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TOWN OF WALLINGFORD, CONNECTICUT

**TOWN COUNCIL MEETING
Town Council Chambers**

**TUESDAY
MAY 8, 2018
6:30 P.M**

RECORD OF VOTES & MINUTES

The Town Council Meeting on Tuesday, May 8, 2018 was called to order at 6:33 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, Jr. (arrived at 6:44 p.m.) and Jason Zandri. Mayor William W. Dickinson, Jr., Town Attorney Gerald E. Farrell, Sr. and Comptroller James Bowes were also present at the meeting.

- 3a. Consider and Approve Tax Refunds totaling \$35,199.39 (#781-833)
Acct. #1001001-41020 – Tax Collector
- 3b. Consider and Approve Suspense List totaling \$234,362.59 – Tax Collector
- 3c. Acceptance of funds and consider and approve Appropriation of funds in the amount \$650 to Revenue, Acct. #2264002-47152 and to Expenditures, Acct. #22640150-58830 – Y&SS
- 3d. Acceptance of funds from private donors and consider and approve Appropriation of funds in the amount of \$8,467 to Revenue/Donations, Acct. #2134002-47152 and to Expenditures, Acct. #21340100-58830 – Y&SS
- 3e. Acceptance of funds and consider and approve Appropriation of funds in the amount of \$175 to Revenue, Acct. #2264002-47152 and to Expenditures, Acct. #22640150-58830 – Y&SS
- 3f. Acceptance of overtime reimbursement and consider and approve Appropriation of funds in the amount of \$661 to Misc. Revenue, Acct. #1009052-47040 and to Police Overtime, Acct. #10020050-51400 – Police Dept.
- 3g. Acceptance of overtime reimbursement funds and consider and approve Appropriation of funds in the amount of \$4,649 to Misc. Revenue, Acct. #1009052-47040 and to Police Overtime, Acct. #10020050-51400 – Police Dept.
- 3h. Acceptance of 2017-2018 Comprehensive DUI Enforcement Program grant and consider and approve Appropriation of funds in the amount of \$7,680 to Revenue Highway Safety, Acct. #1002001-45208 and to Police Overtime, Acct. #10020050-51400 – Police Dept.

- 3i. Consider and Approve a Transfer in the amount of \$2,400 from Customer Records and Collection, Acct. #903 to Admin and General-Office Expense, Acct. #921 – Electric Division
- 3j. Consider and Approve a Transfer in the amount of \$8,100 from Distribution Maintenance-Station Expense, Acct. #592 to Distribution Operations-Station Expense, Acct. #582 – Electric Division
- 3k. Consider and Approve a Transfer in the amount of \$10,500 from Distribution Plant Underground Conductors, Acct. #367 to Distribution Plant-Meters, Acct. #370- Electric Division.
- 3l. Consider and Approve a Transfer in the amount of \$57,400 from Distribution Plant-Underground Conductors, Acct. #367 to Distribution Plant-Overhead Conductors, Acct. #365 – Electric Division
- 3m. Consider and Approve Transfer in the amount of \$69,700 – Electric Division
- | | | |
|----------|---|------------|
| \$39,700 | From: Distribution Plant-Underground Conduit | Acct. #366 |
| \$30,000 | From: Distribution Plant-Underground Conductors | Acct. #367 |
| \$69,700 | To: Distribution Plant-Poles, Towers, Fixtures | Acct. #364 |
- 3n. Consider and Approve a Transfer in the amount of \$1,358 from Regular Salaries and Wages, Acct. #10010550-51000 to PCs, Printer and Accessories, Acct. #10010550-57000-00673 – Building Dept.
- 3o. Consider and Approve a Transfer in the amount of \$1,080 from Regular Salaries and Wages, Acct. #10010550-51000 to Office Expenses and Supplies, Acct. #10010550-56100 – Building Dept.
- 3p. Consider and Approve a Transfer in the amount of \$2,150 – P&Z
- | | | |
|---------|-------------------------------------|-----------------------|
| \$500 | From: Purchased Svc. Marshal | Acct. #10010700-56832 |
| \$750 | From: Purchased Svc. Secretarial | Acct. #10010700-56702 |
| \$900 | From: Office Expenses & Supplies | Acct. #10010700-56100 |
| \$2,150 | To: Continuing Education & Training | Acct. #10010700-55700 |
- 3q. Consider and Approve 2018-2019 Bid Waiver Request from Law Dept. – Mayor
- 3r. Consider and Approve 2018-2019 Bid Waiver Requests from Public Works – Mayor
- 3s. Consider and Approve 2018-2019 Bid Waiver Requests from Town Clerk – Mayor
- 3t. Consider and Approve 2018-2019 Bid Waiver Request from EDC – Mayor

