

3K.

**TOWN OF WALLINGFORD, CONNECTICUT  
TOWN COUNCIL MEETING  
Town Council Chambers  
November 14, 2017**

The Meeting of the Wallingford Town Council on Tuesday, November 14, 2017 was called to order at 6:33 P.M. There was a moment of silence and the Pledge of Allegiance was said. Councilors in attendance were: Chairman Vincent Cervoni, Craig Fishbein, Thomas Laffin, John LeTourneau, Joseph A. Marrone III, Christopher K. Shortell, John J. Sullivan and Vincent Testa, Jr. Councilor Jason Zandri was absent. Corporation Counsel Janis Small and Comptroller James Bowes were also present at the meeting.

Moment of Silence

1. Pledge of Allegiance
2. Roll Call
3. Consent Agenda
  - 3a. Consider and Approve Tax Refunds totaling \$18,196.31 (#418-491)  
Acct. #1001001-41020 – Tax Collector
  - 3b. Consider and approve the Community Theatre’s use of Town Council Chambers evenings from March 14 through March 24, 2018 for their Repertory Theatre performances scheduled for March 22, 23, and 24 at 7:30 p.m. – Mayor Dickinson
  - 3c. Acceptance of donations from downtown business owners and consider and approve Appropriation of funds in the amount of \$983 to Revenue Donations - Police, Acct. #2502002-47152 and to Expense Donations – Police, Acct. #25020050-58830-10127 – Police Dept.
  - 3d. Acceptance of overtime reimbursement funds and consider and approve Appropriation of funds in the amount of \$874 to Misc. Revenue, Acct. #1009052-47040 and to Police Overtime, Acct. #10020050-51400 – Police Dept.
  - 3e. Acceptance of check and consider and approve Appropriation of funds in the amount of \$485 from Revenue (Misc.), Acct. #1009052-47040 to Traffic Maintenance, Acct. #10020050-56135 – Police Dept.
  - 3f. Consider and approve a Transfer in the amount of \$7,200 from Wage Differentials, Acct. #10020050-51450 to Purchased Services – Mapping, Acct. #TBD – Police Dept.
  - 3g. Acceptance of donation of Survival Armor K-9 ballistic vest from Vested Interests in K-9’s valued at \$950 – Police Dept.

- 3h. Acceptance of donation from Mr. George Gilhuly and consider and approve Appropriation of funds in the amount of \$250 to Revenue Donations – Police, Acct. #2502002-47152 and to Expense Donations - Police, Acct. #25020050-58830-10135 – Police Dept.
- 3i. Acceptance of donations and consider and approve Appropriation of funds in the amount of \$1,146 to Revenue, Acct. #2134002-47152 and to Expenditures, Acct. #21340100-58830 – Y&SS
- 3j. Acceptance of donations for Holiday for Giving and consider and approve Appropriation of funds in the amount of \$5,569 to Revenue/Donations, Acct. #2134002-47152 and to Expenditures, Acct. #21340100-58830 – Y&SS
- 3k. Acceptance of donation and consider and approve Appropriation of funds in the amount of \$10,049 to Revenue/Donations, Acct. #2134002-47152 and to Expenditures, Acct. #21340100-58830 – Y&SS
- 3l. Consider and approve Appropriation of funds in the amount of \$1,596 to Revenue, Acct. #2264002-47152 and to Expenditures, Acct. #22640150-58830 – Y&SS
- 3m. Acceptance of Donation from Wallingford Energy, LLC and consider and approve Appropriation of funds in the amount of \$2,500 to Miscellaneous Revenue Donation, Fund #250 – 2502002-47152 and to Misc. Grants & Donations Fire Dept., Fund #250 – Fire Dept.
- 3n. Consider and approve Appropriation of funds in the amount of \$36,000 from Retained Earnings, Acct. # NA and to Distribution Plant – Meters, Acct. #370 – Electric Division
- 3o. Consider and approve a Transfer in the amount of \$4,000 from Comptroller’s Reg. Wages, Acct. #10010405-51000 to P.S. – Acctg., Acct. #1001405-56724 – Comptroller
- 3p. Approve Town Council Minutes of October 24, 2017.

