

TOWN OF WALLINGFORD, CONNECTICUT  
*REGULAR TOWN COUNCIL MEETING*

**MAY 28, 2013**

RECORD OF VOTES AND MINUTES

The regular meeting of the Wallingford Town Council was called to order at 6:32P.M. Following the Opening Prayer by Reverend Dee Ann Dodd, St. Paul's Episcopal Church The Pledge of Allegiance was said. Councilors in attendance were as follows: Vincent Cervoni, Nick Economopoulos, Craig Fishbein, Thomas Laffin, John LeTourneau, Chairman Robert F. Parisi, Rosemary Rascati, John Sullivan and Jason Zandri. Mayor William W. Dickinson, Jr., Town Attorney G.E. Farrell, Sr. and Comptroller James Bowes Were also present at the meeting.

**2.** Correspondence

**None**

**3.** Consent Agenda

- 3a.** Consider and Approve Tax Refunds totaling \$5,088.10 (#626 - #635)  
Acct. # # 1001001-41020 - Tax Collector
- 3b.** Consider and Approve a Transfer in the Amount \$12,000 to Capital & Non-Recurring in General Fund-Bus Shelter Replacement, Acct # 10080350-59234 from Contingency-Miscellaneous, Acct # 10019000-58820 – Engineering Department  
Removed from consent agenda – taken up #4
- 3c.** Consider and Approve a Transfer in the Amount \$5,000 to Engineering Dept. – ADA Compliance, Acct # 10030050-NEW from Contingency-Miscellaneous, Acct # 10019000-58820 – Engineering Department
- 3d.** Consider and Approve a Transfer in the Amount \$3,400 to Leased Property-Customer Premises, Acct # 372 from Underground Conduit, Acct # 366 – Electric Division
- 3e.** Consider and Approve a Transfer in the Amount \$5,000 to Customer Installation Expense, Acct # 587 from Street Light & Signals Systems, Acct # 585 – Electric Division
- 3f.** Consider and Approve a Transfer in the Amount \$7,700 to Station Expenses-Operations, Acct # 582 from Station Expenses-Maintenance , Acct # 592 – Electric Division
- 3g.** Consider and Approve a Transfer in the Amount \$12,500 to Replacement Pay Acct # 50020155-51500 from Other Pay Acct # 50020155-51900 for \$11,300 and from Wage Differentials Acct # 50020155-51450 for \$1,200– Fire Department

- 3h.** Consider and Approve a Transfer in the Amount \$3,000 to Youth Projects, Acct # 10040100-58272 from Purchased Services-Community Mental Health, Acct # 10040100-56709 – Youth & Social Services
- 3i.** Consider and Approve a Transfer in the Amount \$500 to Regular Salaries, Acct # 10040100-51000 from Overtime, Acct # 10040100-51400 – Youth & Social Services
- 3j.** Consider and Approve Resolution to contract with the Connecticut Department of Public Health to receive grant funds in the amount of \$8,458 to conduct a *Hypertension Education and Prevention Program* – Health Department
- 3k.** Consider and Approve an Appropriation in the Amount of \$8,458 *Preventative Health Block Grant* to Hypertension Prevention – Revenue Acct # 224-TBD and to Hypertension Prevention – Expenditures Acct # 224-TBD – Health Department
- 3l.** Set a Public Hearing for Neighborhood Assistance Program for 6:45 P.M. on June 11, 2013 – Program Planning
- 3m.** Consider and Approve Minutes of Special Town Council meeting of May 6, 2013
- 3n.** Consider and Approve Minutes of Regular Town Council meeting of May 14, 2013

MOTION WAS MADE TO APPROVE CONSENT AGENDA ITEMS 3a and 3c – 3n  
MADE BY: CERVONI  
SECONDED BY: RASCATI  
VOTE: ALL AYE (9)  
MOTION PASSED

**4.** Items Removed from the Consent Agenda

- 3b.** Consider and Approve a Transfer in the Amount \$12,000 to Capital & Non-Recurring in General Fund-Bus Shelter Replacement, Acct # 10080350-59234 from Contingency-Miscellaneous, Acct # 10019000-58820 – Engineering Department

Councilor LeTourneau asked that this item be removed in order to ask Town Engineer John Thompson to look into different vendor's and pricing.

