

TOWN OF WALLINGFORD, CONNECTICUT
SPECIAL TOWN COUNCIL MEETING
Town Council Chambers

August 30, 2011

RECORD OF VOTES and MINUTES

The Town Council meeting of August 30, 2011 was called to Order at 6:34 P.M.

ATTENDANCE:

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

The Pledge of Allegiance was said and a moment of silence was observed.

2. Correspondence

None

3. Consent Agenda

- 3a.** Consider and Approve Tax Refunds (#76 - #85) totaling \$4,046.35
Acct. # 001-1000-010-1170 - Tax Collector
- 3b.** Consider and Approve a Transfer in the Amount of \$28,500 FY 2010-2011
to Employee Pensions-Benefits Acct # 431-8920-926 from Power Purchased
for Pumping Acct # 431-8600-623 - Water Division
- 3c.** Consider and Approve the Appointment of Ray Rys as an Alternate to the
Zoning Board of Appeals for a Term beginning immediately and expiring
January 8, 2013 - Chairman Robert F. Parisi
- 3d.** Consider and Approve *Celebrate Wallingford* requests as outlined in the
August 10, 2011 letter from the Executive Director of Wallingford Center, Inc.
to Town Council Chairman – Chairman Robert F. Parisi
- 3e.** Approve minutes of Special Town Council Meeting of August 9, 2011

MOTION was made to accept and approve Consent Agenda Items 3a. to 3e.

MADE BY: FARRELL
SECONDED BY: RASCATI
VOTE: 7-AYE, 2-ABSENT (SULLIVAN, TESTA)
MOTION PASSED

The Town Clerk, Barbara Thompson, swore in Mr. Ray Rys as Alternate to the Zoning Board of Appeals.

4. Items Removed from the Consent Agenda

None

5. PUBLIC QUESTION & ANSWER

Bill Comerford, 5 Broadview Drive, spoke about not being able to ask his questions at the last meeting with regard to the Simpson Court Rear Parking area and asked that he be allowed to ask his questions at this meeting. He commented that he thinks that if his questions on this issue had been allowed before the vote at the last meeting, they may have influenced how people voted. He asked about termination letters and notice of them; that there were not four leases at the last meeting.

Mayor Dickinson spoke about the new leases observing that the old leases are no longer at issue. He replied to Mr. Comerford that with the old one-year lease that owners were able to revoke leases with a one-year notice to the town. The Mayor stated that the town probably did maintain the area by snowplowing but, he declared, this is the time to move forward. He stated that with the new thirty-year leases, the owners cannot restrict parking, since the lease designates the area as a public parking lot, and as part of the agreement, the Town may improve and will maintain the Simpson Court Rear Parking area for thirty years. With regard to a 'plan,' the Mayor explained that the town has instituted several projects over a period of years. He listed some of them –the railroad station area and Quinnipiac Avenue area, uptown projects, and then the town moves on to the next project with each project being a separate project.

Robert Gross, 114 Long Hill Road, thanked the Mayor for his June 2011 letter and stated that in his review of some tax records that he noted inconsistencies and notations such as 'WO'. He observed that a real property with the notation of DO could have taxes in arrears, and then that property disappears from the tax roles altogether for a year or more, only to reappear at a later time with no taxes listed as paid.

Mayor Dickinson stated the appropriate thing would be for Mr. Gross to seek answers to his questions from the Tax Office or the Assessor's Office. Mr. Gross offered that he was told that 'WO' means 'write-off.' Mayor Dickinson again referred him to Mt. Jackson, Town Assessor. He continued by saying that Mr. Gross was referring to open space homeowner association owned property in subdivisions and condominium associations. He said that there are three types of ownership involved of open space associated with the condominium, homeowner association developments and there may be different rules applied to each of them either by the court or by the assessor's office.

MOTION WAS MADE TO MOVE UP Item 10.

MADE BY: FARRELL
SECONDED BY: RASCATI
VOTE: 7 AYE; 2 ABSENT (SULLIVAN, TESTA)
MOTION PASSED

- 10.** 6:45 P.M. Conduct a Public Hearing and consider and act on the following ordinance entitled:

AN ORDINANCE APPROPRIATING \$370,000 FOR PLANNING AND DESIGN OF THE TOWN OF WALLINGFORD 2011 SCHOOL ROOF PROGRAM AND AUTHORIZING THE ISSUE OF \$370,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Councilor Farrell read the item. At 7:06 P.M. Council Chairman Parisi convened the Public Hearing and stated that the \$370,000 2011 School Roof Program bond ordinance which is the subject of the Public Hearing is available to the public and may be obtained at the Town Clerk's table this evening.

Councilor Farrell asked for a motion to read the title and section one of the ordinance as proposed in its entirety and to waive the reading of the remainder of the ordinance, incorporating its full text into the minutes of this meeting.

MOTION WAS MADE to read the title and section one of the ordinance as proposed in its entirety and to waive the reading of the remainder of the ordinance, incorporating its full text into the minutes of this meeting.

