

TOWN COUNCIL MEETING

FEBRUARY 13, 2001

6:30 P.M.

AGENDA

Blessing – Rev. Huegel, First Baptist Church

1. Pledge of Allegiance and Roll Call
2. Correspondence
3. Consent Agenda
  - a. Consider and Approve Tax Refunds (#221-254) Totaling \$10,911.05 - Tax Collector
  - b. Approve and Accept the Minutes of the January 9, 2001 Town Council Meeting
  - c. Approve and Accept the Minutes of the January 23, 2001 Town Council Meeting
  - d. Consider and Approve a Transfer of Funds in the Amount of \$520 from Regular Salaries & Wages Acct. #001-5010-101-1000 to Purchased Services "Call Before You Dig" Acct. #001-5010-901-9030 – Engineering
  - e. Consider and Approve a Transfer of Funds in the Amount of \$300 from Office Expenses & Supplies Acct. #001-7010-401-4000 to Equipment Maintenance Acct. #001-7010-570-5200 – Town Planner
  - f. Consider and Approve a Transfer of Funds in the Amount of \$12,800 from Salaries & Wages Acct. #920-1 of which \$12,100 is Transferred to Injuries And Damages Acct. #925 and \$700 is Transferred to Property Insurance Acct. #924 – Electric Division

- g. Consider and Approve a Transfer of Funds in the Amount of \$1,000 from Maintenance of Wells & Springs Acct. #431-614 to Property Insurance Acct. #431-924 - Water Division
  - h. Consider and Approve a Transfer of Funds in the Amount of \$300 from Outside Services Acct. #461-923 to Property Insurance Acct. #461-924 – Sewer Division
  - i. Consider and Approve a Transfer of Funds in the Amount of \$1,400 from Outside Services Acct. #461-923 to Liability Insurance Acct. #461-925 – Sewer Division
  - j. Consider and Approve a Lease Agreement Between the Town of Wallingford and Big Brothers/Big Sisters of Meriden/Wallingford for Office Space at 6 Fairfield Blvd. for an Annual Rental Amount of \$520 for the Period of July 1, 2000 to June 30, 2001 – Mayor
4. Items Removed from the Consent Agenda
  5. PUBLIC QUESTION AND ANSWER PERIOD
  6. Consider and Approve a Transfer of Funds in the Amount of \$2,289 from Contingency – Gen. Purpose Acct. #8050-800-3190 to Finance Department - Perforator Acct. #1401-999-9902
  7. Consider and Approve a Transfer of Funds in the Amount of \$3,200 from Salaries Acct. #1600-101-1000 to Capital – Personal Computers Acct. #1600-999-9903 – Personnel
  8. Discussion and Possible Action on an Authorization for Employment for the Position of Deputy Fire Marshal as Requested by Councilors Brodinsky, Vumbaco and Zappala
  9. Executive Session Pursuant to Section 1-200(6)(E) of the CT. General Statutes Pertaining to the Discussion of any Matter Which Would Result in the Disclosure of Public Records or the Information Contained Therein Described in subsection (b) of Section 1-210; and Pursuant to Section 1-210(b)(9) Pertaining to the Strategy or Negotiations with Respect to Collective Bargaining - Personnel

10. Discussion and Possible Action Regarding the Settlement of the Hazard Pension Plan Between the Town of Wallingford and Local 457, IBEW Effective August 1, 1998 to June 30, 2007 – Personnel
11. Executive Session Pursuant to Section 1-200(6)(B) of the CT. General Statutes to Discuss Pending Litigation in the Matters of Wallingford Center Associates v. Town of Wallingford and Vincent R. McManus v. Town of Wallingford – Town Attorney
12. Executive Session Pursuant to Section 1-200(6)(D) of the CT. General Statutes with Respect to the Purchase, Sale and/or Leasing of Real Estate – Mayor
13. Consider and Approve the Settlement of the Tax Appeal Matter of Wallingford Center Associates v. Town of Wallingford as Discussed in Executive Session – Town Attorney
14. Consider and Approve the Settlement of the Tax Appeal Matter of Vincent R. McManus v. Town of Wallingford as Discussed in Executive Session – Town Attorney
15. Discussion and Possible Action Pertaining to Property Discussed in Executive Session – Mayor

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5. Public Question and Answer Period – Question re: Delay in school bldg. project; Snow removal from sidewalks, enforcement of ordinance; Status of Gen. Mgr.'s position at Electric Division; Suggestion: Dept. Heads be required to live in town; Request for info. re: number of times Elec. Div. mgrs. with vehicles living out of town have been called in on emergency basis; Comments re: no social security contributions available to employees; pension plan; Cost of pool tags.	2-9
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TOWN COUNCIL MEETING

FEBRUARY 13, 2001

6:30 P.M.