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

**MADE BY:           LAFFIN**  
**SECONDED BY:    FISHBEIN**  
**VOTE:               ALL AYE**  
**MOTION:           PASSED**

- 4. **Items Removed from Consent Agenda: *None***
- 5. **PUBLIC QUESTION & ANSWER PERIOD**

Opened Public Question & Answer Period at 6:35p.m.

Bob Gross, Long Hill Road, asked for an update on the Lendlease Solar Panel and Attorney Small explained that we are still in the option phase. She then stated that

questions can be asked at the public meet and greet which will take place on Thursday, November 16<sup>th</sup> at 7:00 p.m. in Room 315.

Mr. Gross stated that Chief Wright asked for money to pay for patrol officers manning construction sites. Chairman Cervoni stated that the town pays the officers and the contractors reimburse the town. Mr. Gross then asked where does the up-front money originate and Mr. Bowes explained that the police put an amount in their budget every year. He went on to say that there is corresponding revenue in the revenue component of the budget as well. He stated there is a line item for that so technically it's a wash. He then stated Chief Wright is running short on that line item so he asked for an appropriation. He explained it changes our budget so we add \$200,000 to that revenue line item and the expenditure line for the overtime. Mr. Bowes then clarified that it does not come from contingency, it increases our authorized budget.

Closed Public Question & Answer Period at 6:41 p.m.

**MOTION WAS MADE TO WAIVE RULE V TO DISCUSS AN EMERGENCY TRANSFER IN THE AMOUNT OF \$6,922 TO REPLACE AND INSTALL AN AC & HEATING UNIT AT PARK AND REC. – 6 FAIRFIELD BLVD.**

**MADE BY: LAFFIN  
SECONDED BY: SHORTELL  
VOTE: ALL AYE  
MOTION: PASSED**

**MOTION WAS MADE TO APPROVE AN EMERGENCY TRANSFER IN THE AMOUNT OF \$6,922 TO SET UP A CAPITAL ACCOUNT TO REPLACE AND INSTALL ROOF TOP, AC AND HEATING UNIT AT PARK AND REC. – 6 FAIRFIELD BLVD.**

**MADE BY: LAFFIN  
SECONDED BY: SHORTELL**

Henry McCully stated that the unit is 13 years old and there is a problem with getting parts and it is used constantly, therefore the replacement

Councilor Marrone asked Mr. Bowes why not just get the money from building and maintenance fund. Mr. Bowes stated that we try to identify capital items in each department's budget for classification and also so it doesn't skew what we normally pay for routine maintenance.

Councilor Sullivan asked if there is more than one unit and if they are all the same age. Mr. McCully stated there are four over the gym and six or seven total units for that building and they are not all the same age.

Councilor Sullivan also wanted to know if we have a maintenance contract on the units and how soon the broken unit can be replaced. Mr. McCully responded yes we do have a maintenance contract and the broken unit can be replaced tomorrow.

Councilor Marrone asked Mr. Bowes if we take it out of the maintenance budget and put it in a capital account then how do we keep track of an item that fails going forward. Mr. Bowes stated you will see it in the monthly reports that you get as a new line item in the adjusted column. It will be in Mr. McCully's budget. He then stated this will apply for the next item as well.