- 3u. Consider and Approve 2018-2019 Bid Waiver Requests from Police Dept. – Mayor
- 3v. Consider and Approve 2018-2019 Bid Waiver Request from Engineering – Mayor
- 3w. Consider and Approve 2018-2019 Bid Waiver Request from ACO – Mayor
- 3x. Consider and Approve 2018-2019 Bid Waiver Requests from Human Resources – Mayor
- 3y. Consider and Approve 2018-2019 Bid Waiver Requests from Fire Dept. – Mayor
- 3z. Consider and Approve 2018-2019 Bid Waiver Requests from BOE – Mayor
- 3aa. Consider and Approve 2018-2019 Bid Waiver Requests from Electric Division – Mayor
- 3bb. Consider and Approve 2018-2019 Bid Waiver Requests from Water/Sewer Division – Mayor
- 3cc. Consider and Approve 2018-2019 Bid Waiver Requests from Finance – Mayor
- 3dd. Consider and Approve 2018-2019 Bid Waiver Requests for Eversource, Frontier Telecommunication Services and Hardware Business – Mayor
- 3ee. Approval of Special Town Council Meeting Budget Workshop Minutes of April 12, 2018
- 3ff. Approval of Special Town Council Meeting Budget Workshop Minutes of April 17, 2018.
- 3gg. Approval of Town Council Minutes of April 24, 2018.
- 3hh. Approval of Special Town Council Meeting Budget Workshop Minutes of April 24, 2018.

MOTION WAS MADE TO APPROVE CONSENT AGENDA ITEMS 3a.-3hh.

MADE BY:	LAFFIN
SECONDED BY:	LETOURNEAU
VOTE:	ALL AYE
	1 OPPOSED (SHORTELL)
MOTION:	PASSED

4. **Items Removed from the Consent Agenda:** *None*

5. **PUBLIC QUESTION & ANSWER PERIOD**

Opened Public Question & Answer Period at 6:36 p.m.

Paul Ciardullo, Bayberry Drive, thanks Councilor Fishbein for his Motion on the Budget last week and Councilor Zandri and LeTourneau's yes votes on that Motion. He is disappointed on the outcome of that vote.

Bob Gross, Long Hill Road, asked if we look at other town's budgets. Chairman Cervoni replied he certainly looks at other communities when their budgets come out. Mr. Gross stated their budgets are less than Wallingford's.

Closed Public Hearing at 6:45 p.m.

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

AN ORDINANCE APPROPRIATING \$2,055,855 FOR THE PLANNING, ACQUISITION AND CONSTRUCTION OF VARIOUS MUNICIPAL CAPITAL IMPROVEMENTS 2018-2019 AND AUTHORIZING THE ISSUE OF \$2,055,855 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE.

Opened Public Hearing at 6:45 p.m.

EXCERPT FOR MINUTES OF THE PUBLIC HEARING
AND TOWN COUNCIL MEETING OF THE TOWN OF WALLINGFORD
HELD MAY 8, 2018

Chairman Cervoni convened the public hearing and stated that the \$2,055,855 2018-2019 Capital Improvement Program bond ordinance which is the subject of this public hearing is available to the public and may be obtained at this meeting from the Town Clerk.

Councilor Laffin moved, and the motion was seconded by Councilor Marrone, to read the title of the ordinance and to waive the reading of the remainder of the ordinance, incorporating its full text into the minutes of this meeting.

