

TOWN OF WALLINGFORD, CONNECTICUT

REGULAR TOWN COUNCIL MEETING

Town Council Chambers

JANUARY 10, 2012

RECORD OF VOTES AND MINUTES

The Town Council meeting was called to order at 6:35 P.M.

ATTENDANCE: Councilors Vincent Cervoni, Nick Economopoulos, Craig C. Fishbein, Thomas Laffin, John LeTourneau, Rosemary Rascati, John J. Sullivan and Jason Zandri. Chairman Robert F. Parisi was absent from the meeting. Mayor William W. Dickinson Jr., Town Attorney Gerald E. Farrell, Sr. and Comptroller James Bowes were also at the meeting.

A Moment of Silence was observed, and the Pledge of Allegiance was said and the roll call was taken.

2. Correspondence

None

3. Consent Agenda

- 3a. Consider and Approve Tax Refunds totaling \$15,332.57 (#384 - #440)
Acct. # 001-1000-010-1170 - Tax Collector
- 3b. Acceptance of a Grant Award from 3M Foundation and Appropriation of \$1,000 to Miscellaneous. Revenue Acct # 1009052-47040 and to Operation Expenses Acct # 10020150-58735 – Fire Department
- 3c. Acceptance of a Grant Award from the Connecticut Fair Plan and Appropriation of \$496 to Miscellaneous Revenue Acct # 1009052-47040 and to Operation Expenses Acct # 10020200-58735 – Fire Marshal
- 3d. Consider and Approve a Transfer in the Amount of \$15,000 from Contingency Acct # 10019000-59820 to Professional Services-Lawyers (Workers Compensation legal fees) Acct # 10010300-56710 – Law Department
- 3e. Reappointment of Matthew J. Furman to Personnel and Pensions Appeal Board for a five-year term effective immediately and expiring December 31, 2016 - Mayor
- 3f. *Set a Public Hearing for January 24, 2012 at 7:00 P.M. with regard to the Repeal of Ordinance #345, "Article V, Insurance Commission."*
The Town Council repeals Ordinance No. 345, "Article V, Insurance Commission", adopted on August 7, 1986, as stated in §8-10 through §8-13 of Chapter 8, Boards, Commissions and Committees, of the Code of the Town of Wallingford
Removed
- 3g. Consider and Approve minutes of Regular Town Council Meeting of December 13, 2011
- 3h. Consider and Approve minutes of Special Town Council Meeting of December 20, 2011
- 3i. Consider and Approve minutes of Swearing In Ceremony of January 2, 2012

**MOTION WAS MADE TO APPROVE CONSENT AGENDA ITEMS 3a. – 3e.
and 3g. – 3i.**

MADE BY: RASCATI
SECONDED BY: LETOURNEAU
VOTE: ALL COUNCILORS PRESENT (8) VOTED AYE.
CHAIRMAN PARISI WAS ABSENT FROM THE MEETING.

MOTION PASSED

4. Items Removed from the Consent Agenda

- 3f. Set a Public Hearing for January 24, 2012 at 7:00 P.M. with regard to the Repeal of Ordinance #345, "Article V, Insurance Commission."**

The Town Council repeals Ordinance No. 345, "Article V. Insurance Commission," adopted on August 7, 1986, as stated in §8-10 through §8-13 of Chapter 8, Boards, Commissions and Committees, of the Code of the Town of Wallingford

Councilor Economopoulos respectfully asked that this item be withdrawn from the agenda as he did not receive information that he requested for this item until just before the meeting. He does not want this Ordinance to be repealed, and he would like to present information to the Council to sway his colleagues to his way of thinking.

MOTION WAS MADE TO TABLE THE ITEM.

MADE BY: ECONOMOPOULOS
SECONDED BY: SULLIVAN, JOHN

Councilor Economopoulos looked to the Town Attorney as to how to insert 'amend' into the Public Hearing. He said the information he would like to present could be ready for the January 24th meeting. In light of this consideration, Councilor LeTourneau suggested that both can be done at the same time. He thought that the Public Hearing can be set tonight, and then the information can be brought forth and even though it states 'repeal,' it still has to go for a vote. He said that both the public and the Council can ask questions at the public hearing. He suggested withdrawing the motion and bringing the information to the next meeting. Councilor Economopoulos said that the way it now reads, it is on the condition that we 'repeal' the ordinance but he would request that it say 'repeal or amend'?

Tow Attorney Farrell said that if they are going to consider at the Public Hearing amending the ordinance, then you have to state such in the Notice for the Public Hearing; it has to say amend or repeal. He continued stating that if you are going to amending it that the proposed amendment has to be included in the Notice to the Public Hearing. It does not have to be re-posted again. You can vote the have the Public Hearing on the 24th so long as the Notice to the Public states that it's to amend or repeal and that the proposed amendment is to have the members of the commission appointed by the Town Council versus the Mayor.

