

3r.

**TOWN OF WALLINGFORD, CONNECTICUT  
TOWN COUNCIL MEETING  
Town Council Chambers  
March 13, 2018  
RECORD OF VOTES & MINUTES**

The Town Council Workshop on Tuesday, March 13, 2018 was called to order at 6:30 P.M. There was a moment of silence and the Pledge of Allegiance was said. Councilors in attendance were: Chairman Vincent Cervoni, Craig Fishbein, Thomas Laffin, John LeTourneau, Joseph A. Marrone, III, Gina Morgenstein, Christopher K. Shortell, Vincent F. Testa and Jason Zandri. Mayor William W. Dickinson, Jr., Corporation Counsel Janis Small and Comptroller James Bowes were also present at the meeting.

Moment of Silence

1. Pledge of Allegiance
2. Roll Call
3. Consent Agenda
  - 3a. Consider and Approve Tax Refunds totaling \$7,410.81 (#678-693)  
Acct. #1001001-41020 – Tax Collector
  - 3b. Acceptance of DEA Drug Diversion Task Force Funds and consider and approve Appropriation of funds in the amount of \$2,487 to Misc. Revenue, Acct. #1009052-47040 and to Police Overtime, Acct. #10020050-51400 – Police Dept.
  - 3c. Acceptance of revenue from Redflex Student Guardian and consider and approve Appropriation of funds in the amount of \$468 to Court Motor Vehicle Fines (Revenue), Acct. #1002001-45124 and to Police Operating Expense, Acct. #10020050-58735 – Police Dept.
  - 3d. Acceptance of State of Connecticut Transit Oriented Development grant and consider and approve Appropriation of funds in the amount \$210,000 - Mayor:

|           |                             |                     |
|-----------|-----------------------------|---------------------|
| \$175,000 | To: State Grant Revenue     | Acct. #Fund 200 TBD |
| 35,000    | To: CRRA Dist. Revenue      |                     |
|           |                             |                     |
| \$210,000 | To: Walkability Grant (TOD) | Acct. #Fund 200 TBD |
  - 3e. Consider and Approve a Transfer in the amount of \$795 from Regular Salaries and Wages, Acct. #10010550-51000 to Office Expenses & Supplies, Acct. #10010550-56100 – Building Dept.
  - 3f. Consider and Approve a Transfer in the amount of \$4,048 from Regular Salaries & Wages, Acct. #10010550-51000 to PCs, Printer and Accessories, Acct. #10010550 – TBD – Building Dept.

- 3g. Consider and approve Appropriation of funds in the amount of \$1,487 to Revenue, Acct. #2264002-47152 and to Expenditures, Acct. #22640150-58830 – Y&SS
- 3h. Consider and Approve a Transfer in the amount of \$4,000 from Capital-Billboard, Acct. #10011050-57000-00654 to Capital-Billboard Lighting, Acct. #10011050-57000-TBD - EDC
- 3i. Consider and Approve a Transfer in the amount of \$2,000 – EDC:  
\$2,000 From: Promotional Expenses Acct. #10011050-55405  
\$1,000 To: Transportation Acct. #10011050-55110  
\$1,000 To: Dues and Fees Acct. #10011050-58810
- 3j. Consider and Approve Reappointment of Patrick Birney to the Public Utilities Commission for a three year term effective immediately and expiring March 1, 2021 – Mayor
- 3k. Approve Town Council Minutes of February 27, 2018.

**MOTION WAS MADE TO APPROVE CONSENT AGENDA ITEMS 3a.-3c. and 3e.-3k.**

**MADE BY: LETOURNEAU  
SECONDED BY: FISHBEIN  
VOTE: ALL AYE  
MOTION: PASSED**

**5. PUBLIC QUESTION & ANSWER PERIOD**

Opened Public Question and Answer Period at 6:35 p.m.

Alida Cella, North Whittlesey Avenue, stated she did a Facebook poll that had 200 respondents and 93 percent of them wanted the pool funded. These people would like to see longer hours of use, food trucks and swimming lessons made available.

Larry Morgenstien, 177 South Main Street, inquired about the lawsuit against the pharmaceutical companies.

Attorney Small stated that it's in the initial stages and they have selected a law firm.

Mr. Morgenstein also had questions about the pension fund. Mr. Bowes invited Mr. Morgenstein to the next quarterly meeting.

