

TOWN OF WALLINGFORD, CONNECTICUT

*REGULAR TOWN COUNCIL MEETING*

Town Council Chambers

**April 9, 2013**

**RECORD OF VOTES & MINUTES**

The Regular Meeting of the Wallingford Town Council was called to order at 6:32P.M. Following the Opening Prayer by Reverend Margaret Jay, 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 Sullivan arrived at 6:50 P.M. Mayor William W. Dickinson, Jr. and G. E. Farrell, Sr., Town Attorney were also in attendance.

**2.** Correspondence

**3.** Consent Agenda

**3a.** Consider and Approve Tax Refunds totaling \$14,689.21(#562 - #587)  
Acct. # # 1001001-41020 - Tax Collector

**3b.** Acceptance of Donation and Appropriation in the Amount of \$397for  
*Youth and Social Services Special Fund 'Out to Pasture'* to Donations  
Acct # 2134002-47152 and to Expenditures Acct # 21340100-58830  
– Youth and Social Services

**3c.** Acceptance of Donation and Appropriation in the Amount of \$760for  
*Youth and Social Services Special Fund 'Out to Pasture'* to Donations  
Acct # 2134002-47152 and to Expenditures Acct # 21340100-58830  
– Youth and Social Services

**3d.** Consider and Approve an Appropriation of \$10,150 *Special Revenue* to:

Document Preservation-Revenue Town Share Acct # 2281002-42030 \$9,650 and to  
Document Preservation - State Grant Act # 2281002-45114 \$500 and to  
Fund Expenditures FY 12/13 Acct #22810650-58830 – Town Clerk

**3e.** Consider and Approve a Transfer in the Amount \$1,800 to Video Equipment  
Acct # 1002005 57000 00171  
from Firearms & Access. \$1,797 Acct # 1002005 57000 00173  
and from PSDN Router \$3 Acct # 1002005 57000 00172 – Police Department

**3f.** Consider and Approve Appropriations of Various State Grants as follows:

**1.** Consider and Approve an Appropriation in the Amount of \$61,603 for State & Federal  
Education Grants Fund to **Title I** State Grant Revenues Fund 235 to Program Expenditures  
Fund 235

**2.** Consider and Approve an Appropriation in the Amount of \$506 for State & Federal  
Education Grants Fund to **Title II** State Grant Revenues Fund 235 to Program  
Expenditures Fund 235

3. Consider and Approve an Appropriation in the Amount of \$1,462 for State & Federal Education Grants Fund to **Title III** State Grant Revenues Fund 235 to Program Expenditures Fund 235
  4. Consider and Approve an Appropriation in the Amount of \$16,581 for State & Federal Education Grants Fund to **IDEA-Part B** State Grant Revenues Fund 235 to Program Expenditures Fund 235
  5. Consider and Approve an Appropriation in the Amount of \$90,000 for State & Federal Education Grants Fund to **Adult Education Program Improvement Project** State Grant Revenues Fund 235 to Program Expenditures Fund 235
  6. Consider and Approve an Appropriation in the Amount of \$35,000 for State & Federal Education Grants Fund to **Adult Education English Literacy** State Grant Revenues Fund 235 to Program Expenditures Fund 235
  7. Consider and Approve an Appropriation in the Amount of \$15,444 for State & Federal Education Grants Fund to **Carl D. Perkins Career & Technology Education E-Commerce** State Grant Revenues Fund 235 to Program Expenditures Fund 235
  8. Consider and Approve an Appropriation in the Amount of \$33,060 for State & Federal Education Grants Fund to **Carl D. Perkins Career & Technology Education STEM** State Grant Revenues Fund 235 to Program Expenditures Fund 235
  9. Consider and Approve an Appropriation in the Amount of \$21,096 for State & Federal Education Grants Fund to **Carl D. Perkins Career & Technology Education Student Success** State Grant Revenues Fund 235 to Program Expenditures Fund 235  
- Board of Education
- 3g. Consider and Approve the Re-Appointment of David Parent to Inland Wetland and Watercourses Commission for a five-year term beginning immediately and ending January 8, 2018 – Chairman Robert F. Parisi
- 3c. Consider and Approve the Appointment of David Leonardo as an Alternate to the Zoning Board of Appeals to fulfill a term beginning immediately and expiring January 8, 2015  
– Chairman Robert F. Parisi
- 3i. Approve minutes of Regular Town Council meeting of March 26, 2013

**MOTION WAS MADE TO APPROVE THE CONSENT AGENDA 3a. – 3i.**

**MADE BY: CERVONI**  
**SECONDED BY: RASCATI**  
**VOTE: ALL AYE (9)**  
**MOTION PASSED**

The Town Clerk swore in David Parent to the Inland Wetland and Watercourses Commission for a five-year term and David Leonardo as an Alternate to the Zoning Board of Appeals.

