

TOWN OF WALLINGFORD, CONNECTICUT

REGULAR TOWN COUNCIL MEETING

Town Council Chambers

NOVEMBER 15, 2011

RECORD OF VOTES AND MINUTES

ATTENDANCE:

Councilors Vincent Cervoni, Nick Economopoulos, Jerry Farrell, Jr., Craig C. Fishbein, John LeTourneau, Chairman Robert F. Parisi, Rosemary Rascati, John J. Sullivan and Vincent F. Testa, Jr. Mayor William W. Dickinson Jr., Town Attorney Janis Small and Comptroller James Bowes were also at the meeting

The meeting called to order at 6:30 P.M.

An Opening Prayer was offered by Deacon Eugene Riotte, Most Holy Trinity Church of Wallingford. The Pledge of Allegiance was said and the roll call was taken.

2. Correspondence

None

3. Consent Agenda

3a. Consider and Approve Tax Refunds (#301 - #339) totaling \$6,216.39
Acct. # 001-1000-010-1170 - Tax Collector

3b. Acceptance of Donation and Appropriation in the Amount of \$894 *Youth & Social Services Special Fund – Soldier Program* to Donations Acct #2134002-47010 and to Expenditures Acct # 21340100-58830 – Youth & Social Services

3c. Acceptance of Donation and Appropriation in the Amount of \$50 *Youth & Social Services Special Fund* to Donations Acct #2134002-47010 and to Expenditures Acct # 21340100-58830 – Youth & Social Services

3d. Acceptance of Federal/State Highway Grant and Appropriation of \$1,523 to Highway Safety Acct # 1002001-45208 and to Overtime Expenditures Acct # 10020050-51400 – Police Chief

3e. Acceptance of Grant from Wallingford Energy LLC and Appropriation in the Amount of \$3,500 to Donations Acct # 1002001-47010 and to Continuing Education and Training Acct # 10020150-55700 – Fire Chief

3f. Consider and Approve an Appropriation in the Amount of \$25,000 from Contingency-General Purpose Acct # 10019000-58820 to Purchase Professional Services – Tree Contract Acct # 10030000-56756 – Public Works

3g. Appointment of Robert Croston to the School Roofing Building Committee
– Councilor Craig C. Fishbein

3h. Consider and Approve One Year Extension for 21 Farmland Leases which expire end of 2011 – Conservation Commission

(NOTE: The requests regarding items to be bid by the Commission so not need approval until bids come in and leases are recommended for approval)

3i. Approve 2012 Town Council Schedule of Meetings

3j. Approve minutes of Regular Town Council Meeting of October 25, 2011

MOTION WAS MADE TO APPROVE CONSENT AGENDA ITEMS 3a. – 3j.

Wallingford Town Hall, 45 South Main Street

MADE BY: FARRELL
SECONDED BY: RASCATI
VOTE: UNANIMOUS; 9-AYE
MOTION PASSED

4. Items Removed from the Consent Agenda

None

Town Clerk, Barbara Thompson, swore in Robert Croston to the School Roof Building Committee.

PUBLIC QUESTION & ANSWER PERIOD

Geno Zandri, 9 Balsam Ridge Circle, referred to the town's cleanup of storm debris and said that FEMA funds were available for overtime for this type of work and that the town should look into it.

Diana Hotchkiss, 38 Clifton Street, noted for the Council that one of the copies of a historical document in the entrance way near the sliding door is in need of repair. She also commented on the way minutes of the Council are prepared.

5. Executive Session pursuant to §1-200 (2) of the Connecticut General Statutes with regard to strategy and negotiation with respect to Collective Bargaining – Board of Education

7. Execution Session pursuant to Connecticut General Statutes §1-225(f) and §1-200(6)(B) to discuss the following cases

1. Town of Wallingford v. Morin
2. Trustees Under Restated Agreement v. Town of Wallingford
3. Wakefern Food Corp. v. Town of Wallingford
4. WE 21-150 North Plains Road LLC v. Town of Wallingford Appeals

9. Executive Session pursuant to Connecticut General Statutes §1-225(f) and §1-200(6)(B) to discuss Town of Wallingford v. Robinson

11. 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

MOTION WAS MADE TO GO INTO EXECUTIVE SESSION to discuss Items 5., 7., 9., and 11. (above) PURSUANT TO:

5. §1-200 (2) of the Connecticut General Statutes with regard to strategy and negotiation with respect to Collective Bargaining as requested by the Board of Education.

7. Connecticut General Statutes §1-225(f) and §1-200(6)(B) to discuss the following cases:

1. Town of Wallingford v. Morin
2. Trustees Under Restated Agreement v. Town of Wallingford
3. Wakefern Food Corp. v. Town of Wallingford
4. WE 21-150 North Plains Road LLC v. Town of Wallingford

9. Connecticut General Statutes §1- 225(f) and §1-200(6)(B) to discuss Town of Wallingford v. Robinson.

11. §1-200 (6)(D of the Connecticut General Statutes with respect to the purchase, sale and/or leasing of property.