<b>ROLL CALL VOTE:</b>	<b>SHORTELL: YES</b>
<b>FISHBEIN: YES</b>	<b>SULLIVAN: YES</b>
<b>LAFFIN: YES</b>	<b>TESTA: YES</b>
<b>LETOURNEAU: YES</b>	<b>ZANDRI: ABSENT</b>
<b>MARRONE: YES</b>	<b>CERVONI: YES</b>

**8-AYE**

**1-ABSENT**

**MOTION: PASSED**

**MOTION WAS MADE TO WAIVE RULE V TO DISCUSS AN EMERGENCY TRANSFER IN THE AMOUNT OF \$3,340 TO REPLACE AND INSTALL A FURNACE AT THE HISTORIC TRAIN STATION/ADULT EDUCATION – 37 HALL AVENUE.**

<b>MADE BY:</b>	<b>LAFFIN</b>
<b>SECONDED BY:</b>	<b>SHORTELL</b>
<b>VOTE:</b>	<b>ALL AYE</b>
<b>MOTION:</b>	<b>PASSED</b>

**MOTION WAS MADE TO APPROVE AN EMERGENCY TRANSFER IN THE AMOUNT OF \$3,340 TO SET UP A CAPITAL ACCOUNT TO REPLACE AND INTSTALL FURNACE AT HISTORIC TRAIN STATION – 37 HALL AVEUNE**

**MADE BY: LAFFIN**  
**SECONDED BY: SHORTELL**

Mr. McCully stated that the furnace is 27 years old, it's obsolete and worn out and an area of the building is without heat.

Chairman Cervoni asked how other parts of the building are being kept warm and Mr. McCully stated they open the doors and use space heaters.

Councilor Testa questioned if there was one boiler for the whole building. Mr. McCully responded no, just part of the building. Councilor Testa asked if the other boiler is okay and Mr. McCully stated yes.

Councilor Testa asked if this will bring the building up to a point so that regardless of what we decide to do with the building in the future, it will be sufficiently covered. Mr. McCully affirms the building will be fine with the new unit.

Councilor Sullivan asked if it is gas or oil and Mr. McCully replied it is a gas unit. He then asked if there are any other units in the building. Mr. McCully believes there are four.

Councilor Fishbein asked if the historic train station is currently used for Adult Education and a daycare. Mr. McCully answered yes and stated the train enthusiasts also use the basement and they have a lease.

Councilor Fishbein asked if they have any obligation. Mr. McCully stated they do pay but he doesn't know how much. Councilor Fishbein commented that we see these kinds of things on the Board of Education budget. He then asked if he is to assume that we haven't crossed that line where the train station comes within the purview of the Board of Education. Mr. McCully states it is our building and Board of Education uses most of it for Adult Education and the railroad enthusiasts have been there in excess of ten years.

Councilor Fishbein asked if a heating unit goes out in one of the schools, would it come out of Public Works budget or Board of Education budget. Mr. McCully replied the Board of Education budget.

Councilor Fishbein questioned if the Board of Education is utilizing the majority of the structure, why are we taking it from general government? Mr. McCully stated the building comes under the purview of Public Works and always has. Attorney Small stated that is probably because it was actually a train station.

Councilor Shortell commented that he and Councilor Laffin are on the POCD Commission and a recommendation for the train station is on the agenda.

Councilor Laffin stated that it only stopped being a train station for about a week or so.

Councilor Sullivan questioned if trains are boarding there at all. Chairman Cervoni stated it is his understanding they have been using the new train station for about a week now.

<b>ROLL CALL VOTE:</b>	<b>SHORTELL: YES</b>
<b>FISHBEIN: YES</b>	<b>SULLIVAN: YES</b>
<b>LAFFIN: YES</b>	<b>TESTA: YES</b>
<b>LETOURNEAU: YES</b>	<b>ZANDRI: ABSENT</b>
<b>MARRONE: YES</b>	<b>CERVONI: YES</b>
<b>8-AYE</b>	
<b>1-ABSENT</b>	
<b>MOTION: PASSED</b>	

6. Consider and approve new lease agreement between the Town of Wallingford and the Southern New England Telephone Company for use of Water Division owned land, Young's Apple Orchard Road, North Branford – Water/Sewer – *Withdrawn*

7. Executive Session pursuant to Section 1-200(6)(D) of the Connecticut General Statutes with respect to the purchase, sale and/or leasing of property – Mayor - *Withdrawn*
8. Executive Session pursuant to Section 1-225(f) and Section 1-200(6)(B) of the Connecticut General Statutes regarding strategy and negotiations with respect to the pending tax appeal matter of *Bristol-Myers Squibb Company v. Town of Wallingford* – Law Dept.

