so that the deal can go forward. He would like to see this property being put forward to the Town with the wooden structures already razed.

Mayor Dickinson said that he has no immediate plans for the property. He wants the environmental study first which may cost \$5,000-\$6,000.

Councilor Sullivan also said that this is a no-brainer. He is pleased that Choate listened to the concerns of the neighbors which initiated a return to the drawing board. He would like to see things move quickly with the building. If the building is to be re-purposed, he would like to see it buttoned up now.

Councilor Laffin supports the agreement.

Councilor Fishbein stated that Choate can choose to remediate, that there is a provision in the Agreement.

Chairman Cervoni thanked Choate Rosemary Hall through their representatives for working with the neighbors and for their generous offer.

Kathy Avery called for an assessment first saying that there is not enough information. She asked the Council to not vote.

Chairman Cervoni reminded everyone of the provisions that have been discussed in the course of the discussion Attorney Farrell, Sr. said that the building inspector would not be the person to conduct the environmental assessment and that professionals would do this work.

ROLL CALL VOTE:

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

**7-AYE; 1-ABSENT (RUSSO); 1-RECUSE (MANSFIELD)
MOTION PASSED.**

9. 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 WAS MADE BY COUNCILOR FISHBEIN AND SECONDED BY COUNCILOR PARISI.
8-AYE; 1- ABSENT (RUSSO)
MOTION PASSED.**

The Council adjourned the meeting at 8:17 P.M.

Respectfully submitted,

Sandra Weekes
Secretary to the Town Council
Meeting digitally recorded.

Chairman Vincent Cervoni

Date

Town Clerk Barbara Thompson

Date