

TOWN OF WALLINGFORD, CONNECTICUT

TOWN COUNCIL MEETING

January 24, 2006

6:30 P.M.

MINUTES

The following is a record of the minutes of the Wallingford Town Council at a regular meeting held on Tuesday, January 24, 2006, in Robert Earley Auditorium at Wallingford Town Hall. Town Council Chairman Robert F. Parisi Called the Meeting to Order at 6:40 P.M. Responding present to the Roll Call given by Town Clerk Barbara Thompson were Councilors Michael Brodinsky, Lois Doherty, Gerald E. Farrell, Jr., Stephen W. Knight, Iris F. Papale, Robert F. Parisi, Rosemary Rascati, and Vincent F. Testa, Jr. Vincenzo M. Di Natale was absent from the meeting for business reasons. Mayor William W. Dickinson, Jr., was absent from the meeting for personal reasons. Also in attendance at the meeting were Corporate Counsel, Adam Mantzaris, and James Bowes, Comptroller.

There was a Moment of Silence.

1. The Pledge of Allegiance was said and the Roll was Called by the Town Clerk.
2. Correspondence - *None*
3. Consent Agenda
 - 3a. Consider and Approve Tax Refunds (#409 - #431) totaling \$4,953.72 Account # 001-1000-010-1170 - Tax Collector.
 - 3b. Consider and Approve Appointments to the Public Celebrations Committee for a two-year term expiring February 8, 2008
- Chairman Robert F. Parisi

- 3c. Consider and Approve Reappointing the following Standing Committees -
Chairman Robert F. Parisi

Wooding Caplan Committee
Community Lake Restoration Committee
Historic Properties Study Commission
Library Expansion Committee
Quinnipiac River Linear Trail Advisory Committee

- 3d. Consider and Approve the Appointment of William Birney as a Full
Commissioner to the Zoning Board of Appeals for a five-year term ending
01/08/11 - Chairman Robert F. Parisi
- 3e. Consider and Approve the Appointment of Vincent Cervoni as an
Alternate to the Zoning Board of Appeals for a three-year term ending
01/08/09 - Chairman Robert F. Parisi
- 3f. Consider and Approve the Appointment of John LeTourneau
as a Constable for a two-year term ending 01/08/08 - Chairman Robert F.
Parisi
- 3g. Consider and Approve the Appointment of Robert Jacques
as a Constable for a two-year term ending 01/08/08 - Chairman Robert F.
Parisi
- 3h. Consider and Approve Town Council Schedule of Meetings
change by canceling the February 14, 2006 and the February 28, 2006
meetings and scheduling instead February 21, 2006 - Chairman Robert F.
Parisi

Mr. Knight made a motion to accept 3a., 3b. 3d., 3e., 3f., 3g., and 3h. Mr.
Farrell seconded. Chairman Parisi asked for all those in favor to say
Aye. And those opposed. The motion passed. (Mr. DiNatale was absent
)

4. Items Removed from the Consent Agenda

Chairman Parisi called on Councilor Brodinsky who requested that Item
3c. be removed from the agenda.

- 3c. Consider and Approve Reappointing the following Standing
Committees - Chairman Robert F. Parisi

Wooding Caplan Committee
Community Lake Restoration Committee
Historic Properties Study Commission
Library Expansion Committee
Quinnipiac River Linear Trail Advisory Committee

Mr. Brodinsky read Item 3c. and said that he asked for this item to be removed from the Consent Agenda, so that people can be clear what the process is and wants individuals to know what their responsibilities are. He said that there was no backup for 3c. as there was for 3b. He said that the Wooding Caplan Committee deserves some discussion and whether it is wise to re-appoint that committee or not. He said that they had a job and they have done it. He is not aware of any new mission statement or new role that they should play.

Mr. Farrell added that the Historic Properties Commission is not a study committee and should not be on this list.