Closed Public Question and Answer Period at 6:45p.m.

6. 6:30 p.m. Conduct a Public Hearing and consider and act on the following ordinance:  
Stormwater Management Ordinance

Opened Public Q&A at 6:45 p.m.

**MOTION WAS MADE TO APPROVE STORMWATER MANAGEMENT ORDINANCE**

**MADE BY:               LAFFIN**  
**SECONDED BY:       SHORTELL**

Attorney Small stated that DEEP requires us to have this ordinance.

State Representative Mushinsky stated the stormwater ordinance is well done and she hopes it will be approved.

Patrick Birney, Member PUC, stated he is in favor of the ordinance.

Chairman Cervoni closed the Public Q&A at 6:50 p.m.

Councilor Fishbein stated that the Town Engineer has the enforcement power for this ordinance and asked if that is unique to our town.

Attorney Small stated it is not unique and indicated that Mr. Baltramaitas is the most logical person to do it.

Councilor Fishbein asked if the Engineering Department is ready to take on that responsibility.

Attorney Small stated it is more of a complaint type of ordinance and Engineering is the proper department to do this.

Councilor Fishbein asked how does Engineering find out about the complaints and Attorney Small responded by phone calls and people reporting issues to the town.

Mayor Dickinson stated that this is an example of how the State of Connecticut has abandoned its duties and passed them to the town. The state requires more from the town and provides no money.

Councilor Morgenstein asked what the acronym stands for and she questioned the mechanism for enforcement of complaints.

Mr. McCully stated Public Works has people on call 24 hours a day.

Mayor Dickinson stated that Public Works puts a metal plate on catch basins warning people not to put anything into the drain.

Mr. McCully stated that the decal comes from the State and it says this catch basin drains into Long Island Sound.

**ROLL CALL VOTE:**  
**FISHBEIN: YES**  
**LAFFIN: YES**  
**LETOURNEAU: YES**  
**MARRONE: YES**  
**9-AYE**  
**MOTION: PASSED**

**MORGENSTEIN: YES**  
**SHORTELL: YES**  
**TESTA: YES**  
**ZANDRI: YES**  
**CERVONI: YES**

4. **Items Removed from the Consent Agenda:**

3d. Acceptance of State of Connecticut Transit Oriented Development grant and consider and approve Appropriation of funds in the amount \$210,000 - Mayor:

\$175,000 To: State Grant Revenue Acct. #Fund 200 TBD  
35,000 To: CRRRA Dist. Revenue

\$210,000 To: Walkability Grant (TOD) Acct. #Fund 200 TBD

**MOTION WAS MADE TO ACCEPT STATE OF CONNECTICUT TRANSIT ORIENTED DEVELOPMENT GRANT AND ACCEPTANCE OF FUNDS**

**MADE BY: LAFFIN**  
**SECONDED BY: SHORTELL**

*In Attendance: Kacie Hand, Town Planner*  
*Robert Baltramaitas, Town Engineer*

Mrs. Hand commented on the POCD and TOD study and had a handout for the Council. She stated that the POCD plan highlights problems and items that we want to address with the grant, i.e. bicycle connectivity, street scape improvements, sidewalks and utility lines. She went on to state that money will be used to hire a consultant to come up with options.

Mr. Baltramaitas stated that it's more than just a study. It would be a design team that would determine surveys and right of way easements and underground public utilities. He went on to state that consultants would present these options.

Mayor Dickinson strongly cautioned that undergrounding public utilities comes with a high price tag.

Councilor Morgenstein stated that she appreciates the work going into this and is happy to hear that it's more than just a studying project.

Mr. Baltramaitas estimates that it would take 15 months to complete the project and that the town would be looking for grant assistance to fund the project.

Councilor Zandri asked if we are looking at getting a right of way and expanding the roadway.

Mrs. Hand stated we have sufficient width to make the plan happen.

Councilor Zandri stated that the area gets very congested and that he sees people on bikes getting cut off by cars. He thinks we should consider two lanes of traffic going both ways.

Mrs. Hand stated that the preference is to lean toward sidewalk improvements rather than bicycle lanes.