MOTION TO TABLE ITEM 3b TO NEXT COUNCIL MEETING FOR TOWN ENGINEER TO GET MORE PRICING AND BRING BACK TO THE COUNCIL  
MADE BY: LETOURNEAU  
SECONDED BY: SULLIVAN

**ROLL CALL VOTE:**

<b>CERVONI:</b>	<b>YES</b>	<b>ECONOMOPOULOS:</b>	<b>YES</b>	<b>FISHBEIN:</b>	<b>YES</b>
<b>LAFFIN:</b>	<b>YES</b>	<b>LETOURNEAU:</b>	<b>YES</b>	<b>RASCATI:</b>	<b>YES</b>

**SULLIVAN: YES                      ZANDRI: YES**  
**CHAIRMAN PARISI: YES**  
**MOTION PASSED**

**5. PUBLIC QUESTION & ANSWER PERIOD**

**Larry Morgenstein , 177 South Main St., read a statement in favor of the Prescription Drop box, and asked the council their opinion on obtaining one.**

**Mike Gannon, High St.**

**MOTION**

**MOTION WAS TO WAVE RULE V**

**MADE BY:                      ZANDRI**  
**SECONDED BY:              ECONOMOPOULOS**  
**VOTE:                          ALL AYE (9)**  
**MOTION PASSED**

**Jason Zandri accompanied by Wayne Montefusco and Steven Murray presented the Council with two checks total \$26,756 for the July 4<sup>th</sup> Fireworks and the R Band.**

**MOTION**

**MOVE TO ACCEPT THE DONATION FOR THE FIREWORKS FUND**

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

**6. Consider and approve revision to *Assistant Network Administrator* Job Description - Personnel**

**MOTION WAS MADE TO approve revision to *Assistant Network Administrator* Job Description**

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

**In attendance George Adair Director PUC and Terence Sullivan, Personnel Director**

**After much discussion it was agreed to eliminate under Special Requirements the entire First sentence, Mr. Cervoni accepted this as a friendly amendment to his original motion.**

**ROLL CALL VOTE:**

**CERVONI: YES                      ECONOMOPOULOS: YES                      FISHBEIN: YES**  
**LAFFIN: YES                      LETOURNEAU: YES                      RASCATI: YES**

**SULLIVAN: YES                      ZANDRI: YES**  
**CHAIRMAN PARISI: YES**  
**MOTION PASSED**

**7. Consider and Approve Acceptance of Padens Court and Twin Pines Drive  
– Planning & Zoning**

In attendance Kacie Costello, Town Planner

**MOTION WAS MADE TO Approve Acceptance of Padens Court and Twin Pines Drive**

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

**8. Conduct a Public Hearing for May 28, 2013 at 6:45 P.M. to be held in connection with an Ordinance entitled:**

AN ORDINANCE AMENDING AN ORDINANCE APPROPRIATING \$13,352,000 FOR THE TOWN OF WALLINGFORD 2011 SCHOOL ROOF PROGRAM AND AUTHORIZING THE ISSUE OF \$13,352,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

(The purpose of the amendment is to increase the appropriation and bond authorization by \$2,813,000, from \$13,352,000 to \$16,165,000, and to ratify, confirm and adopt all prior authorizations and ordinances in connection therewith)

At 7:50 P.M. Chairman Parisi convened the Public Hearing and stated that the \$2,813,000 increase to the \$13,352,000 2011 School Roof Program appropriation and bond authorization is the subject of this public hearing and is available to the public and may be obtained at this meeting from the Town Clerk.