Mr. Knight said that his understanding from the discussion of the Wooding Caplan RFP was that when the proposals came back that one of the first tasks of the Wooding Caplan Committee was to review those proposals and that's why he thinks the Council is reappointing them.

Chairman Parisi said that's his understanding too and that they are re-appointed every two years and the thinking is that if there is anyone who doesn't want to be on a committee that they come forward and resign, and they are replaced. He asked for a list of all of these committees for the Council.

Ms. Papale pointed out that the Library Expansion Committee is now the Library Building Committee. She said that it was not mentioned that after the RFPs are in that the Wooding Caplan Committee would be done. She asked if that was correct.

Chairman Parisi said that it was his understanding that they would review the RFPs and make a recommendation, and then it would come to the Council.

Ms. Papale asked, "And then the Committee would be dissolved?"

Chairman Parisi said that then their job would be done. He said that they could dissolve it.

Ms. Papale asked **Ms. Rascati** if she recalls since she is a member of the Wooding Caplan Committee.

Ms. Rascati said that she remembers the same as the Chairman that when the RFPs came in that they wanted to review them. She said that she isn't sure whether they make a recommendation or not but they did ask if they could review them

Ms. Papale said that the Council said yes. She asked then what happens to the Committee.

Chairman Parisi said that then it would be up to the Council.

Ms. Papale said that she thought that it was decided already.

Ms. Rascati said that they have not been disbanded yet.

Mr. Testa agreed and said that his recollection was that the Council asked the Committee to be involved in the preparation of the RFP which was an acknowledgement of what they had done and what their feelings were and they expressed a desire to be involved in the preparation of the RFP. He said he knows that the Council didn't change their charge, didn't add anything to the charge of that committee. He said that the Council may have said or agreed that it would be OK for them to review the proposals but there is a difference between looking at the proposals and reviewing the proposals and making a recommendation to the Council. He said that's a specific charge that he does not recall the Council making. He said that he is uncomfortable with that being the understanding, and he is glad that the Council is talking about it because he has been thinking about how the Council is going to handle it now that the proposals have come in. He said that he thinks it would be an injustice to the Committee and to the Council if there is a misunderstanding that their role is to review the proposals and make a recommendation to the Council because if the Council were not to accept that recommendation then there could be some sore feelings. He said that it is not a minor point. He said that this is a big deal. He asked how are we going to handle these proposals when they arrive? He said that he does not think that having them make a recommendation in any way was the intention of the Council. He said that at least they should clarify that.

Chairman Parisi said that in deference to the Committee who have worked hard and long on this project that he thinks that they have earned the right to review the RFPs and make a non-binding recommendation. He said that he doesn't see where it causes any problem at all because it's non-

binding. He said if it was binding then he would be inclined to agree because it would come to the Council with our hands tied.

Mr. Testa said that there is no disrespect intended. He said that he thinks that the charge of the committee was to get the Council to the point of putting a proposal out and that's what their job was, and they did it exceptionally well. He said if we want to let them look at the proposals and give us their views on them that he doesn't object. I would respect their opinions and value it and take it under consideration. He said that he doesn't want any misunderstanding of what that role is going to be. He said that it is the Council's job to decide where to go from here, and it should be clear from here that that is the case. He said that reappointing the committee – again, why and for how long.

Chairman Parisi said that he thinks that it was a matter of form, and it could be removed if they are going to work past the first of the year.

Mr. Testa said that then it should be clarified that the Council is reappointing them and for what purpose, for how long and does everyone still want to serve.

Chairman Parisi said that he believes that they would be re-appointed to do what he said they would do and then they would cease to exist after that and the Council would formally close them out and thank them.

Mr. Testa said that the Council is always very particular about reappointing committees and reestablishing committees, and the charge has to be clear and to go outside of that is a precedent that the Council doesn't really want to set.