Upon vote the ayes and nays were as follows:

AYES

NAYS

CERVONI
FISHBEIN
LAFFIN
LETOURNEAU
MARRONE
MORGENSTEIN
SHORTELL
TESTA
ZANDRI

AN ORDINANCE APPROPRIATING \$2,055,855 FOR THE PLANNING, ACQUISITION AND CONSTRUCTION OF VARIOUS MUNICIPAL CAPITAL IMPROVEMENTS 2018-2019 AND AUTHORIZING THE

ISSUE OF \$2,055,855 BONDS OF THE TOWN TO MEET SAID
APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE
MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Bob Gross, Long Hill Road, asked if we go out to bid on this attorney service. Mr. Bowes responded they just requested to and it was approved to have a bid waiver for the next fiscal year for his services.

Councilor Fishbein asked if there is any intention to issue these bonds and Mr. Bowes responded probably not. Councilor Fishbein asked is that why he is here tonight and Mr. Bowes answered yes. Councilor Fishbein inquired about his fee for tonight. Mr. Bowes stated he will get back to him on that.

Attorney Fasi, Bond Council, stated if there is a need to change funding or an emergency arises then the paperwork is in place to fund in case needed. Councilor Fishbein asked when the last time that happened. Mr. Fasi answered 20 years ago.

Councilor Morgenstein feels we are not being responsible by not bonding this and continuing to ask people to dip into their pockets to pay more taxes.

Councilor LeTourneau has had a hard time with the fact that we are not bonding and wants to know why we have to vote on this first and not after the budget. He stated he does not like the concept that we just keep doing this because we have always done it.

Councilor Zandri agrees with Councilor LeTourneau that they should vote on this after the budget. He stated that items could change if there were changes to the budget tonight.

Mayor Dickinson stated this Ordinance does not define our entire Cap and Non funding items.

Councilor Fishbein wanted to confirm that the Ordinance authorizes borrowing. Mr. Bowes stated yes.

Chairman Cervoni called the public hearing adjourned.

Councilor Laffin moved, and the motion was seconded by Councilor LeTourneau, that the ordinance entitled:

"AN ORDINANCE APPROPRIATING \$2,055,855 FOR THE PLANNING, ACQUISITION AND CONSTRUCTION OF VARIOUS MUNICIPAL CAPITAL IMPROVEMENTS 2018-2019 AND AUTHORIZING THE ISSUE OF \$2,055,855 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE," a copy of which is attached hereto, be adopted.

Upon roll call vote the ayes and nays were as follows:

AYES

NAYS

CERVONI
LAFFIN
MARRONE
SHORTELL
TESTA
ZANDRI

FISHBEIN
LETOURNEAU
MORGENSTEIN

Chairman Cervoni declared the ordinance adopted.

7. Consider and Approve Adoption of 2018-2019 Annual Town Budget.

TOWN OF WALLINGFORD

**Annual Budget Adoption
For the Fiscal Year Beginning JULY 1, 2018**

- I. Councilor Laffin

MOVED: TO ADOPT THE TOTAL GENERAL FUND REVENUE BUDGET OF \$164,790,681, PER THE CHANGE MADE TO THE MAYOR'S PROPOSED BUDGET ON THE ATTACHED RECONCILIATION DETAIL SHEET, FOR THE FISCAL YEAR BEGINNING JULY 1, 2018.

Councilor Cervoni seconded the motion.

Chairman Cervoni stated that they have had the past month to go over the budget with departments and noted they had a budget motion meeting last Thursday and this is the work that came out of that.

Bob Gross, Long Hill Road, asked if fireworks are approved in the budget. Chairman Cervoni stated he has raised over \$30,000 for fireworks and privately funded it. Mr. Gross thinks we should be doing it with public money as a line item.

Paul Ciardullo, Bayberry Drive, spoke about CAP accounts and stated we end up funneling money from our surplus account into CAP accounts.

Councilor Shortell asked Mr. Bowes about the CAP account.