**MOTION AND 2<sup>ND</sup>**

**COUNCILOR CERVONI MOVED AND IT WAS SECONDED BY COUNCILOR LAFFIN, to read the title only of the ordinance as proposed to be amended and to waive the reading of the remainder of the ordinance, incorporating its full text into the minutes of this meeting**

**ROLL CALL VOTE:**

**CERVONI: YES                      ECONOMOPOULOS: YES                      FISHBEIN: YES**  
**LAFFIN: YES                      LETOURNEAU: YES                      RASCATI: YES**  
**SULLIVAN: YES                      ZANDRI: YES**  
**CHAIRMAN PARISI: YES**  
**MOTION PASSED                      (9) Aye**

AN ORDINANCE AMENDING AN ORDINANCE APPROPRIATING \$13,352,000 FOR THE TOWN OF WALLINGFORD 2011 SCHOOL ROOF PROGRAM AND AUTHORIZING THE ISSUE OF \$13,352,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

(The purpose of the amendment is to increase the appropriation and bond authorization by \$2,813,000, from \$13,352,000 to \$16,165,000, and to ratify, confirm and adopt all prior authorizations and ordinances in connection therewith)

**Public Discussion:**

**None**

**There was no public comment and Chairman Parisi closed the public hearing at 7:52 P.M.**

**MOTION WAS MADE AND SECONDED THAT THE PROPOSED ORDINANCE TO AMEND THE CURRENT \$13,352,000 2011 SCHOOL ROOF PROGRAM APPROPRIATION AND BOND AUTHORIZATION BY INCREASING IT TO \$16,165,000 BE ADOPTED**

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

**The council commended the committee on working under budget and in a restricted time frame**

**ROLL CALL VOTE:**

<b>CERVONI:</b>	<b>YES</b>	<b>ECONOMOPOULOS:</b>	<b>YES</b>	<b>FISHBEIN:</b>	<b>YES</b>
<b>LAFFIN:</b>	<b>YES</b>	<b>LETOURNEAU:</b>	<b>YES</b>	<b>RASCATI:</b>	<b>YES</b>
<b>SULLIVAN:</b>	<b>YES</b>	<b>ZANDRI:</b>	<b>YES</b>		

**CHAIRMAN PARISI: YES**

**MOTION PASSED**

**Chairman Parisi stated the Ordinance to be adopted**

**9. Public Information meeting with State of Connecticut Department of Transportation regarding the Wallingford Railroad Station Relocation- Mayor**

John Bernick from the Connecticut Department of Transportation gave a power point presentation on the design of the new station and parking areas. The public had many questions and there was communication from other Department of Transportation representatives.

The Public who spoke were:

Ray Rys - Pierson Drive  
Beth Rachinsky – Lake St  
Geno Zandrđi – Balsam Ridge Circle  
Mary Rhodes – North Cherry St  
Wayne Ritski – North Cherry St  
Lucille Cassagrande – Turnberry Rd  
Miriam Brigar – North Cherry St

During the 2 hour discussion the council had many questions also. Mr. Bernick agreed to meet again with the neighbors as time went on to keep them informed, but made clear to everyone that this is the location that the state has decided to use.

- 10.** Conduct a Public Hearing for May 28, 2013 at 7:00 P.M. to consider and act upon the repeal of Chapter 62 “Alcoholic Beverages,” Article IV, “Seasonal Outdoor Sidewalk Dining” and the adoption of the substituted Chapter 62 “Alcoholic Beverages,” Article IV, “Seasonal Outdoor Sidewalk Dining” of the Code of the Town of Wallingford.  
– Ordinance Committee Co-Chairmen Cervoni and Fishbein

Co-Chairman Fishbein explained the changes in the revised ordinance that this would be better for downtown business and less restrictive

COUNCILOR FISBEIN MOVED THE ADOPTION OF THE REPEALED ORDINANCE AND THE ADOPTION OF THE SUBSTITUTED ORDINANCE, COUNCILOR RASCATI SECONDED

Public Hearing began 10:00 P.M.  
No comments from the public  
Public Hearing closed 10:03 P.M.