A regular meeting of the Wallingford Town Council was held on Tuesday, February 13, 2001 in the Robert Earley Auditorium of the Wallingford Town Hall and called to Order by Chairman Robert F. Parisi at 6:32 P.M. Councilors Brodinsky, Farrell, Knight, Papale, Parisi, Rys, Vumbaco and Zappala answered present to the Roll called by Town Clerk Rosemary A. Rascati. Mayor William W. Dickinson, Jr. arrived at 6:46 P.M., Town Attorney Janis M. Small and Comptroller Thomas A. Myers were also present.

A moment of silence was observed in place of the blessing.

The Pledge of Allegiance was given to the Flag.

ITEM #2 Correspondence

No items were presented.

ITEM #3 Consent Agenda

ITEM #3a Consider and Approve Tax Refunds (#221 - 254) Totaling \$10,911.05 – Tax Collector

ITEM #3b Approve and Accept the Minutes of the January 9, 2001 Town Council Meeting

ITEM #3c Approve and Accept the Minutes of the January 23, 2001 Town Council Meeting

ITEM #3d Consider and Approve a Transfer of Funds in the Amount of \$520 from Regular Salaries & Wages Acct. #001-5010-101-1000 to Purchased Services “Call Before You Dig” Acct. #001-5010-901-9030 – Engineering

ITEM #3e Consider and Approve a Transfer of Funds in the Amount of \$300 from Office Expenses & Supplies Acct. #001-7010- 401-4000 to Equipment Maintenance Acct. #001-7010-570-5200 – Town Planner

ITEM #3f Consider and Approve a Transfer of Funds in the Amount of \$12,800 from Salaries & Wages Acct. #920-1 of Which \$12,100 is Transferred to Injuries and Damages Acct. #925 and \$700 is Transferred to Property Insurance Acct. #924 – Elec. Division

ITEM #3g Consider and Approve a Transfer of Funds in the Amount of \$1,000 from Maintenance of Wells & Springs Acct. #431-614 to Property Insurance Acct. #431-924 – Water Division

ITEM #3h Consider and Approve a Transfer of Funds in the Amount of \$300 from Outside Services Acct. #461-923 to Property Insurance Acct. #461-924 – Sewer Division

ITEM #3i Consider and Approve a Transfer of Funds in the Amount of \$1,400 from Outside Services Acct. #461-923 to Liability Insurance Acct. #461-925 – Sewer Division

ITEM #3j Consider and Approve a Lease Agreement Between the Town Of Wallingford and Big Brothers/Big Sisters of Meriden/Wallingford for Office Space at 6 Fairfield Blvd. for an Annual Rental Amount of \$520 for the Period of July 1, 2000 to June 30, 2001 – Mayor

Motion was made by Mr. Rys to Approve Consent Agenda Items #3a-j, seconded by Mr. Farrell.

VOTE: Centner was absent; all ayes; motion duly carried.

ITEM #4 Withdrawn

PUBLIC QUESTION AND ANSWER PERIOD

Geno Zandri, 37 Hallmark Drive asked what the hold up was with regards to the school renovation project?

Chairman Parisi replied that the Council received, only a few days ago, a packet of information from the School Building Renovation Committee, updating budget projections for the project. He is in the process of trying to arrange a date and time acceptable to all parties on which to hold a special meeting. It has been difficult to get everyone's schedule coordinated.

Mr. Zandri stated that this project has been bounced back and forth to the Board of Education for the past five months. The whole project has to go out to bid yet. We are

just trying to get an estimate at this point in the game. It seems as though it is taking an awful long time to get there.

Chairman Parisi reminded Mr. Zandri that the Council had to wait until the Board of Ed and Building Committee had completed their work before receiving the final draft and scheduling a meeting. It has not been the Council holding up the process. Questions were raised that created some concern and some double-checking and re-checking and fine tuning. These things all had to take place. Now that it is complete, everyone is getting back on track by trying to arrange a date and time agreeable to all.

Mr. Zandri was concerned that the delay would place the project further out on the timetable, thereby causing us to compete with other communities applying for state funding for their building projects. He hopes the project is done before his four year-old granddaughter graduates from high school.

Jack Agosta, 505 Church Street, Yalesville asked, how many citations were issued for not clearing sidewalks after this latest snow storm?

Chairman Parisi replied that he was not sure of the exact number but it was a very large amount. He did receive many calls pertaining to active enforcement of the code, but a great deal of them were to express gratitude with the enforcement of the code.

Mr. Agosta pointed out that the sidewalk in front of Home Depot on Route 5, was not cleared within the required time period after the storm. Home Depot failed to clear its sidewalks after the last storm and now this one. Kmart, who requested permission to put sidewalks in on North Main Street Extension so that Choate students would walk to their store, did not clear their walks, either. The sidewalks around the Amoco Station on Colony Street were also not cleared as of Friday. He contacted the Police Chief about Home Depot and Kmart and they were cleared the next day. The sidewalk around the Center Street and Route 5 perimeter of Center Street Cemetery were not cleared. The walks referred to around the perimeter of the cemetery belong to the Town, and were not cleared until Friday. The storm occurred Monday. The Town was in violation of its own code. The homeowners did a very good job of clearing their walks.

