

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

October 22, 2013

RECORD OF VOTES & MINUTES

The Regular Meeting of the Wallingford Town Council was called to order at 6:48 P.M. The Opening Prayer was offered by Reverend Dean Warburton 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, and Jason Zandri. Councilor John Sullivan had an excused absence and was not at the meeting. Mayor William W. Dickinson, Jr., Town Attorney G.E Farrell, Sr. and Comptroller James Bowes were present at the meeting.

2. Correspondence *-NONE*
3. Consent Agenda
 - 3a. Consider and Approve Tax Refunds totaling \$9,546.79 (#297-335)
Acct. #1001001-41020 – Tax Collector
 - 3b. Acceptance of *On the Team* funds from Crossfit Tritons and Appropriation in the Amount of \$1,000 to *Youth and Social Services Special Fund* Donations Acct # 2134002-47152 and to Expenditures Acct # 21340100-58830
– Youth and Social Services
 - 3c. Consider and Approve Appropriation in the Amount of \$25.00 *Youth and Social Services Special Fund-STEM Academy* Registration to Donations/Fees Acct. #2134002-47152 and to Expenditures Acct. # 21340100-58830
– Youth and Social Services
 - 3d. Consider and Approve Acceptance of Wallingford Energy, LLC Grant and Appropriation in the Amount of \$2,500 for *Miscellaneous Donations/Grant Funds* to Miscellaneous Revenue Acct # 1009052-47040 and to Continuing Education & Training Acct # 10020150-55700 –Fire Chief
 - 3e. Consider and Approve Temporary Bid Waiver for Henry Schein, Inc. for the purchase of EMS Supplies – Fire Chief
 - 3f. Consider and Approve request for Town Council authorization for Public Utilities Director to Execute an Agreement for CONVEX Services- Director, Public Utilities
 - 3g. Approve Minutes of Regular Town Council meeting of **October 8, 22 2013**

ADDENDUM

- 3h. Consider and Approve Transfer of funds in the amount of \$20,000 to Maintenance Structures & Improvements – Treatment Acct. #43100651 from Power Purchased for Pumping Acct. #43100623 – Water Division

Councilor Cervoni announced the date correction to Item 3h. He also read the Addendum item and added it to the Consent Agenda/

MOTION TO APPROVE 3a. - 3h. OF THE CONSENT AGENDA

MADE BY: CERVONI
SECONDED BY: RASCATI
VOTE: 8-AYE
1-ABSENT

MOTION PASSED.

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

5. **PUBLIC QUESTION AND ANSWER PERIOD**

Larry Morgenstein, South Main Street, asked if the public would be allowed comment in items 6 & 7.

Bob Gross, 114 Long Hill Avenue, made comments with regard to the disposal of prescription drugs. He also asked about the status of the FEMA reimbursement as a result of expenditures made post storm 'Sandy' and about conditions around the hiring of outside contractors that become part of the town's cleanup.

Vincent Avallone, 1 Ashford Court, asked what the word 'lynching', which was used in the Town Council's last meeting on October 8, 2013, meant. Mr. Avallone apologized for using the word 'malicious' in the last meeting. He said he wanted to go on the record that neither of these words should have been used as they were not fair remarks.

Bill Comerford, 5 Broad View Road, wants to know the bottom line cost for the new resident disposal facility, not an estimate.

Tom Meizzi asked if the Council will be appointing a new Board member for the Housing Authority soon, so he can officially retire from the Board.

6. **Discussion and Possible Action on RFP for 41 South Main Street, formerly known as the American Legion Building – Councilor John Letourneau**

Councilor LeTourneau introduced the item by summarizing the only two bids that were received.

- 1) Erin & Richard Benham, 221 South Whittlesey Avenue, Wallingford, presented a plan for use of the building as a primary residence on the first floor, and apartments on the second floor. They would require four (4) parking spaces. Their offer is for \$35,000.
- 2) Adam & Carol Ann Carbutti, 418 North Main Street, Wallingford, have offered \$40,000 to use the first floor as a family business location as well as other offices on the second and third floors. They require nine (9) parking spaces.

Councilor Cervoni, speaking to both parties, stated that if he votes 'no' that it would be no against selling the building and should not be construed as a vote against the two offers or the prospective buyers.

Councilor Economopoulos stated the he thinks that \$35,000 is too small an offer for this property.

Councilor Fishbein said selling this building is an old issue. He said we have the parking. He remarked that he envisions the future of this building and would like to see a porch; wants to enhance the downtown and to put the building back on the tax role. He stated that selling the building is the right decision.

Councilor LeTourneau agreed with Councilor Fishbein and said we can't tear it down by order and that if we go back to a judge, he thinks the judge would ask why the town didn't accept one of the most recent offers. He said that the reason to save the building is that it completes the green, the parade grounds, in that it would be in concert with the other buildings at that location. He would like to see the early 20th C. porch returned to the building and stated that the parade grounds are special. He observed that this is a good project for the town.

Councilor Laffin stated that he agrees with Councilors Fishbein and Letourneau.