Councilor Letourneau stated that he has been downtown for 18 years and he earns his living downtown. He can't see spending money on another study that is not going to get done. He sees it as a wish list with a phenomenal cost. We do not need a consultant to tell us to move a fire hydrant from the middle of a sidewalk. We are going into a tough fiscal year and he cannot vote for this. He thinks this is a point blank waste of money.

Councilor Fishbein shares Councilor LeTourneau's concern and mentions that the downtown area needs a lot of TLC. He then mentioned that the POCD study claimed there is enough room for a bike lane. He does not see this and does not think this is the way to go at this time.

State Representative Mushinsky stated that she is in favor of acceptance of the grant and that rail service will be coming in May. She then talks about how 40 towns are working on similar projects and we can join them. She congratulates the town on winning the grant.

Mr. Morgenstein understands Councilor LeTourneau and Councilor Fishbein's concerns, however, he sees this as a vision of what the town can be in the future.

Councilor Laffin asked Mrs. Hand and Mr. Baltramaitis if they are in favor of accepting the grant and they both answer yes.

Chairman Cervoni reminds everyone that we voted in favor of applying for this grant and thanks Mrs. Hand and Mr. Baltramaitis for their hard work.

Councilor Testa states that people need to see ongoing and continued investment in this project and need to see noticeable, meaningful development.

Councilor Letourneau does not see this plan getting done and does not want to waste money.

Mayor Dickinson stated everyone is rightfully concerned about what we spend money on. In the past, streetscapes were not done to the degree everyone wanted but the downtown community did benefit and people drive into the center of town just to walk.

**ROLL CALL VOTE:**  
**FISHBEIN: NO**  
**LAFFIN: YES**  
**LETOURNEAU: NO**  
**MARRONE: YES**  
**7-AYE**  
**MOTION: PASSED**

**MORGENSTEIN: YES**  
**SHORTELL: YES**  
**TESTA: YES**  
**ZANDRI: YES**  
**CERVONI: YES**

7. Discussion regarding use of road salt – Councilor Marrone

*In Attendance: Henry McCully, Director, Public Works  
Steven Palermo, Foreman, Public Works*

**MOTION WAS MADE TO WAIVE RULE V**

**MADE BY: LAFFIN  
SECONDED BY: FISHBEIN  
ALL AYE  
MOTION PASSED**

**MOTION WAS MADE TO APPROVE A TRANSFER IN THE AMOUNT OF \$30,000 from Regular Wages, Acct. #10030000-51000 to Overtime, Acct. #10030000-51400 AND TO APPROVE A TRANSFER IN THE AMOUNT OF \$58,000:**

|          |   |                             |
|----------|---|-----------------------------|
| \$20,000 | From: T. Hall – HVAC Controls/<br>Dampers | Acct. #10030000-57000-00645 |
| \$38,000 | From: Contingency                         | Acct. #10019000-58820       |
| \$58,000 | To: Materials & Supplies                  | Acct. #10030000-56140       |

**MADE BY: LAFFIN  
SECONDED BY: FISHBEIN  
ALL AYE  
MOTION PASSED**

Councilor Marrone had questions about the crisis of the February 9<sup>th</sup> email regarding Public Works running out of salt.

Mr. Palermo explained that their reserve of salt is 1,500 tons which is enough for four storms. They had approximately 15 to 18 tons of salt on hand prior to the blizzard. The governor put a hold on salt delivery and they went down to 400 tons of salt after the blizzard which is enough for only one storm. He stated that Public Works asked for salt on February 8<sup>th</sup> and it was approved on the 9<sup>th</sup> in anticipation of more storms coming the following week. He also mentioned that Public Works supplies water-sewer and the electric division with salt.

Mr. McCully indicated that the responsibility lies with Mr. Palermo and himself. He stated they cannot run out of salt. When faced with making a judgment, public safety is the number one concern.

Councilor Marrone thanked Mr. McCully and remarked that makes sense. He indicated that he was more concerned with the 11<sup>th</sup> hour plea and how we can avoid needing salt on an emergency basis.

Mayor Dickinson stated there is no way to do that and went on to say Public Works is proactive but cannot predict what the weather will do.

Councilor Marrone wanted to know how we calculate the money needed for salt each year and Mayor Dickinson replied from a five year average.

Mr. Palermo talked about our most recent storm and how much salt was used and also how it was used.

Mayor Dickinson stated that Public Works does not just dump salt all over the road. He then asked Mr. Palermo to share the different salt treatments that are done to the road.