Chairman Parisi explained, the Town employees worked nearly 32-33 hours straight. There is a safety factor that has to be observed. We will never, ever be able to do the whole town all at once. If you get the roads clear, that is your primary responsibility. I thought they did an excellent job with that for the amount of snow that fell; some 18 inches, from what I am told. Yes, there are areas that still have to be cleaned up. Overall, I had occasion to go into New Haven and Meriden and there is a big difference.

Mr. Agosta agreed, the Town employees do a good job. He repeated that the Town did not clear its sidewalks adjacent to the cemetery until Friday morning; four days later.

Mr. Farrell stated, Public Works is responsible for the snow removal on the walkways around the Center Street cemetery.

Mr. Agosta stated, the sidewalk across the street in front of the merchants were spotless.

Chairman Parisi stated, at least they had one side of the street clear on which to walk. There is not much business going on on the other side of the street (jokingly).

Robert Sheehan, 11 Cooper Avenue asked, what efforts is the Town making to replace Wm. Cominos, the General Manager of the Electric Division who recently left for other employment? He asked this question at the last meeting.

Chairman Parisi stated, we received a letter from Mr. Smith (Raymond, F., Director of Public Utilities) stating, at the present time the position is not going to be filled. He is acting in both capacities. They are looking into what they will do in the future. At the present time Mr. Smith is performing both jobs.

Mr. Sheehan stated, Mr. Smith is supposed to be able to run both the Electric Division and the Water Division. Now we have a position and salary that is vacant. It appears as though there might be a crunch around here at budget time, looking for money, and if we have the man (Mr. Smith) there, just have him do the job permanently. It seems like a no-brainer. If he is qualified and has done the job before, we just have a free opening and he can manage it. I would like to know who is the next person in charge, in the line of command down there? Who was Mr. Cominos' assistant?

Chairman Parisi answered, I believe it is Mike Holmes. He was Acting General Manager at one time, as I recall.

Mr. Sheehan stated, our Mayor loves to save money, so I offer the following suggestion. Perhaps we should think about making it a requirement to have our department heads live in town because neither Mr. Smith nor Mr. Holmes are residents of this town. Part of their employment deal; and I don't know who did it; why; or what; but they get furnished a car. Mr. Smith lives in Southington and Mr. Holmes lives in Wilton. I would like to know, how many times there has been an emergency call where they were required to report to Town in the last five years. Taking into consideration the current price of gas, wear and tear on the vehicle; the last couple of months you have had different departments

appearing before you asking for more money for that expressed purpose; gas, diesel oil and everything. Over a five year period, if they have been called five times, I would think that is a lot. To pay for that car and that gas every day; I don't deny them a car. If they want a car, they can use it within the confines of Wallingford. But to call them in, if it was five times, maybe not even that many times, it would have been a lot cheaper for us to send someone to get them, hire a limo or even a taxi to get them here. If you are going to save money, start doing it. Most of our department heads are not "home grown" but from somewhere else. If you have someone who works for you for twenty-five years and is smart and knows his job, but he just isn't entitled to the golden handshake at the end of twenty-five, he should have some kind of incentive that maybe they can get to that job.

Pasquale Melillo, 15 Haller Place, Yalesville stated that something should be done about the State Bonding Commission. We have an awful lot of bonds outstanding and more on the way. We should do what we can to get together with our state representatives and see what we can do about getting something going that will benefit us.

Chairman Parisi suggested that Mr. Melillo address the issue with our state representatives.

Mr. Melillo stated that he was talking to his representatives; the Council.

Chairman Parisi replied, the Council can not do much for him on the matter.

Philip Wright, Sr., 160 Cedar Street stated that he noticed in the newspaper, yesterday, a story about pool tags. He asked, why can we let people in for \$5.00 until April 1<sup>st</sup> and then it goes to \$15.00? What is the logic? Does it cost more after that?

Mr. Knight answered, I think the rationale is to try and get as much of that accomplished as early as possible. It is like any other offer you might get, where there is an event and the tickets are cheaper if you purchase them ahead of time. They are trying to spread out the amount of work involved in getting pool tags out to people. If you sell 15,000 pool tags and everyone waits until the end of May, it is insane, and you can't get it done properly. It is legitimate to try and induce people to think ahead, plan ahead and apply early and, for that reason, they were given a break. It is not uncommon.

Mr. Wright stated, if it costs more, then we should charge more. If it doesn't cost more, we should not charge more.