Andy and Mark Carbutti were called forward to the panel table. Andy Carbutti said that they plan to retain the historical flavor of the building. This location would be home for Mrs. Carbutti's business, which provides non-medical care for seniors in their homes.

Councilor Fishbein asked about restoring the porch. Mr. Carbutti said that it is not in their current plan but that they would look into it. He noted that the basement, first & second floors have always been used. Mr. Mark Carbutti commented that nine (9) parking spaces would be more than adequate. Councilor Fishbein asked if the basement would be an office or would it be used for storage? Mr. Carbutti responded that it would be used for storage. They are requesting nine (9) more parking spaced in addition to the two (2) that are part of the property. He spoke about posting business signs that would be in compliance with regulations. Occupants would be Mr. & Mrs. Carbutti and three (3) employees.

From the public section, Ray Rys, 96 Pierson Drive, said the property is for Town Hall expansion.

Tom Meizzi, 18 East Dayton Hill Road, asked the Council to not sell it for \$30,000 or even \$40,000.

Mayor Dickinson spoke to the question of an appraisal.

Christie McGraff, 416 Main Street, asked about the price of the property.

Town Attorney Farrell responded to Councilor Fishbein concerns stating that if the Council desires restrictions on the land records, they could be included and sold that way. Councilor LeTourneau added that the Court has placed restrictions. He reported the permission needed from the courts to remove the back addition and the side staircase. He also pointed out that the court has stated that the building must maintain its architectural detail. Councilor LeTourneau mentioned the sewer line in the back

Karen and Richard Benham, the other bidder, would use the first floor as their primary residence with part of the second floor as a second bedroom, using the rest of the second floor as an apartment and keeping the third floor and the basement vacant. They need four parking spots with the request being an additional two parking spots since the property includes two. The

discussion included closing right away; that construction would begin soon; they spoke about a wrap-around porch and said to do it would not turn them away from the project; they identified trees that would need to be pruned and where the responsibility is for getting that accomplished; they also spoke about the interior staircase; there were comments with regard to renting;

Members of the public, Larry Morgenstein, Bob Gross, Bill Comerford and Vincent Avallone, commended the bidders and supported the sale of the property turning it into a Wallingford asset.

MOTION WAS MADE THAT THE PROPERTY LOCATED AT 41 SOUTH MAIN STREET BE SOLD TO ERIN AND RICHARD BENHAM FOR THE AMOUNT OF \$35,000 AS STATED IN THE RFP WITH THE CONDITION THAT EXTERIOR ARCHITECTURAL DRAWINGS, PERHAPS A COLOR SCHEME OF AN ARTIST DRAWING, BE PRESENTED TO THE TOWN COUNCIL AND AT THE PUBLIC HEARING AND THAT THE SALE CONTRACT DOCUMENTS BE DRAWN UP SUBJECT TO A PUBLIC HEARING.

MADE BY: LETOURNEAU

SECONDED BY: FISHBEIN

ROLL CALL VOTE:

CERVONI: NO

ECONOMOPOULOS: NO

FISHBEIN: YES

LAFFIN: YES

LETOURNEAU: YES

RASCATI: NO

SULLIVAN: ABSENT

ZANDRI: YES

CHAIRMAN PARISI: YES

5- AYE; 3-NAY; 1- ABSENT

THE MOTION PASSED.

- 7. Questions and answers of the department head of Public Works and the Mayor regarding the activities, total costs, and accountability to the taxpayers of Wallingford for town property located at 91 North Turnpike Road. Activities to include, but not limited to, street sweepings, disposal of catch basin materials, discharge-from the Vac Truck, and street millings.**

Using a PowerPoint presentation and documents (both part of the record of the meeting) provided to the Council, Councilor Economopoulos discussed activities that have occurred at 91 North Turnpike Road over the years 2009-2013. He discussed that the presentation is not about Mr. McCully. He covered Goals, History, Non-Hazardous Waste, Keeping It Quiet, and What Now? Mayor Dickinson stated that Public Works was never ordered to not use the site but rather to not expand. He said this has been the issue. The talk was lengthy with several Councilors commenting on the issue.

From the public, Ken Daley, 591 North Elm Street, suggested that the town create an Environmental Compliance Authority. He said that an authority is the pathway to a solution. Wells were briefly discussed and the aquifer area in the location in question. It was stated that there is no 'Storm Water Management Plan' but that a Storm Water Permit has been renewed every five (5) years for the town.

Vincent Avallone, 1 Ashford Court, made concerned remarks with regard to the breaking of a rule in the continued use of a location the state ordered not be used.

Sharon Sanders, South Cherry Street, Larry Morgenstein, South Main Street, also spoke.

No action was taken.

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: CERVONI

SECONDED BY: RASCATI

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

MOTION PASSED.

The meeting adjourned at 10:09 P.M.

Respectfully submitted,

Sandra R. Weekes
Secretary to the Town Council
Meeting digitally recorded

Robert F. Parisi, Chairman

Date

Barbara Thompson, Town Clerk

Date