Mr. Brodinsky said that he cannot recall any meeting where the mission of the Wooding Caplan Committee was expanded to include a review of the RFPs. He said that at the last meeting there was something said about the committee helping with the draft of the RFP with legal, and that it would be sent on to Purchasing, and it would go on from there. He said that if there was a decision made that the mission was expanded to include review of the RFP, then that would require a vote to modify the mission, and that people would remember a vote on that. He said that once the RFPs are opened that the selection process should be as transparent as possible and that he does not support reappointing this committee.

Chairman Parisi said that he wants to get through the RFPs and let them make a recommendation and that he doesn't see it as balancing or

disturbing a thing, and then after that recommendation, the Council will have to decide.. He said that it will be transparent and as open as it can be. He said that this is not going to be decided in a closet, and it was never intended to be.

Mr. Brodinsky said that when the envelopes are cracked on Thursday the potential prejudice begins.

There was discussion of people expressing views on the proposals and how that could or could not prejudice the selection. People are going to form opinions.

Chairman Parisi said that he thinks that the Wooding Caplan Committee will respect the privacy and will not be making public comments.

Ms. Papale read the item again and asked that people seem to have different ideas on what was said when the Council met with the Wooding Caplan Committee. She asked, "Did we say yes, you'll stay on and go through the RFP, or as I recall they would be done before the RFP." She asked to have this checked to clarify.

Mr. Knight said that all the Council is trying to do is establish come standing committees and that they do this every two years and one of those committees is the Wooding Caplan Committee, and if the Council decides to review what the last Council left for them to do, then they are still a committee, and if they left nothing for them to do, then they don't meet. He said that he does not think that they need to determine the fate of the committee this evening, just its existence.

Chairman Parisi said that if the Council is going to let them exist, then the Council ought to let them do something.

Ms. Papale said that's the point and that if they have nothing on their agenda to do, then why would the Council consider reappointing them.

Chairman Parisi said that he thinks that the committee doesn't think that they are finished and asked if they were ever notified that they were going to be disbanded (*speaking to Lucille Trzcinski, committee member*). He said he doesn't think it was decided one way or the other. He thinks that it never got dealt with.

Mr. Testa said that it might be helpful to hear from the committee.

Chairman Parisi asked Ms. Trzcinski if she was aware that the Committee was terminated, or was she ever told the committee's job was no longer in existence.

Lucille Trzcinski, 25 Turnberry Road, Wooding Caplan Study Committee member, said, "No."

Mr. Testa asked Ms. Trzcinski what her understanding was of what role the committee still has, if any.

Ms. Trzcinski said that her perception was that the Council would consider the Committee's opinion, even if it had to be held quietly and just presented to the Council, of one that was invaluable since they have seen this project from day one and that no one has the insight into the study or the understanding of how they arrived at their decisions better than this Committee. She said that every one of us was there every time for all those hours. She said that the Council charged us with not speaking out publicly, and that they as a committee were charged with that, right from the beginning, and that only the Chairperson could ever speak to the press and not one of the Committee ever violated that charge. She said that if she was a member of the Council, she would think that the opinion of the Committee would be invaluable and that the Committee wants this to be successful more than anyone. She said that the Committee would abide by any charge they are given about their opinion publicly.

Mr. Testa said that he wants to know her understanding from the meeting when they were asked to help put the RFP together but the Council had not expanded that to review the proposal.

Ms. Trzcinski said that she never considered otherwise than the Council would want their recommendation.

John LeTourneau, 3 Regent Court, Wooding Caplan Study Committee member, said that he thinks that Lucille has summed up how most of the Committee feels - that they are going to see it through to the end whatever the end would be. He said that they could review the documents, and if the Council you did not want to be public about it, the Committee could meet with the Council in Executive Session to give the Committee's recommendation. He added that they have a lot of knowledge on the subject and that it would be a waste to just turn it away.

Mr. Brodinsky said that now they are getting some perimeters, one of which is that no statement will be made in public, and that is there is

communication that it is going to be in Executive Session. He asked Mr. Mantzaris if that would be permitted.