ROLL CALL VOTE:	MORGENSTEIN: NO
FISHBEIN: NO	SHORTELL: YES
LAFFIN: YES	TESTA: NO
LETOURNEAU: NO	ZANDRI: NO
MARRONE: YES	CERVONI: YES
4-AYE	
5-NAY	
MOTION: FAILED	

II. Councilmember: _____

MOVED: TO ADOPT THE TOTAL GENERAL FUND EXPENDITURE BUDGET OF **\$ 164,790,681**, PER THE CHANGES MADE TO THE MAYOR'S PROPOSED BUDGET ON THE ATTACHED RECONCILIATION DETAIL SHEET, FOR THE FISCAL YEAR BEGINNING JULY 1, 2018.

Councilmember: _____ seconded the motion.

NO MOVEMENT ON ITEM II

III. Councilmember: _____

MOVED: ESTABLISH THE PROPERTY TAX RATE FOR THE FISCAL YEAR BEGINNING JULY 1, 2018 AT **29.24** MILLS.

REAL ESTATE AND PERSONAL PROPERTY TAXES IN EXCESS OF \$100 SHALL BE MADE IN TWO INSTALLMENTS. THE FIRST OF WHICH IS DUE JULY 1, 2018, PAYABLE ON OR BEFORE AUGUST 1, 2018. THE SECOND INSTALLMENT SHALL BE DUE JANUARY 1, 2018, PAYABLE ON OR BEFORE FEBRUARY 1, 2018. REAL ESTATE AND PERSONAL PROPERTY TAXES OF \$100 OR LESS SHALL BE PAID IN ONE INSTALLMENT DUE JULY 1, 2018 AND PAYABLE ON OR BEFORE AUGUST 1, 2018 AS PROVIDED BY CONNECTICUT STATUTE, CHAPTER 204, SECTION 12-144.

MOTOR VEHICLE TAXES SHALL BE MADE IN ONE INSTALLMENT DUE JULY 1, 2018 AND PAYABLE ON OR BEFORE AUGUST 1, 2018 AS PROVIDED BY CONNECTICUT GENERAL STATUTE, CHAPTER 204, SECTION 12-144A. DELINQUENT MOTOR VEHICLE TAXES SHALL BE PAID ONLY IN CASH OR BY CERTIFIED CHECK OR MONEY ORDER AS PROVIDED BY CONNECTICUT GENERAL STATUTE, CHAPTER 204, SECTION 12-146.

PROPERTY TAXES IN AN AMOUNT OF LESS THAN FIVE DOLLARS SHALL BE WAIVED. CHECKS IN PAYMENT OF PROPERTY TAXES WHICH HAVE BEEN RETURNED BY THE BANK SHALL BE SUBJECT TO A THIRTY DOLLAR (\$30.00) FEE.

Councilmember: _____ seconded the motion.

NO MOVEMENT ON III

IV. Councilor Laffin

MOVED: TO ADOPT THE BUDGETS OF THE DIVISIONS OF THE DEPARTMENT OF PUBLIC UTILITIES FOR THE FISCAL YEAR BEGINNING JULY 1, 2018 AS HEREIN STATED:

Electric Enterprise Fund

Operating Revenues	<u>\$78,547,646</u>
Operating Expenses	<u>\$77,643,946</u>
Operating Income	<u>\$ 903,700</u>
Non-Operating Revenue	<u>\$ 2,262,892</u>
Non-Operating Expenses	<u>\$ 254,387</u>
Net Income Before Operating Transfers In (Out)	<u>\$ 2,912,205</u>
Operating Transfers (Out)	<u>(\$1,900,855)</u>
Net Income	<u>\$ 1,011,350</u>
Working Capital: Sources of Funds	<u>\$ 4,634,071</u>