Mr. Agosta stated, at the last meeting I made a comment about department heads not getting evaluated. Since that time I received a few phone calls and I think some of the people out there might have thought I was criticizing some of the employees who work for

the town. I wasn't. I looked up some interesting facts since then. Why aren't the town employees allowed to pay social security? Why doesn't the town pay into social security for them?

Mayor Dickinson replied, this goes back to the 1960s. It was an elected option; a person could either go with a pension plan or stay with social security. That option was available. I am not sure whether or not there is even an option available now.

Mayor Dickinson asked Tom Myers, Comptroller, if he had any further information on the issue? (the two gentlemen conversed off-microphone for a short time.)

Mayor Dickinson added, the original terms required that employees, as long as they would be eligible, had to sign up for the pension plan. In some communities, I know both are paid, pension as well as social security. But you can argue about whether the pension plan in those towns are as good as the one here, given that here, there is no social security. I don't know the answer to that. It is a program that I believe, does not have any election.

Mr. Agosta stated, I called today and found out that there were only two (2) towns in the State of CT. that do not allow their employees to contribute to social security. This is one of those two towns that does not do it. We may be the last town, I am not sure. A person making \$35,000 per year, when they retire, they are not getting big dollars. First, they should have a 401k-type of plan. No one can survive on social security. The only thing these employees are going to have to retire on is the Town's pension. If it is not enough, they are going to be stuck. They are not going to be sticking around very long if they have few benefits.

Chairman Parisi suggested that Mr. Agosta look around and see what you see. I would do a little more checking, quite frankly. I don't think it is quite as bad as you think it is.

Mayor Dickinson stated, the pension plan terms are negotiated, as you know, we have one on the agenda tonight for discussion and possible vote. It is part of the collective bargaining process. The terms are what have evolved over a series of negotiations over the past 30+ years.

Mr. Agosta stated, the Town should not be subject to what the union wants us to do. We have to run a Town government and to have good employees, you have to give them a chance, when they retire they are going to be caught by surprise. I know, myself, that if I did not have a 401k plan when I left my company, I could not survive on social security. Social security is only supposed to be a supplement.

Chairman Parisi stated, you also can't dictate to people how they can prepare for their future, either. If there are things available, you take advantage of what is available and make use of it. You also have to be prudent in your own planning.

Mr. Agosta stated, most businesses pay into social security. They also offer a 401k that the employees do not have to take. Industry does that. We have 642 active employees with partial or fully-vested rights. We also have 349 pensions we are paying for. We have a 457 deferred compensation plan. Is everyone allowed to get into that if they want to? That should be offered to every employee. They pay all the money themselves, into the plan. That is one more thing you can offer the employees. Offer them something else besides just their pension plan.

Mayor Dickinson answered, by law, a 401k plan is not available to government plans. The 457 plan is but that plan places liability in the Town of Wallingford for those funds. In a 401k, an employee or individual owner, takes full responsibility for the funds. The 457 plan places those funds in the hands of the employer and, until they are paid out, they are the employer's assets. It is an entirely different program; certainly one that I question as to why Congress set it up that way, but I think it raises some very legitimate questions about exposure to the general public for possibly improper investments.

Mr. Agosta asked, are you saying that the 457 plan is not offered to all employees?

Mayor Dickinson answered, it is only available to the manager's union. That was given to them as part of the collective bargaining process. I don't believe it is available to any other unions.

Mr. Agosta stated, we have \$125 million in our pension plan that we have not contributed to since 1998. Can't that money be used to beef up their pension plan? We should look into it.

Mayor Dickinson stated, the pension benefits are negotiated and all parties have an opportunity to make arguments and settlements that ultimately are heard through the collective bargaining process. That is the way the system works.

Mr. Agosta stated, I would agree if this were a business but this is town government and our employees work very hard for our town. Maybe we could offer something that does not cost the town anything. We are never going to use that \$125 million for the pensioners. If we could do something for them without going through negotiations, I think that would be much more beneficial to the employees of the town. There is much talk out there about how little the town employees work for us; I don't see that. I come up here and the people

in this Town Hall work all the time. I think we should take care of the people that we have and make them stay on, not just take their wallet. If all they are getting from the Town is a pension, they are going to want to get out and we end up losing good people.

Frank Wasilewski, 57 N. Orchard Street stated, at one time the employees of Wallingford had a choice between the retirement the town offered or social security. I think one of the reasons they went with the town plan was because they were paying less in than social security. Now the town has to contribute to their retirement, correct? It is not just the employees contributing to their own retirement. The town has to contribute an equal amount or more, who knows? Does the Town pay more than the employees?

Terrence Sullivan, Personnel Director responded, the town and the employee pay 6.2% of their pay each week.

Mr. Wasilewski asked, what does the Town contribute?

Mr. Sullivan answered, currently, nothing. But there were years in the 1980s that we were paying nearly 22% of payroll so costs have come down through good investment strategy with the stock market.