Councilor Marrone thanked Mr. Palermo for his explanation.

Mayor Dickinson stated when we have a public safety crisis we will do what we have to do to protect public safety.

Councilor Zandri, Councilor Morgenstein, Mr. Bowes and Mr. McCully discussed how the budget for salt is determined.

**ROLL CALL VOTE:**  
**FISHBEIN: YES**  
**LAFFIN: YES**  
**LETOURNEAU: YES**  
**MARRONE: YES**  
**9-AYE**  
**MOTION: PASSED**

**MORGENSTEIN: YES**  
**SHORTELL: YES**  
**TESTA: YES**  
**ZANDRI: YES**  
**CERVONI: YES**

8. Discussion and possible action on Property Tax Agreement for the WRE Solar Project on the Town's landfill and MIRA property – Law Dept. - *Withdrawn*
9. 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*
10. Executive Session pursuant to Section 1-200(6)(E) and Section 1-210(b)(5)(B) to discuss confidential commercial and financial information regarding a potential development proposal – Law Dept.

**MOTION WAS MADE TO MOVE IN TO EXEC SESSION AT 8:16 P.M.**

**MADE BY: LAFFIN**  
**SECONDED BY: FISHBEIN**  
**ALL AYE**  
**MOTION PASSED**

**MOTION WAS MADE TO MOVE INTO EXECUTIVE SESSION** pursuant to Section 1-200(6)(E) and Section 1-210(b)(5)(B) to discuss confidential commercial and financial information regarding a potential development proposal.

**MOTION WAS MADE TO MOVE OUT OF EXECUTIVE SESSION AT 8:36 P.M.**

**MADE BY: LAFFIN**  
**SECONDED BY: FISHBEIN**  
**VOTE: ALL AYE**  
**MOTION: PASSED**

**Time of Executive Session 8:16 p.m. to 8:36 p.m.**

**Attendance at Executive Session:**

|                    |  |
|--------------------|--|
| <b>FISHBEIN</b>    | <b>MAYOR WILLIAM W. DICKINSON, JR.</b> |
| <b>LAFFIN</b>      | <b>CORPORATON COUNSEL JANIS SMALL</b>  |
| <b>LETOURNEAU</b>  |  |
| <b>MARRONE</b>     |  |
| <b>MORGENSTEIN</b> |  |
| <b>SHORTELL</b>    |  |
| <b>TESTA</b>       |  |
| <b>ZANDRI</b>      |  |
| <b>CERVONI</b>     |  |

11. Executive Session pursuant to Connecticut General Statutes Section 1-225(f) and Section 1-200(6)(B) of the Connecticut General Statutes to discuss the matter of *Fishbein v. Public Celebrations Committee, et al* – Law Dept. - *Withdrawn*
12. Discussion and possible action regarding the matter of *Fishbein v. Public Celebrations Committee, et al* as discussed in Executive Session – Law Dept. - *Withdrawn*

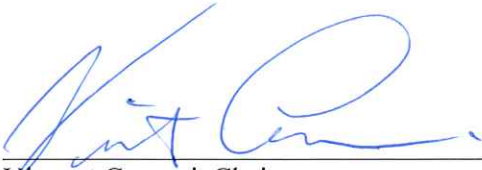
**MOTION TO ADJOURN**  
**MADE BY: ZANDRI**  
**SECONDED BY: FISHBEIN**  
**MOTION: PASSED**

The Council adjourned the meeting at 8:37 P.M.

Respectfully submitted,

Lisa Moss  
Council Staff  
Meeting digitally recorded

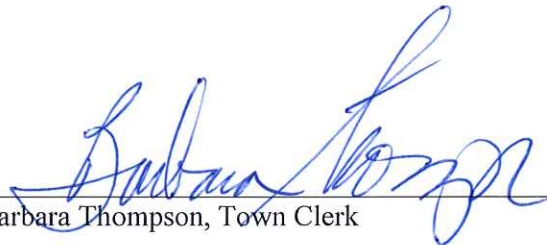




Vincent Cervoni, Chairman

27 MARCH 2018

Date



Barbara Thompson, Town Clerk

3-28-18

Date

RECEIVED FOR RECORD 3-16-18  
AT 4:30 AND RECEIVED BY  
Barbara Thompson TOWN CLERK