Mr. Mantzaris said that it doesn't fit under FOI to have the Committee meet with the Council in Executive Session to give their recommendation. He will review the question and offer a response in writing.

Following the discussion, **Mr. Knight** moved to consider and approve reappointing the following standing committees: Wooding Caplan Committee, Community Lake Restoration Committee, the Library Expansion Committee, the Quinnipiac River Linear Trail Advisory Committee. **Mr. Testa** seconded.

By voice the vote there were seven ayes; Mr. Brodinsky voted no, and Mr. DiNatale was absent. The motion passed.

SWEARING IN - Town Clerk, Barbara Thompson, swore in as a group, the following-William Birney as a Full Commissioner to the Zoning Board of Appeals for a five-year term; Vincent Cervoni as an Alternate to the Zoning Board of Appeals for a three-year term; John LeTourneau as a Constable for a two-year term Robert Jacques as a Constable for a two-year term; and members of the Public Celebrations Committee for a two-year term.

5. PUBLIC QUESTION AND ANSWER PERIOD

No one made comment.

Chairman Parisi honored a request to move up Item #7.

7. Discuss the future of the Golf Course Committee.
- Chairman Robert F. Parisi

Mr. Tom Zappala, Chairman, Golf Course Committee, appeared for the committee, discussed the history and the current status of the golf course with the Council. He said that the committee has had no offers of land or financial support and that the committee is not active.

WAIVE RULE V (1)

Mr. Knight moved to Waive Rule V for the purpose of dissolving the Golf Course Committee. **Mr. Farrell** seconded.

By voice the vote was all ayes except Mr. DiNatale who was absent. **The motion passed**

Mr. Knight made a motion to dissolve the Golf Course Committee.
Mr. Farrell seconded.

By voice the vote was all ayes except Mr. DiNatale who was absent. **The motion passed**

Chairman Parisi and the Council thanked Golf Course Chairman, Mr. Zappala, and the Golf Course Committee for all of their interest and all of their hard work.

WAIVE RULE V (2)

Consider and Approve a Transfer of Funds in the Amount of \$1,500 to Overtime Account # 2035-101-1400 from Fire Operating Expenses Acct. # 2035-401- 4100 – Fire Marshal

Mr. Knight moved to Waive Rule V for the purpose of allowing a transfer of funds as requested by the Fire Marshal. **Mr. Farrell** seconded.

By voice all voted aye except Mr. DiNatale, who was absent.
The motion passed.

Mr. Knight moved to Approve a Transfer of Funds in the Amount of \$1,500 to Overtime Account # 2035-101-1400 from Fire Operating Expenses as presented by the Fire Marshal. **Mr. Farrell** seconded.

By voice all voted aye except Mr. DiNatale, who was absent.
The motion passed.

6. Presentation of the US Rt. 5 Improvement Proposals between North Street, Wallingford and Ann Street – Gale Avenue, Meriden.
– Councilor Lois Doherty

John Thompson, Town Engineer, introduced Kevin Mentz, Consulting Engineer, URC Corp. and Judy Gotts, Executive Director, South Central Regional Council of Governments. Mr. Thompson and Mr. Ments provided the presentation of the US Rt. 5 Improvement Proposals and answered questions.

The South Central Regional Council of Governments maps of the US Route 5 area of proposed changes/improvements are part of the record of the meeting. The long-range plan would take about seven years.

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

AGENDA ADDENDUM

- 9) Executive Session pursuant to Section 1-200 (6) (B) of the Connecticut General Statutes regarding strategy and negotiations with respect to the pending matter of the Town of Wallingford v. Michael Del Vecchia, et al
– Law Department

Mr. Knight made a motion to go into Executive Session pursuant to -

Item # 8.