Mr. Wasilewski asked, if the town were in social security, they would have to pay more every year towards social security than what they do into the pension plan. Now they don't contribute anything, but they would have to pay social security right now, the same amount as the employee. The town is saving money and so is the employee. But, you have to remember, when this person retires from social security and they were on social security, they town could lower the amount that the town would contribute and incorporate their social security into their retirement. And, the town would also incorporate their overtime as their base pay because they are taking credit for social security. The reason that I know that is because I am under that plan because I worked for the Hartford Fire Insurance group. The cut my retirement down what they would pay me because I was getting social security but they had to incorporate my overtime. There is good and bad in everything but the employee has to make up their mind what is the best for them.

Mr. Wasilewski made the following suggestion on how the town could save some money tonight; the tennis court lights at Doolittle Park are on all night long. No one is playing tennis yet the four, large lights stay lit all night long. Shut the lights off. I have been talking about this for a number of years and I may as well be talking to the wall. Put the lights out! We had a blizzard the other night and the lights were on! Put them out!

Chairman Parisi asked, can we put timers on them?

Mayor Dickinson replied, there are timers on them. What happens is, we will have mild weather and the tennis players will go out there and they are looking to play. They you get cold weather and snow and, of course, then they are not playing. On a night like this, if it were clear, someone could be playing. It is not that cold out. We have had fairly mild winters and every time the lights go out permanently, then we get complaints at the Recreation Department that the light are off and people want to play.

Mr. Wasilewski stated, there are three courts there and, at the most, you can only have four players on a court. You are going to have twelve players out there that are going to play in the cold weather? If you stop and think, it costs \$50,000 to build a good court. Do you think these twelve players should contribute to something like this? Or do they get it for nothing? They are getting it for nothing. Other towns charge for tennis players to play. We charge for the pool, let's charge for the courts. Other towns have meters; you put the money in, you can play. Not in Wallingford. We can save money. Isn't that what you said? That you want to cut costs down? Here is your chance.

Chairman Parisi stated, Frank, you are tough.

The Public Question and Answer Period was closed at this time.

#### American Cancer Society Presentation

Tim Wall and June White, Co-Chairs of the Meriden/Wallingford "Relay for Life" Committee, and Mary Kate Doherty, American Cancer Society's Regional Executive for Development/Special Events, gave a presentation on this year's upcoming "Relay for Life" event planned for June 1 & 2, 2001.

The Relay for Life event is a 24 hour walk-a-thon where individuals, working together as teams, raise funds to bring awareness to the ongoing fight against cancer. The Meriden-Wallingford relay is one of the most successful in New England and nationwide. Last year a record \$308,000 was raised through this event and, this year, the American Cancer Society anticipates surpassing the \$1 million mark for its six year history. The event is scheduled to take place at Platt High School track beginning at 3:00 p.m. June 1<sup>st</sup>. The committee has set a goal of getting 135-140 teams involved, with approximately 10-15 members per team, and raising \$333,333.33. Anyone interested in taking part in the event is encouraged to contact any one of the three committee members present this evening. Mr. Wall noted that Mr. Vumbaco has been an active participant for as many years as the event has been held and long before Wallingford became actively involved.

Mr. Vumbaco stated that the event is a wonderful, fun evening that brings the two communities together. He stated, as a (cancer) survivor, I can tell you that this event is very, very important to those individuals who are suffering with the dreadful disease. He challenged the Council to put together a team to join the 24 hour walk-a-thon. (Applause)

Ms. White, Mr. Wall and Ms. Doherty presented a plaque to Mayor Dickinson and Chairman Parisi to honor them for their support for this worthwhile cause. (Applause)

ITEM #6 Consider and Approve a Transfer of Funds in the Amount of \$2,289 from Contingency – Gen. Purpose Acct. #8050-800-3190 to Finance Department – Perforator Acct. #1401-999-9902 - Comptroller

Motion was made by Mr. Rys, seconded by Mr. Farrell.

The department is in need of replacing its fifteen year old perforator machine that is beyond repair. The piece of equipment is used to “perf” and permanently mark invoices that have been processed and paid so as to avoid duplicate processing and payment of invoices. This internal control procedure is required by independent auditors.

VOTE: Centner was absent; all ayes; motion duly carried.

ITEM #7 Consider and Approve a Transfer of Funds in the Amount of \$3,200 From Salaries Acct. #1600-101-1000 to Capital – Personal Computers Acct. #1600-999-9903 – Personnel

Motion was made by Mr. Rys, seconded by Mr. Knight.

An old computer in Risk Management is at storage space capacity requiring a vendor to partition the data files. Additionally, this computer utilizes a DOS-based operating system which is incompatible with others in the department. Moving to a Windows-based environment will allow for a greater ability to utilize contemporary software. The second computer experienced a hard drive crash. The tape drive and CD-ROM drive are also inoperable. Replacement of these two computers is a high priority for the department, hence the request for fund to purchase two new computers.