**MADE BY: FARRELL
SECONDED BY: RASCATI
VOTE: UNANIMOUS; 9-AYE
MOTION PASSED**

MOTION WAS MADE TO COME OUT OF EXECUTIVE SESSION (5,7,9,11)

**MADE BY; FARRELL
SECONDED BY: RASCATI
VOTE: UNANIMOUS; AYE/9
MOTION PASSED.**

5. Executive Session pursuant to §1-200 (2) of the Connecticut General Statutes with regard to to strategy and negotiation with respect to Collective Bargaining – Board of Education

EXECUTIVE SESSION ATTENDANCE:

Cervoni, Economopoulos, Farrell, Fishbein, LeTourneau, Chairman Parisi Rascati, Sullivan, Testa, Mayor Dickinson, Dr. Salvatore Menzo, Ms. Jan Guarino, Assistant Superintendent for Personnel, Roxanne McKay, Vice-Chairwoman, Board of Education and Mike Votto, Secretary, Board of Education.

TIME OF EXECUTIVE SESSION: 6:42 Pm. M. to 7:44 P.M. P.M.

7. Execution Session pursuant to Connecticut General Statutes §1-225(f) and §1-200(6)(B) to discuss the following cases

1. Town of Wallingford v. Morin
2. Trustees Under Restated Agreement v. Town of Wallingford
3. Wakefern Food Corp. v. Town of Wallingford
4. WE 21-150 North Plains Road LLC v. Town of Wallingford Appeals

7-1. Town of Wallingford v. Morin

EXECUTIVE SESSION ATTENDANCE:

Cervoni, Economopoulos, Farrell, Fishbein, LeTourneau, Rascati, Sullivan, Testa, Chairman Parisi and Mayor Dickinson and Town Attorney Janis Small

TIME OF EXECUTIVE SESSION: 7:45 P.M. - 7:52 P.M.

7-2. Trustees Under Restated Agreement v. Town of Wallingford– Town Attorney

EXECUTIVE SESSION ATTENDANCE:

Cervoni, Economopoulos, Farrell, Fishbein, LeTourneau, Rascati, Sullivan, Testa, Chairman Parisi and Mayor Dickinson and Town Attorney Janis Small

TIME OF EXECUTIVE SESSION: 7:53 P.M. – 7:54 P.M.

7-3. Wakefern Food Corp. v. Town of Wallingford – Town Attorney

EXECUTIVE SESSION ATTENDANCE:

Cervoni, Economopoulos, Farrell, Fishbein, LeTourneau, Rascati, Sullivan, Testa, Chairman Parisi and Mayor Dickinson and Town Attorney Janis Small

TIME OF EXECUTIVE SESSION: 7:54 P.M. – 7:55 P.M.

**7-4. WE 21-150 North Plains Road LLC v. Town of Wallingford Appeals
EXECUTIVE SESSION ATTENDANCE:
**Cervoni, Economopoulos, Farrell, Fishbein, LeTourneau, Rascati, Sullivan, Testa,
Chairman Parisi and Mayor Dickinson and Town Attorney Janis Small**
TIME OF EXECUTIVE SESSION: : 7:56 P.M. – 7:59 P.M.**

9. Executive Session pursuant to Connecticut General Statutes §1-225(f) and §1-200(6)(B) to discuss Town of Wallingford v. Robinson

EXECUTIVE SESSION ATTENDANCE:
**Cervoni, Economopoulos, Farrell, Fishbein, LeTourneau, Rascati, Sullivan, Testa,
Chairman Parisi and Mayor Dickinson and Town Attorney Janis Small**

TIME OF EXECUTIVE SESSION: 8:00 P.M. – 8:05 P.M.

11. 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

EXECUTIVE SESSION ATTENDANCE:
**Cervoni, Economopoulos, Farrell, Fishbein, LeTourneau, Rascati, Sullivan, Testa,
Chairman Parisi and Mayor Dickinson and Town Attorney Janis Small**

TIME OF EXECUTIVE SESSION: 8:05 P.M. – 8:06 P.M.

6. Discussion and Possible Action with regard to the Wallingford Education Association contract for the period of September 1, 2012 through August 31, 2015 as discussed in Executive Session
- Board of Education

In attendance: Dr. Salvatore Menzo, Ms. Jan Guarino, Assistant Superintendent for Personnel, Roxanne McKay, Vice-Chairwoman, Board of Education and Mike Votto, Secretary, Board of Education

Discussion ensued with regard the changes that have been made to the Wallingford Education Association's contract for 2012 to 2015 as compared to past agreements. Dr. Menzo stated that they wanted to share with the Council the highlights of the contract that was negotiated between the Board of Education and the Teachers' union of the Wallingford Public Schools.