Working Capital: Use of Funds	<u>\$ 4,634,071</u>
Re-appropriation of Prior Years Capital Items	\$ 190,000
<u>Water Enterprise Fund</u>	
Operating Revenues	<u>\$ 7,539,150</u>
Operating Expenses	<u>\$ 7,962,172</u>
Operating Loss	<u>\$ 423,022</u>
Non-Operating Revenue	<u>\$ 347,300</u>
Non-Operating Expenses	<u>\$ 85,500</u>
Net Loss	<u>\$ 161,222</u>
Working Capital: Sources of Funds	<u>\$ 2,709,347</u>
Working Capital: Use of Funds	<u>\$ 2,709,347</u>
Re-appropriation of Prior Years Capital Items	\$ 110,000
<u>Sewer Enterprise Fund</u>	
Operating Revenues	<u>\$ 6,466,700</u>
Operating Expenses	<u>\$ 7,984,535</u>
Operating Loss	<u>\$ (1,517,835)</u>
Non-Operating Revenue	<u>\$ 545,550</u>
Non-Operating Expenses	<u>\$ 13,000</u>
Net Loss	<u>\$ (985,585)</u>
Working Capital: Sources of Funds	<u>\$ 1,626,735</u>
Working Capital: Use of Funds	<u>\$ 1,626,735</u>
Re-appropriation of Prior Years Capital Items	\$ 190,000

Chairman Cervoni seconded the motion.

ROLL CALL VOTE:	MORGENSTEIN: NO
FISHBEIN: NO	SHORTELL: YES
LAFFIN: YES	TESTA: YES
LETOURNEAU: NO	ZANDRI: YES
MARRONE: YES	CERVONI: YES
6-AYE	
3-NAY	
MOTION: PASSED	

V. Councilor Laffin

MOVED: TO ADOPT THE BUDGET OF THE CAPITAL AND NON-RECURRING EXPENDITURES FUND FOR THE FISCAL YEAR BEGINNING JULY 1, 2018 IN THE AMOUNT OF \$2,055,855 REVENUES AND \$2,055,855 EXPENDITURES.

Chairman Cervoni seconded the motion.

ROLL CALL VOTE:	MORGENSTEIN: YES
FISHBEIN: NO	SHORTELL: YES
LAFFIN: YES	TESTA: YES
LETOURNEAU: NO	ZANDRI: YES
MARRONE: YES	CERVONI: YES
7-AYE	
2-NAY	
MOTION: PASSED	

VI. Councilor Laffin

MOVED: TO APPROVE SPECIAL FUNDS OF THE BOARD OF EDUCATION OF THE TOWN OF WALLINGFORD FOR THE FISCAL YEAR BEGINNING JULY 1, 2018 AS ATTACHED HERETO AND MADE A PART HEREOF (pages a. through c.)

Councilor Testa seconded the motion.

Christina Tatta , North Farms Road, asked if this includes the savings the Board of education offered? Chariman Cervoni replied no, that was in the first vote that failed.

ROLL CALL VOTE:	MORGENSTEIN: YES
FISHBEIN: YES	SHORTELL: YES
LAFFIN: YES	TESTA: YES
LETOURNEAU: NO	ZANDRI: YES
MARRONE: YES	CERVONI: YES
8-AYE	
1-NAY	
MOTION: PASSED	

VII. Councilor Laffin

MOVED: TO APPROVE SPECIAL FUNDS OF THE TOWN OF WALLINGFORD GENERAL GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2018 AS ATTACHED HERETO AND MADE A PART HEREOF (pages d. and e.)

Councilor Zandri seconded the motion.

ROLL CALL VOTE:	MORGENSTEIN: YES
FISHBEIN: NO	SHORTELL: YES
LAFFIN: YES	TESTA: YES
LETOURNEAU: NO	ZANDRI: YES
MARRONE: YES	CERVONI: YES
7-AYE	
2-NAY	
MOTION: PASSED	

VIII. Councilor Laffin

MOVED: TO APPROVE CAPITAL APPROPRIATIONS (IN-FORCE) RESERVE FUND FOR THE FISCAL YEAR BEGINNING JULY 1, 2018 IN THE AMOUNT OF \$1,668,862 REVENUES AND \$1,668,862 EXPENDITURES. THIS REPRESENTS the AMOUNT AS OF APRIL 30, 2018, WHICH MAY DECREASE AS EXPENDITURES OCCUR THROUGH JUNE 30, 2018. THIS AMOUNT MAY ALSO INCREASE IF THE COUNCIL APPROVES ANY UNSPENT BOARD OF EDUCATION FUNDS TO BE CARRIED FORWARD (1% FUND) AT FISCAL YEAR END.

Councilor Testa seconded the motion.