VOTE: Centner was absent; all ayes; motion duly carried.

ITEM #8 Discussion and Possible Action on an Authorization for Employment for the Position of Deputy Fire Marshal as Requested by Councilors Brodinsky, Vumbaco and Zappala

Mr. Brodinsky stated, the request was prompted by a letter dated January 22, 2001 from the Fire Marshal reminding the Council that the Deputy Fire Marshal, Tom Hanchuruck, will most likely be retiring on August 6, 2001 and a replacement needs to be found and that replacement needs to be certified, fire safety code inspector, which needs some training. The training is given at a school and the school has an enrollment date of May 7, 2001. In order to take advantage of the school's cycle and get a candidate in the school, I thought we should discuss getting the ball rolling to start the selection process. I have asked the Personnel Director to be here tonight to fill us in on some of the details and work that he has been doing. I have had some discussions with Mr. Sullivan; he has done some work in preparation for this and I think he has been in touch with the school; he has had some discussions with Mr. Micalizzi (Fire Marshal) as have I, and Mr. Micalizzi is a presenter at a Fire Marshal's meeting tonight and could not be present. I spoke to him tonight just before the meeting and he confirmed that he is still requesting, pursuant to his letter of January 22<sup>nd</sup>, that appropriate arrangements be made to start the process for the Town Council, in conjunction with the Personnel office, to pre-approve a promotion or hiring. He suggested that this be done in conjunction with the Personnel Department, hence my conversations with Terry Sullivan (Personnel Director). Mr. Sullivan suggested that the time was right to get this process going because it takes approximately 7-8 weeks+- and if we want to get a candidate in the school that starts May 7<sup>th</sup>, Mr. Sullivan advised that the Council start thinking about it now and not waste another two weeks. It is in the spirit of that conversation, that I want to bring it to the attention of my colleagues and have this matter discussed so that perhaps we can make a motion to authorize the Personnel Department to get this going.

Mr. Parisi stated, first off, I suggested that the Fire Marshal call you and inform you of his obligation; I am glad that he did. Secondly, a letter has been written to the school and the slot is reserved for the Town of Wallingford. Right now those modules are full, there is none available but we are on the first preference list. If someone should drop out, we will be able to slide in that spot. That is basically where we are, at the present.

Mr. Brodinsky stated, it is my understanding from talking to Mr. Sullivan that it is a little more complicated. There is some preparation work that needs to be done to set up procedures to start the selection process. Can you, Mr. Sullivan, take over from there and describe that and what you have done?

Mr. Parisi stated, I have had discussions with Mr. Sullivan, too.

Mr. Brodinsky stated, but he is here in front of the Council and we all want to hear what he has done.

Terrence Sullivan, Personnel Director, stated, to summarize, to be a certified Deputy Fire Marshal in Connecticut, you need to complete successfully three modules. One of them is the Fire Safety Code Inspection which, at a minimum, the successful candidate, if certified at that level, could conduct inspections and be a productive member of the department. If you were to start the recruiting process now, I am confident that we could get someone into that May class. I did not know that the class was full. I was under the impression that the slot that was reserved included Wallingford. I can call tomorrow and double-check that but I am pretty confident that we have a slot waiting for us. If we don't act soon enough, the next time this is offered is perhaps May, 2002. We will have a successful candidate in the position who would basically be incapable of conducting inspections and who wouldn't be trained in Hazmat and fire investigations. There is no cost, the modules run in blocks of 13-15 sessions. This one can be completed in about 5 weeks, once started. If the Council was to give me the green light, with the proper authorization, we could post this with the union as early as tomorrow. We could conduct the interview panel the second week in March and the Town Council could have its interview scheduled for whatever number of people you chose to interview. Since this is not a classified service position, all those rules don't apply so you can come up with your own set of procedures if you prefer, the same as you did last time when you hired the Fire Marshal.

Mayor Dickinson stated, we have not received any letter from the Deputy Fire Marshal pertaining to his retirement so Mr. Sullivan was reluctant to get into that process until we knew for certain that he was going to retire.

Mr. Parisi replied, I agree. Mr. Brodinsky did not give me the chance to say that, but that's o.k.

Ms. Papale stated, I wanted to explain why I did not put my name on this request with the three gentlemen to my left (democratic colleagues). I felt uncomfortable to start talking about hiring someone when I know we have all heard the rumor that Mr. Hanchuruck is going to be retiring. I explained that to the Council secretary when she called me. I think it is important to get someone in place but can you request a letter from Mr. Hanchuruck so that we can have it in black and white?

Mr. Sullivan answered, as of late last week, Mr. Hanchuruck signed the necessary paperwork to apply for his pension. This will help to get things going.