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

5. **PUBLIC QUESTION & ANSWER PERIOD**

Geno Zandri, 9 Balsam Ridge Circle, reported on the reporting of street lamps that are out.

Robert Gross, 114 Long Hill Road, spoke about a letter in the Record-Journal.

Jim Ricci made comments with regard to the attorney structures between the Wallingford Housing Authority and New Haven Housing Authority, the Wallingford Housing Authority's new manager.

Robert Gross, 114 Long Hill Road, asked why corporations cannot contribute financially to the development of the "re-do" of Wallace Park. Both Chairman Parisi and Mayor Dickinson stated that the corporations in town are very supportive of the community and are also asked for contributions all the time. Mr. Gross asked if the recommendations of the Diversity Committee have been implemented.

Mr. Ricci made further comments with regard to the WHA attorneys.

At 6:48 P.M. it was announced that the Public Hearing scheduled for 7:00 P.M. could not be held until it was 7:00 P.M. The Town Council moved on to Item 8 and 9, both Executive Sessions.

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
9. Executive Session pursuant to §1-225(f) and §1-200(6)(B) of the Connecticut General Statutes regarding strategy and negotiations with respect to the pending tax appeal matter of FBC Triad, LLC v. Town of Wallingford – Law Department

**MOTION WAS MADE TO GO INTO EXECUTIVE SESSION PURSUANT TO THE FOLLOWING:**

8. **§1-200 (6)(D) of the Connecticut General Statutes with respect to the purchase, sale and/or leasing of property and**
9. **§1-225(f) and §1-200(6)(B) of the Connecticut General Statutes regarding strategy and negotiations with respect to the pending tax appeal matter of FBC Triad, LLC v. Town of Wallingford – Law Department**

**MADE BY: CERVONI  
SECONDED BY: RASCATI  
VOTE: ALL AYE (9)  
MOTION PASSED.**

**MOTION WAS MADE TO COME OUT OF EXECUTIVE SESSION.  
MADE BY: CERVONI  
SECONDED BY: RASCATI  
VOTE: ALL AYE (9)  
MOTION PASSED.**

**TIME OF EXECUTIVE SESSION: ITEM 8 WAS WITHDRAWN.  
ITEM 9: 6:53 P.M. – 7:00 P.M.**

**ATTENDANCE AT EXECUTIVE SESSION:  
EIGHT (8) COUNCILORS; COUNCILOR FISHBEIN RECUSED HIMSELF  
FROM THE DISCUSSION; MAYOR DICKINSON AND TOWN ATTORNEY  
G.E. FARRELL, SR.**

Councilor Cervoni announced that there was no discussion for Item 8.

- 10.** Consider and Approve action regarding the matter of FBC Triad LLC v. Town of Wallingford tax appeal as discussed in Executive Session – Law Department

**MOTION MADE TO AUTHORIZE THE TOWN ATTORNEY TO RESOLVE THE  
TAX APPEAL MATTER OF FBC TRIAD LLC V. TOWN OF WALLINGFORD AS  
DISCUSSED IN EXECUTIVE SESSION.**

Councilor Fishbein announced that he recused himself from the matter.

**MADE BY: CERVONI  
SECONDED BY: RASCATI  
VOTE: AYE (8); 1 RECUSED(FISHBEIN)  
MOTION PASSED.**

- 6.** Conduct a Public Hearing for April 9, 2013 at 7:00 P.M. to consider and act on the repeal of Chapter 28 Housing Partnership and the adoption of the substituted Chapter 28 Housing Partnership of the Code of the Town of Wallingford.

The Public Hearing opened at 7:05 P.M.

Geno Zandri, 9 Balsam Ridge Circle, asked for a summary.