Section 1-200 (6) (D) of the Connecticut General Statutes with respect to the purchase, sale and/or leasing of property as presented by the Mayor and

Item # 9 AGENDA ADDENDUM

Section 1-200 (6) (B) of the Connecticut General Statutes regarding strategy and negotiations with respect to the pending matter of the Town of Wallingford v. Michael Del Vecchia, et al as requested by the Law Department.

Mr. Farrell seconded.

**By voice all voted aye except Mr. DiNatale, who was absent.
The motion passed.**

The Council entered into Executive Session at 8:31 P.M.

**Mr. Knight made a motion to exit from Executive Session.
Mr. Farrell seconded.**

**By voice all voted aye except Mr. DiNatale, who was absent.
The motion passed.**

The Council exited Executive Session at 8:53 P.M.

ATTENDANCE AT EXECUTIVE SESSION #8:

Eight (8) Councilors (Mr. DiNatale was absent) and Corporation Counsel, Adam Mantzaris.

ATTENDANCE AT EXECUTIVE SESSION #9:

Eight (8) Councilors (Mr. DiNatale was absent) and Corporation Counsel, Adam Mantzaris.

WAIVE RULE V (3)

Mr. Knight moved to Waive Rule V for the purpose of conveying a retention pond to Polylok, Inc. Mr. Farrell seconded.

By voice all voted aye except Mr. DiNatale, who was absent. The motion passed.

Mr. Knight made a motion to convey the retention pond on Fairfield Blvd. to Polylok, Inc. as discussed in Executive Session. Mr. Farrell seconded.

By voice all voted aye except Mr. DiNatale, who was absent. The motion passed.

- 10). Motion to Consider and Approve a Settlement of the pending matter of the Town of Wallingford v. Michael Del Vecchia, et al as discussed in Executive Session – Law Department

Mr. Knight made a motion to approve a Settlement of the pending matter of the Town of Wallingford v. Michael Del Vecchia, et al as discussed in Executive Session. Mr. Farrell seconded.

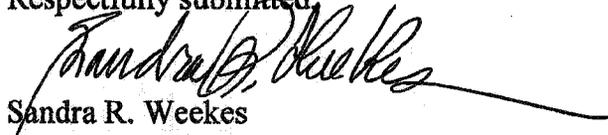
By voice all voted aye except Mr. DiNatale, who was absent. The motion passed.

Mr. Farrell made a motion to adjourn the meeting. Ms. Papale seconded.

By voice all voted aye except Mr. DiNatale, who was absent. The motion passed.

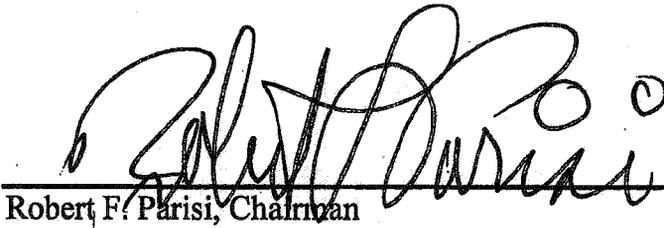
There being no further business to consider, the meeting adjourned at 8:59 P.M.

Respectfully submitted,



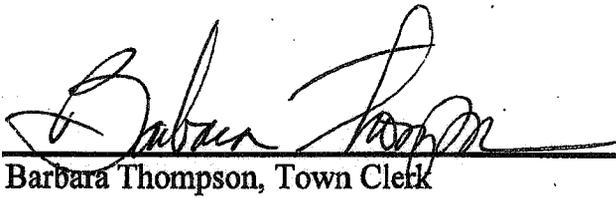
Sandra R. Weekes
Town Council Secretary

Meeting recorded by Sandra R. Weekes



Robert F. Parisi, Chairman

9/12/06
Date



Barbara Thompson, Town Clerk

9/12/06
Date

RECEIVED FOR RECORD 8 9/11/06
AT 3 H 30 M P M AND RECORDED BY
Barbara Thompson TOWN CLERK