Mr. Papale stated, when I was asked to put my name on this, I was uncomfortable because we hadn't gotten that definite a notice yet.

Mr. Sullivan explained, there is also a fire inspector in that department who may have been trained, I haven't gone through his background yet. We are not going to discount the fact that he may compete for that promotion. It is not necessarily going to come from outside of the Fire Marshal's office.

Mr. Vumbaco asked Mr. Sullivan, are you comfortable with going forward at this time?

Mr. Sullivan answered, yes. All I need now is the authorization form to be completed and I will post the job. There are a couple of issues I need to work out with the union in terms of scheduling and overtime implications. But I think we can work those things out.

Mr. Parisi asked Mr. Sullivan, do you recommend that we follow the same procedure that we did with our last hiring in that department?

Mr. Sullivan answered, it worked pretty well. You interviewed the top three candidates and we could follow that same process again. If you want to expand or contract that number, we can do that as well.

Mr. Parisi asked, if we start this process, it is possible for an employee who has written a letter of retirement to not retire?

Mr. Sullivan answered, yes.

Mr. Zappala stated, I think he has announced it in the newspaper as well. We should not lose the opportunity to enroll someone in the class if we can do so now.

Mr. Parisi stated, I am not suggesting that we not do anything. I want to make that point.

Mr. Zappala stated, it will not hurt us to start the process, will it Mr. Sullivan?

Mr. Sullivan answered, I agree.

Mr. Zappala stated, I see no reason why we should stop.

Mr. Parisi stated, once the letter came in, the process can move forward.

Mr. Vumbaco asked for Mr. Sullivan to summarize the process used by the Council in the past when hiring the Fire Marshal.

Mr. Sullivan stated, the Town advertised the position; fire department and volunteer members were notified; 12-15 applicants were interviewed; candidates were "rank ordered" and the Town Council decided that they wanted to take the top 3 names only. Those three were then interviewed by the full Town Council, with me present. A selection was made; background check was conducted and an offer was tendered.

Mr. Vumbaco asked, besides our Fire Chief, who comprised the panel who interviewed candidates to determine whether or not they were qualified for the position?

Mr. Sullivan answered, I believe we had East Hartford's Fire Chief and a fire marshal as well. The Fire Chief was a certified fire marshal at that time, as the current Fire Chief is as well.

Mr. Parisi stated, Councilor Papale and I, because we are retired, are fortunate enough to be able to observe the process and were very impressed with it. They asked some good questions. The panelists have many, many years of experience.

Frank Wasilewski, 57 North Orchard Street asked, once the candidate is selected and begins attending school, will they be on the payroll?

Mr. Sullivan answered, we should have ample applicants from the Town's employment. If it is a current town employee, he will still be on the payroll. His hours of work will be adjusted to match the school and we are hoping he will be available for overtime in case of emergencies. If we don't get sufficient applicants, we will have to advertise.

Mr. Wasilewski asked, will he have an expense account when he goes to the school?

Mr. Sullivan will find out if the Town will be picking up the cost for lunches. The school is in Middletown so the individual will not have to travel far. If the Town was forced to go to an outside candidate, the appointment would not be effective until August 6<sup>th</sup> when Mr. Hanchuruck's position is vacant. If the outside candidate did not have the certification and had to go to the training, they would go on their own. I do not recommend that the Town pay for training for someone who is not yet an employee.

Mr. Parisi asked, if there was no one from inside the Town's employment who applied for the job, couldn't we specify a certified person for the position?

Mr. Sullivan answered, yes.

Mr. Parisi asked, we could require certification for inside, too, couldn't we?

Mr. Sullivan answered, I would have to check the job description. There may be language which says that an individual has so many months in which to obtain certification. Barring that, I would hope that we would be able to put our requirements on there. We can't go outside of the job description, but we can list preferences.

Motion was made by Mr. Brodinsky to Authorize Terry Sullivan, Personnel Director to Start the Appropriate Process to Fill the Anticipated Vacancy of the Deputy Fire Marshal Position, seconded by Mr. Zappala.

Mayor Dickinson left the meeting at 7:22 p.m. and returned 7:29 p.m.

Mr. Parisi asked, is a motion required to do this?

Mr. Sullivan answered, I don't think so; I never had one before but just wink and a nod and get going is all I need.

Mr. Brodinsky stated, I start from the proposition that it is probably better to have a motion and it is probably required in the sense...the Council can only act through a resolution duly passed. It really has no authority; or no individual has an authority to take any official action unless there is a vote and resolution by the entire Council. In order for Mr. Sullivan to have the proper authority and have his flanks protected, I think he really needs a resolution from the Council, otherwise it is a wink and a nod, and that is all it is. A wink and a nod is not valid so, by far, the better procedure, even though it may be new to the Council, the better procedure is to bring it up. It is Council business, debate it, take a vote and give the authorization. I am not sure what a wink and a nod does. If you vote this down because a wink and a nod will do, all he's got is a wink and a nod. I am not sure if that is the proper way to handle Council business.