Co-Chairman Fishbein address the request stating that in the review of the ordinance, the town has not had a Housing Partnership in some time. It was suggested that the ordinance be repealed. The repeal was discussed, and it was decided that it would be more efficient to modify the language to provide that from time to time, the Mayor would be able to appoint a Wallingford Housing Partnership. He said that is the sole modification and intent.

Mr. Zandri asked if this was a commission, or were there appointments, and what would the responsibilities be.

Mayor Dickinson said that Connecticut state law provides for Housing Partnerships. There is a desire to provide affordable housing. A Partnership was appointed and functioned. He said they functioned and arrived at language that was enacted by the Planning and Zoning Commission to provide for the encouragement of affordable housing. He reported that the town has regulatory language. He said we should have an ordinance in place and when needed we have the vehicle to appoint a Partnership pursuant to the state law to work on issues.

There were no other comments from the Public. The Public Hearing closed at 7:08 P.M.

**MOTION WAS MADE TO REPEAL CHAPTER 28 HOUSING PARTNERSHIP AND ADOPT THE SUBSTITUTED CHAPTER 28 HOUSING PARTNERSHIP OF THE CODE OF THE TOWN OF WALLINGFORD.**

**MADE BY: CERVONI**  
**SECONDED BY: RASCATI**

There were no comments from the Council.

**VOTE: ALL AYE (9)**

7. Conduct a Public Hearing for April 9, 2013 at 7:15 P.M. to consider and act on the repeal of Chapter 214, Abandoned Vehicles, Section 5, "Penalties for Offenses" and the adoption of the substituted Chapter 214, Abandoned Vehicles, Section 5, "Penalties for Offenses," of the Code of the Town of Wallingford.

Chairman Parisi presented Councilor Sullivan with a card to wish him well.

Councilor Cervoni suggested a recess at it was not yet 7:15 P.M.

A recess was called at 7:08 P.M. The meeting reconvened at 7:18 P.M.

The Public Hearing for Item 7 opened at 7:18 P.M. and ended at 7:21 P.M.

Councilor Cervoni stated that they had adopted this ordinance last year but the adopted ordinance failed to include penalties for the violation.

The amendment is to include Chapter 214-5, "Penalties for Offenses,"

"Anyone who violates this Chapter is guilty of an infraction and shall be fined in accordance with the State of Connection Infraction Schedule for a violation of Connecticut General Statutes, § 14-150a, as amended."

Geno Zandri, 9 Balsam Ridge Circle, asked about the penalties. Councilor Cervoni said that they tend to be in the area of \$50 to \$125 plus court costs. He added that this is just to include the penalties and is implemented in Wallingford through complaints.

Attorney Farrell stated that the substitution of the Infractions Schedule is preferred by the Police Department who recommend this. Councilor Cervoni reported that it was Chief Dortenzio, who made the Council aware of this.

There were no other comments and the Public Hearing closed at 7:21 P.M.

**MOTION WAS MADE TO REPEAL CHAPTER 214, ABANDONED VEHICLES, SECTION 5, "PENALTIES FOR OFFENSES," AND ADOPT THE SUBSTITUTED CHAPTER 214, ABANDONED VEHICLES, SECTION 5, "PENALTIES FOR OFFENSES," OF THE CODE OF THE TOWN OF WALLINGFORD.**

**MADE BY: CERVONI**  
**SECONDED BY: RASCATI**

Councilor Zandri asked if asked if the Council is amending or repealing. Councilor Cervoni responded stating that the council is repealing and then adopting the revised version.

There were no other comments from the Council.

**ROLL CALL VOTE**

**CERVONI – YES**

**ECONOMOPOUPLS – YES**

**FISHBEIN – ABSENT**

**LAFFIN – YES**

**LETOURNEAU - YES**

**RASCATI - YES**

**SULLIVAN - YES**

**ZANDRI, J– YES**

**CHAIRMAN PARISI - YES**

**8 –AYE/ 1 ABSENT**

**COUNCILOR CERVONI MADE A MOTION TO ADJOURN THE MEETING.  
MS. RASCATI SECONDED.**

**VOTE: 8-AYE / 1-ABSENT**

**MOTION PASSED.**

**The meeting adjourned at 7:23 P.M.**

**Respectfully submitted,**

**Sandra Weekes  
Town Council Secretary**

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**Chairman Robert Parisi**

**Date**

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**Town Clerk Barbara Thompson**

**Date**