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

**VOTE: ALL COUNCILORS SAID AYE (CERVONI, ECONOMOPOULOS, FARRELL, FISHBEIN, LETOURNEAU, RASCATI, PARISI).
COUNCILORS SULLIVAN AND TESTA WERE ABSENT FROM THE MEETING.**

MOTION PASSED.

Councilor Farrell read the Title and Section 1:

AN ORDINANCE APPROPRIATING \$370,000 FOR PLANNING AND DESIGN OF THE TOWN OF WALLINGFORD 2011 SCHOOL ROOF PROGRAM AND AUTHORIZING THE ISSUE OF \$370,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Section 1. The sum of \$370,000 is appropriated for the planning and design of the town of Wallingford 2011 School Roof Program consisting of roof improvements at Lyman Hall High, Sheehan High, Hammarskjold Middle, Moran Middle, Beach Elementary, Cook Hill Elementary, Highland Elementary, Parker Farms Elementary, Pond hill Elementary, Rock Hill Elementary and Stevens Elementary Schools (hereafter the "Project"). The Project may include design of the removal, repair or improvement of existing roofs, supporting structures and attachments, repair of interior structures and spaces necessitated by the improvements or the conditions of the existing roof, installation of flashing and gutter systems, vents, ice and water shield, decking repair and blocking, extension of all electrical wiring and duct work, and related appurtenances and improvements, or so much thereof or such additional improvements as may be accomplished within said appropriation and as may be determined in accordance with final plans and specifications, and for architectural, engineering and consultant fees, owners representative, equipment, administrative, printing, legal, and financing costs related

thereto. Said appropriation shall be in addition to all prior appropriations for said purpose, and inclusive of state and federal grants in aide thereof.

Chairman Parisi asked three times for comments from the public. No comments were forthcoming. He declared the Public Hearing adjourned at 7:11 P.M. Chairman Parisi called upon the council for their questions

*In attendance: Mike Brodinsky, Chairman, School Roof Committee.
Mr. Brodinsky announced that Robert Prentice, Marc Deptula, Vinny Ianuzzi,
Tim Keogh and John Lynch of the School Roof Committee were also in attendance
and sitting in the auditorium.*

To respond to Councilor Fishbein, Mr. Brodinsky replied that the tentative, initial time schedule with major benchmarks is as follows. He said that during month of September and very early October 2011, the committee needs to consider various options and research those options and doing a survey of the existing conditions for the roofs of five schools. He noted the plan is to do the five schools that need the roofs most in the summer of 2012, stating that doing construction while school is in session is not acceptable. He said that the schematics should be done mid-October, according to the initial schedule that they have. He explained that the initial schedule is built around the need to get the work done during the summer of 2012 when school is out. The very detailed engineering drawings, the construction documents, need to be done by mid-November. Bid specs are built around the construction documents. End of December, the local review needs to be completed. The local review to see that there is code compliance. State approval for Project bids by early January 2012. Next is the bidding and bonding process in the winter of 2012. Contracts for roofers in early April. Mid-April contracts complete. Construction under this schedule should be complete by Labor Day 2012 with cleanup and mop up into September. There was discussion with regard to the selection of SLAM and the various scores among those on the 'short list.' Mr. Brodinsky stated that the key to the project is to stay on the schedule. Councilor Fishbein asked that the state reimbursement should not cause the Project to be rushed. He thinks that this should be done in four phases. Mr. Brodinsky asked that the Council tell the committee now if the Council does not want the first five schools done in 2012. He told the Council that the committee will communicate as they go along. Mr. Brodinsky noted that the other 6 schools will be in the group for 2013.

Mayor Dickinson remarked that the General Assembly has to approve a list of bond projects for the state education department and then we are assured a reimbursement. He said that he does not know whether they would have to approve that in the next legislative session, which would mean it would be June before we would know if the funds were there. He asked Mr. Brodinsky if he knew when did the state education department need to know about the Project in order to have the bonding approved. Mr. Brodinsky said that he does not know but that it is his impression that as long as they filed the initial form ED049 that existing state law guarantees us reimbursement at the existing rate. It should be double-checked.

Councilor Fishbein recalled that he suggested alternatives to re-doing portions of the roofs, perhaps patching. It is his understanding that the roof improvements that are subject to possible reimbursement have to be in excess of 20 years in place. He said that some of those roofs have had portions replaced within that 20 year period and that if we were to re-do an entire roof that only a portion of it would be entitled to reimbursement. He wanted to know if the architects have looked at the three scenarios. Mr. Brodinsky said that they are replacing roofs or portions of roofs that are eligible for maximum reimbursement only because the assumption was that the town wants to 50% reimbursement; otherwise, the Project won't be done. Councilor Fishbein said that he is totally against that because in ten years he will hear that roofs are leaking. He wants to hear how much it

will cost to re-do the roofs so he doesn't have to hear about leaky roofs in ten years. Mr. Brodinsky said they will make a note of that and take it under advisement. He said that the assumption is that we waited until now to take advantage of the 50 % reimbursement when the roofs are twenty plus years old. If roofs are younger than 20 years the reimbursement rate decreases. Councilor Fishbein thought the Council was going to be getting various scenarios. Mr. Brodinsky asked again that if the Council does not was this charge they have been given to go forward, then the Committee needs to have a Resolution or something authoritative. He said clarity is very important and that up to this question the committee understands their charge. If this is different the Committee needs to know.