Mr. Parisi stated, we don't vote on any openings in the Town. Once they are in the budget then they are ongoing. If someone drops out, the position is re-filled. I don't want to start a precedent that we will start voting on all openings.

Mr. Brodinsky stated, I think it is a healthy precedent. That is all I am saying. It is a healthy precedent because it involves a decision of the entire Council.

Mayor Dickinson stated, in the past, it wasn't done this way. Terry can act out of direction from the Mayor's Office. The issue is whether the Council wants to act through a vote or just have the process go. Ultimately the Council decision is to appoint someone. That is really the Council decision. It doesn't hurt to have a vote that everyone is on board; that

you are looking to have the selection process proceed. That doesn't hurt at all. Ultimately, the real Council action is to appoint someone to the position.

Mr. Parisi stated, that is my feeling; the ultimate action is that we do the appointing.

Mr. Brodinsky stated, we can count on you to vote no, Mr. Parisi.

Mr. Parisi replied, I wouldn't count on anything. Is this discussion or isn't it? Do I have to just shake my head and agree? I have an opinion, too.

VOTE: Centner was absent; Brodinsky, Papale, Vumbaco and Zappala, aye; Farrell, Knight, Rys and Parisi abstained; motion failed.

**ITEM #9** Executive Session Pursuant to Section 1-200(6)(E) of the CT. Gen. Statutes Pertaining to the Discussion of any Matter Which Would Result in the Disclosure of Public Records or the Information Contained Therein Described in subsection (b) of Section 1-210; and Pursuant to Section 1-210(b)(9) Pertaining to the Strategy or Negotiations with Respect to Collective Bargaining – Personnel

**ITEM #11** Executive Session Pursuant to Section 1-200(6)(B) of the CT. Gen. Statutes to Discuss Pending Litigation in the Matters of Wallingford Center Associates v. Town of Wallingford and Vincent R. McManus v. Town of Wallingford – Town Attorney

**ITEM #12** Executive Session Pursuant to Section 1-200(6)(D) of the CT. Gen. Statutes with Respect to the Purchase, Sale and/or Leasing of Real Estate – Mayor

Motion was made by Mr. Rys to Enter Into Executive Sessions for Items #9, 11 & 12, seconded by Mr. Knight.

VOTE: Centner was absent; all ayes; motion duly carried.

The Council entered executive session at 7:42 p.m.

Present in executive session (7:40 p.m. – 7:50 p.m.) for Item #9 were all Councilors (with the exception of Mr. Centner), Mayor Dickinson, Personnel Director Terrence Sullivan and Asst. Personnel Director Tom Sharkey.

Present in executive session (7:50 p.m. – 8:20 p.m.) for Item #12 were all Councilors (with the exception of Mr. Centner), Mayor Dickinson, Elizabeth Moore from the Trust for Public Land. The executive session continued from 8:20 p.m. to 8:40 p.m. with the

same individuals present with the exception of Ms. Moore who left the executive session at 8:20 p.m.

Present in executive session (8:40 p.m. – 8:45 p.m.) for Item #11 were all Councilors (with the exception of Mr. Centner), Mayor Dickinson and Atty. Small.

Motion was made by Mr. Rys to Exit the Executive Session, seconded by Mr. Farrell.

VOTE: Centner was absent; all ayes; motion duly carried.

The Council exited executive session at 8:48 p.m.

ITEM #10 Discussion and Possible Action Regarding the Settlement of the Hazard Pension Plan Between the Town of Wallingford and Local 457, IBEW Effective August 1, 1998 to June 30, 2007 – Personnel

Mr. Parisi stated, no action is required unless the Council chooses to vote the item down.

No Action Taken

ITEM #13 Not addressed.

ITEM #14 Not addressed.

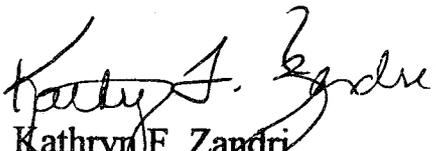
ITEM #15 Not addressed.

Motion was made by Mr. Rys to Adjourn the Meeting, seconded by Mr. Farrell.

VOTE: Centner was absent; all ayes; motion duly carried.

There being no further business the meeting adjourned at 8:49 P.M.

Meeting recorded and transcribed by:

  
Kathryn F. Zandri  
Town Council Secretary

Approved: *Robert F. Parisi*  
Robert F. Parisi, Chairman

3-2-01  
Date

*Rosemary A. Rascati*  
Rosemary A. Rascati, Town Clerk

3-2-01  
Date

RECEIVED FOR RECORD FEB 23 2001  
At 2:37 P.M. AND RECORDED BY  
*Rosemary A. Rascati* TOWN CLERK