ROLL CALL VOTE:
FISHBEIN: NO
LAFFIN: YES
LETOURNEAU: YES
MARRONE: YES
8-AYE
1-NAY
MOTION: PASSED

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

IX. Councilor Laffin

MOVED: TO AUTHORIZE THE CHAIRMAN TO SIGN THREE COPIES OF THE FINALIZED BUDGET. TWO TO BE FILED WITH THE TOWN CLERK AND ONE TO BE PLACED ON FILE IN THE WALLINGFORD PUBLIC LIBRARY.

Councilor Fishbein seconded the motion.

ROLL CALL VOTE:
FISHBEIN: YES
LAFFIN: YES
LETOURNEAU: YES
MARRONE: YES
8-AYE
1-NAY
1-OBSTAIN
MOTION: PASSED

MORGENSTEIN: YES
SHORTELL: NO
TESTA: YES
ZANDRI: YES
CERVONI: OBSTAIN

8. 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*
9. Executive Session pursuant to Connecticut General Statutes Section 1-225(f) and Section 1-200(6)(B) to discuss the matter of *Stancuna v. Iovene* – Law Dept.

MOTION WAS MADE TO MOVE INTO EXECUTIVE SESSION AT 7:56 P.M.

MADE BY: LAFFIN
SECONDED BY: LETOURNEAU

ROLL CALL VOTE:
FISHBEIN: ABSENT
LAFFIN: YES
LETOURNEAU: NO
MARRONE: YES
5-AYE
2-NAY
2-ABSENT
MOTION: PASSED

MORGENSTEIN: NO
SHORTELL: ABSENT
TESTA: YES
ZANDRI: YES
CERVONI: YES

MOTION WAS MADE TO MOVE INTO EXECUTIVE SESSION pursuant to Connecticut General Statutes Section 1-225(f) and Section 1-200(6)(B) to discuss the matter of *Stancuna v. Iovene*

MOTION WAS MADE TO MOVE OUT OF EXECUTIVE SESSION AT 8:04 P.M.

MADE BY: LAFFIN

SECONDED BY: MORGENSTEIN

ROLL CALL VOTE:	MORGENSTEIN: NO
FISHBEIN: ABSENT	SHORTELL: ABSENT
LAFFIN: YES	TESTA: YES
LETOURNEAU: NO	ZANDRI: YES
MARRONE: YES	CERVONI: YES
5-AYE	
2-NAY	
2-ABSENT	
MOTION: PASSED	

Time of Executive Session 7:56 p.m. to 8:04 p.m.

Attendance at Executive Session:

LAFFIN	MAYOR WILLIAM W. DICKINSON, JR.
LETOURNEAU	TOWN ATTORNEY GERALD E. FARRELL, SR.
MARRONE	
MORGENSTEIN	
TESTA	
ZANDRI	
CERVONI	

10. Motion to authorize action in the matter of *Stancuna v. Iovene* as discussed in Executive Session – Law Dept.

MOTION WAS MADE to authorize action in the matter of *Stancuna v. Iovene* as discussed in Executive Session.

MADE BY: LAFFIN

SECONDED BY: MARRONE

ALL AYE

MOTION PASSED

**MOTION TO ADJOURN
MADE BY: LAFFIN
SECONDED BY: LETOURNEAU
MOTION: PASSED**

The Council adjourned the meeting at 8:06 P.M.

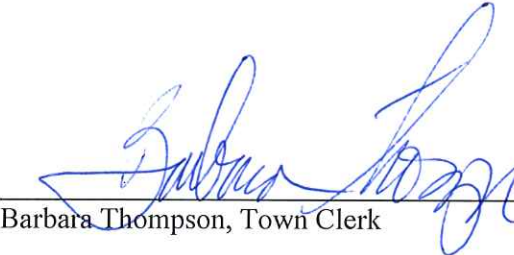
Respectfully submitted,

Lisa Moss
Council Staff
Meeting digitally recorded



Vincent Cervoni, Chairman

22 May 2018
Date



Barbara Thompson, Town Clerk

5-22-18
Date

RECEIVED FOR RECORD 3-10-18
AT 4:00 AND RECEIVED BY
Barbara Thompson TOWN CLERK