**MOTION WAS MADE TO MOVE INTO EXECUTIVE SESSION AT 6:57 P.M.**

**MADE BY:               LAFFIN**  
**SECONDED BY:       FISHBEIN**  
**VOTE:                   ALL AYE**  
**MOTION:               PASSED**

**MOTION WAS MADE TO MOVE INTO EXECUTIVE SESSION** pursuant to Section 1-225(f) and Section 1-200(6)(B) of the Connecticut General Statutes regarding strategy and negotiations with respect to the pending tax appeal matter of *Bristol-Myers Squibb Company v. Town of Wallingford*.

**MOTION WAS MADE TO MOVE OUT OF EXECUTIVE SESSION AT 7:21 P.M.**

**MADE BY:               LAFFIN**  
**SECONDED BY:       FISHBEIN**  
**VOTE:                   ALL AYE**  
**MOTION:               PASSED**

**Time of Executive Session 6:57 p.m. to 7:21 p.m.**

**Attendance at Executive Session:**

<b>FISHBEIN</b>	<b>CORPORATION COUNSEL JANIS SMALL</b>
<b>LAFFIN</b>	<b>COMPTROLLER JAMES BOWES</b>
<b>LETOURNEAU</b>	
<b>MARRONE</b>	
<b>SHORTELL</b>	
<b>SULLIVAN</b>	
<b>TESTA</b>	
<b>CERVONI</b>	

9. Motion to consider and authorize settlement in the pending tax appeal matter of *Bristol-Myers Squibb Company v. Town of Wallingford* as discussed in Executive Session – Law Dept.

**MOTION WAS MADE TO authorize settlement in the pending tax appeal matter of *Bristol-Myers Squibb Company v. Town of Wallingford* as discussed in Executive Session.**

**MADE BY: LAFFIN**  
**SECONDED BY: LETOURNEAU**

<b>ROLL CALL VOTE:</b>	<b>SHORTELL: YES</b>
<b>FISHBEIN: NO</b>	<b>SULLIVAN: YES</b>
<b>LAFFIN: YES</b>	<b>TESTA: YES</b>
<b>LETOURNEAU: YES</b>	<b>ZANDRI: ABSENT</b>
<b>MARRONE: YES</b>	<b>CERVONI: YES</b>

**8-AYE**  
**1-ABSENT**  
**MOTION: PASSED**

**MOTION TO ADJOURN**  
**MADE BY: FISHBEIN**  
**SECONDED BY: MARRONE**  
**MOTION: PASSED**

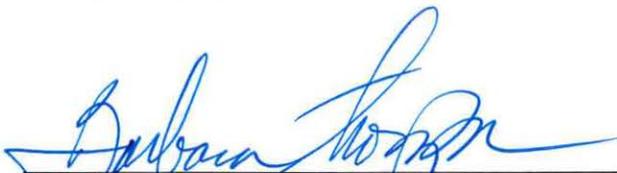
The Council adjourned the meeting at 7:22 P.M.

Respectfully submitted,

Lisa Moss  
Council Staff  
Meeting digitally recorded

  
\_\_\_\_\_  
Vincent Cervoni, Chairman

28 Nov. 2017  
Date

  
\_\_\_\_\_  
Barbara Thompson, Town Clerk

11-29-17  
Date

RECEIVED FOR RECORD 11-17-17  
AT 12:00 AND RECEIVED BY  
Barbara Thompson TOWN CLERK