MOTION WAS MADE that the Ordinance entitled:

AN ORDINANCE APPROPRIATING \$370,000 FOR PLANNING AND DESIGN OF THE TOWN OF WALLINGFORD 2011 SCHOOL ROOF PROGRAM AND AUTHORIZING THE ISSUE OF \$370,000 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.

**MADE BY: FARRELL
SECONDED BY: RASCATI**

ROLL CALL VOTE:

**AYE
CERVONI, ECONOMOPOULOS, FARRELL, FISHBEIN,
LETOURNEAU, RASCATI, PARISI
ABSENT
SULLIVAN, TESTA**

MOTION PASSED.

(NOTE: ONE MOTION WAS MADE 'TO GO INTO' EXECUTIVE SESSION FOR BOTH EXECUTIVE SESSIONS, #6 and #7)

6. Executive Session pursuant to §1-200(2), §1-200(6)(B) and §1-225(f) of the Connecticut General Statutes pertaining to strategy and negotiation with respect to Collective Bargaining regarding *UPSEU Local 424-17 (Managers) Arbitration Award, January 1, 2010 to December 31, 2012 (Case # 2010-MBA-36)* - Personnel

MOTION TO GO INTO EXECUTIVE SESSION pursuant to §1-200(2), §1-200(6)(B) and §1-225(f) of the Connecticut General Statutes pertaining to strategy and negotiation with respect to Collective Bargaining regarding *UPSEU Local 424-17 (Managers) Arbitration Award, January 1, 2010 to December 31, 2012 (Case # 2010-MBA-36)*.

**MADE BY: FARRELL
SECONDED BY: RASCATI
VOTE: 7-AYE; 2- ABSENT (SULLIVAN, TESTA)**

MOTION PASSED

MOTION WAS MADE TO COME OUT OF EXECUTIVE SESSION

MADE BY: FARRELL
SECONDED BY: RASCATI
VOTE: 6-AYE; 3- ABSENT (FISHBEIN, SULLIVAN, TESTA)

MOTION PASSED

EXECUTIVE SESSION ATTENDANCE:

Cervoni, Economopoulos, Farrell, Fishbein, LeTourneau, Rascati, and Chairman Parisi, Councilors Sullivan and Testa were absent.

Mayor Dickinson, Town Attorney Janis Small, Attorney Dennis Ciccarillo and Terence Sullivan, Personnel Director

Fishbein (Left at 8:00 P.M.)

EXECUTIVE SESSION 6: 7:33 P.M. to 8:10 P.M.

7. Executive Session pursuant to Connecticut General Statutes §1-225(f) and §1-200(6) (B) to discuss *Town of Wallingford v. Sazinski* – Town Attorney

MOTION TO GO INTO EXECUTIVE SESSION pursuant to Connecticut General Statutes §1-225(f) and §1-200(6) (B) to discuss *Town of Wallingford v. Sazinski*

MADE BY: FARRELL
SECONDED BY: RASCATI
VOTE: 7-AYE; 2- ABSENT (SULLIVAN, TESTA)

MOTION PASSED

MOTION WAS MADE TO COME OUT OF EXECUTIVE SESSION

MADE BY: FARRELL
SECONDED BY: RASCATI
VOTE: 6-AYE; 3- ABSENT (FISHBEIN, SULLIVAN, TESTA)

MOTION PASSED

EXECUTIVE SESSION ATTENDANCE:

Cervoni, Economopoulos, Farrell, LeTourneau, Rascati, and Chairman Parisi, Councilors Fishbein, Sullivan and Testa were absent. Mayor Dickinson.

Town Attorney Janis Small entered at 8:10 P.M.

EXECUTIVE SESSION 21: 7:33 P.M. to 8:10 P.M.

8. Discussion and Possible Action regarding *UPSEU Local 424-17 (Managers) Arbitration Award, January 1, 2010 to December 31, 2012 (Case # 2010-MBA-36)* as discussed in Executive Session - Personnel

No Action

9. Possible Action on *Town of Wallingford v. Sazinski*– Town Attorney

MOTION WAS MADE TO AUTHORIZE ACTION IN THE PENDING CASE OF THE TOWN OF WALLINGFORD VERSUS SAZINSKI AS DISCUSSED IN EXECUTIVE SESSION.

**MADE BY: FARRELL
SECONDED BY: RASCATI
VOTE: 6-AYE; 3- ABSENT (FISHBEIN, SULLIVAN, TESTA)**

MOTION PASSED

MOTION WAS MADE TO ADJOURN THE MEETING.

**MADE BY: FARRELL
SECONDED BY: RASCATI
VOTE: 6-AYE; 3- ABSENT (FISHBEIN, SULLIVAN, TESTA)**

MOTION PASSED.

THE MEETING ADJOURNED AT 8:19 P.M.

Respectfully submitted,

Sandra Weekes
Town Council Secretary
Meeting digitally recorded

Robert F. Parisi, Chairman

Date

Barbara Thompson, Town Clerk

Date