**ROLL CALL VOTE:**

<b>CERVONI:</b>	<b>YES</b>	<b>ECONOMOPOULOS:</b>	<b>YES</b>	<b>FISHBEIN:</b>	<b>YES</b>
<b>LAFFIN:</b>	<b>YES</b>	<b>LETOURNEAU:</b>	<b>YES</b>	<b>RASCATI:</b>	<b>YES</b>
<b>SULLIVAN:</b>	<b>YES</b>	<b>ZANDRI:</b>	<b>YES</b>		

**CHAIRMAN PARISI: YES**

**MOTION PASSED**

- 11.** Executive Session pursuant to §1-200 (6)(D) of the Connecticut General Statutes with respect to the purchase, sale and/or leasing of property – Mayor
- 12.** Executive Session pursuant to Connecticut General Statutes §1-225(f) and §1-200(6)(B) regarding strategy and negotiations with respect to the following tax appeals:
- (a) *Stop & Shop Supermarket Company, et al v. Town of Wallingford*  
*and*
  - (b) *Parker Mill Shoppes, LLC v. Town of Wallingford*

**MOTION TO GO INTO** Executive Session pursuant to §1-200 (6)(D) of the Connecticut General Statutes with respect to the purchase, sale and/or leasing of property

And pursuant to Connecticut General Statutes §1-225(f) and §1-200(6)(B) regarding strategy and negotiations with respect to the following tax appeals:

*Stop & Shop Supermarket Company, et al v. Town of Wallingford*  
*and*  
*Parker Mill Shoppes, LLC v. Town of Wallingford*

**MADE BY: CERVONI**

*Wallingford Town Hall, 45 South Main Street*

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

**MOTION TO COME OUR OF EXECUTIVE SESSION**

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

**TIME OF EXECUTIVE SESSION 10:08 P.M. TO 10:24 P.M.**

**EXECUTIVE SESSION ATTENDANCE:**

**ITEM 11 : 8 COUNCILORS 1- ABSENT (FISHBEIN) MAYOR DICKINSON, TOWN ATTORNEY G.E. FARRELL,SR.**

**EXECUTIVE SESSION ATTENDANCE:**

**ITEM 12: ALL 9 COUNCILORS, MAYOR DICKINSON, TOWN ATTORNEY G.E.FARRELL,SR**

- 13.** Motion or consider and approve the settlement of the *Stop & Shop Supermarket Company, et al v. Town of Wallingford* tax appeal matter as discussed in Executive Session

**MOTION TO AUTHORIZE THE TOWN ATTORNEY TO SETTLE *Stop & Shop Supermarket Company, et al v. Town of Wallingford* tax appeal matter as discussed in Executive Session**

**MADE BY: CERVONI**  
**SECONDED BY: RASCATI**  
**VOTE: (8) AYE – 1 ABSENT (FISBEIN)**  
**MOTION PASSED**

- 14.** Motion or consider and approve the settlement of the *Parker Mill Shoppes, LLC v. Town of Wallingford* tax appeal matter as discussed in Executive Session

**MOTION TO AUTHORIZE THE TOWN ATTORNEY TO SETTLE *Parker Mill Shoppes, LLC v. Town of Wallingford* tax appeal matter as discussed in Executive Session**

**MADE BY: CERVONI**  
**SECONDED BY: RASCATI**  
**VOTE: (8) AYE – 1 ABSENT (FISBEIN)**  
**MOTION PASSED**

**MOTION TO ADJOURN**

**MADE BY: CERVONI**  
**SECONDED BY: RASCATI**  
**VOTE: (8) AYE – 1 ABSENT (FISBEIN)**

**MOTION PASSED**

The meeting Adjourned at 10:27 P.M.

Submitted by Town Clerk  
Barbara Thompson

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Robert F. Parisi, Chairman

Date

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Barbara Thompson, Town Clerk

Date