Ms. Guarino referred to the document 'Total Salary Cost of Contract Agreement . . .' which presents some historical information and demonstrates good efforts to contain costs and still present a balanced contract. She reviewed the 2012-2013 academic year, which shows a "hard zero" for general wage increase (GWI) and for step increase. She reviewed 2013-2014 and 2014-2015 as well, stating the total contract cost for 2012-2015 will be \$2,751,738 whereas the total contract cost for past contract of 2009-2012 was \$5,239,119. The total percentage increase for the 2012-2015 contract is 6.21%, compared to the contract of 2009-2012 at 12.50%, which indicates cost containment.

She also reviewed points in a second document of 'Summary of Changes...' in the areas of *Medical Insurance* where the cost sharing goes from 18% to 19.5% for the employee; Medical insurance coverage for *Part-Time Teachers* will be pro-rated based on the percentage of the full-time equivalent that they work, another cost containment.

Dr. Menzo addressed cost containment in the area of *Severance Pay* in the changes that will be applied to teachers hired on or after July 1, 2012 who shall not be eligible for the payment of unused sick leave upon death or retirement. He said that this is a long-term, substantial benefit to the town and to the district. In moving forward this showed faith in recognizing the financial times that we are in.

Ms. Guarino discussed the adjustment from 150 days to 180 days in the *Leaves Section* and talked about personal days for teachers. She next spoke about the *RIF/Transfers* section stating that both parties brought strong feelings to the table. The section addresses bumping; a change in assignment due to reduction in staff; displaced teachers; seniority and placement of displaced teachers.

Dr. Menzo stated that in the *Work Year* section, there was language cleanup from the previous contract. Calendar flexibility is built-in now. He spoke about Curriculum Training.

Ms. Guarino spoke about language cleanup in the *Grievance Procedure* section and of other language changes in the rest of the contract.

Dr. Menzo pointed out that this was a collaborative process on both sides of the table with Wallingford's students in mind.

Councilor Sullivan asked about how Wallingford compares with other towns in the state. Ms. Guarino said that the Wallingford district falls in the middle. They discussed GWI and Step increases. Councilor Fishbein asked about the 2012-2013 school year with respect to giving up a step and asked about the RIF/Transfer section. Councilor Economopoulos requested a salary/position chart of the district.

Mayor Dickinson expressed concern that even with the progress with the negotiation, he is not aware of new revenue and that this will probably be an impossible problem in that the only place (for new revenue) will be with the taxpayers. He said that we face an enormous financial difficulty.

Chairman Parisi stated that the Town Council will do what the Council can do but the Council is between a rock and a hard place in a broken system. Councilor Economopoulos, referring to the retirement formula, stated that the zero % increase may encourage some people to retire.

The surplus of the Board of Education was discussed with Dr. Menzo enumerating the capital, one-time expenditures for which the surplus is being used, especially in the area of long-delayed maintenance. He said that the school system no longer engages in pre-purchasing of consumable items. The surplus cannot be carried over to the next year and can be used for severance. These funds help with the \$1.25 million gap. He pointed out that there was a \$500,000 savings by switching over to gas and that there is also \$80,000 being saved on electricity.

The Town Council moved on to the next item, thanking the Superintendent and the rest of the panel for their attendance.

8. Possible Action on the following cases:
1. Town of Wallingford v. Morin
 3. Wakefern Food Corp. v. Town of Wallingford
 4. WE 21-150 North Plains Road LLC v. Town of Wallingford Appeals
– Town Attorney

Motion was made to authorize the settlement of the following cases as discussed in Executive Session:

- 7-1. **Town of Wallingford v. Morin**
- 7-3. **Wakefern Food Corp. v. Town of Wallingford**
- 7-4. **WE 21-150 North Plains Road LLC v. Town of Wallingford, Three Appeals**

MADE BY: FARRELL
SECONDED BY: RASCATI
VOTE: UNANIMOUS; 9-AYE
MOTION PASSED

10. Possible Action on Town of Wallingford v. Robinson – Town Attorney

MOTION WAS MADE TO AUTHORIZE ACTION IN THE Town of Wallingford v. Robinson as discussed in Executive Session

MADE BY: FARRELL
SECONDED BY: RASCATI
VOTE: UNANIMOUS; 9-AYE
MOTION PASSED

MOTION WAS MADE TO ADJOURN THE MEETING.

MADE BY: FARRELL
SECONDED BY: RASCATI
VOTE: UNANIMOUS; 9-AYE
MOTION PASSED

THE MEETING ADJOURNED AT 8:49 P.M.

Respectfully submitted,

Sandra Weekes
Town Council Secretary
Meeting digitally recorded

Robert F. Parisi, Chairman

Date

Barbara Thompson, Town Clerk

Date