Councilor Economopoulos agreed that this is to remove the word repeal and to insert the word amend to allow the Town Council to appoint an Insurance Commission as an advisory board. He said that he would have all of the documents by the next meeting and that if this Public Hearing can include his motion to 'amend' as well as their motion to 'repeal', then he will be ready to go in two weeks.

Mayor Dickinson said that what is needed is a motion to indicate either repeal or amend the ordinance to reflect appointment by the Town Council. It's 'either or' and that is the motion that is needed rather than tabling the item.

WITHDRAWAL OF THE MOTION MADE BY ECONOMOPOULOS, FOLLOWED BY WITHDRAWAL OF THE SECOND BY SULLIVAN (JOHN).

MOTION WAS MADE TO SET THE PUBLIC HEARING FOR JANUARY 24, 2012 AT 7:00 P.M. WITH REGARD TO REPEAL ORDINANCE #345. ARTICLE 5, INSURANCE COMMISSION OR IN THE ALTERNATIVE TO AMEND THAT ORDINANCE.

MADE BY: RASCATI
SECOND: ECONOMOPOULOS

There was no further discussion.

ROLL CALL VOTE: ECONOMOPOULOS -YES; FISHBEIN -YES;
LAFFIN -YES; LETORUNEAU -YES; RASCATI -YES;
SULLIVAN -YES; ZANDRI -YES; CERVONI -YES
CHAIRMAN PARISI WAS ABSENT FROM THE MEETING.

(8) VOTED AYE.
MOTION PASSED

MS. RASCATI WITHDREW A MOTION THAT SHE HAD BEGUN WITH RESPECT TO THE EXECUTIVE SESSION TO TAKE UP A WAIVE RULE V MATTER.

WAIVE RULE V

MOTION WAS MADE TO WAIVE RULE V TO CONSIDER A BID WAIVER AMENDMENT FOR SATIN AMERICA WORK AT THE EAST STREET SUBSTATION

MADE BY: RASCATI
SECONDED BY: LETOURNEAU
VOTE: ALL COUNCILORS PRESENT (8) VOTED AYE.
CHAIRMAN PARISI WAS ABSENT FROM THE MEETING.

MOTION PASSED to Waive Rule V.

MOTION WAS MADE TO AMEND THE REQUEST FOR BID WAIVER FOR SATIN AMERICA WORK AT EAST STREET SUBSTATION

MADE BY: RASCATI
SECONDED BY: LETOURNEAU

*In attendance: George Adair, Director, Public Utilities
Richard Hendershot, General Manager, Electric Division*

Mr. Adair stated that this is part of the same work on the transformer as had been addressed at the December Town Council meeting. It is a matter of the discovery of additional work that needs to be done to complete the repairs at the substation in order to put transformer #1 back in service and bring the station back to its full capability. He said that it is not a change in the cost

of the original scope of work but additional components that require attention. The amount is an additional \$14,000 total.

Vice Chairman Cervoni asked if the motion should be amended to include the additional \$14,000 to the original \$20,000 for a total of \$34,000.

MOTION WAS MADE TO AMEND THE MOTION ON THE FLOOR TO INCLUDE THE AMOUNT OF AN ADDITIONAL \$14,000 FOR SATIN AMERICA WORK AT THE EAST STREET SUBSTATION.

**MADE BY: RASCATI
SECONDED BY: LETOURNEAU**

Mr. Adair added that he would like to look at this as an estimate. He said that this is a quote. He said that this is a repair following an explosion.

Mr. Fishbein made comments and asked questions regarding street lights and their restitution when they burn out and how long one can expect a lamp to be out.

Mr. Hendershot gave a report with regard to the damage. Mr. Adair said that the funds are available and that the source of these funds come from an Electric Division account.

Vice Chairman Cervoni stated that there was a motion now amended and called for a roll call vote as there were no more comments.

**ROLL CALL VOTE: ECONOMOPOULOS-YES; FISHBEIN-YES;
LAFFIN-YES; LETORUNEAU-YES; RASCATI-YES;
SULLIVAN-YES; ZANDRI-YES; CERVONI-YES
CHAIRMAN PARISI WAS ABSENT FROM THE MEETING.**

**(8) VOTED AYE.
MOTION PASSED**

5. Executive Session pursuant to Connecticut General Statutes §1-225, §1-200 (6)(E) and §1-210(b)(7) to discuss estimates and evaluations for construction contracts relating to the school roof projects – School Roof Building Committee

MOTION WAS MADE TO GO INTO EXECUTIVE SESSION PURSUANT TO Connecticut General Statutes §1-225, §1-200 (6)(E) and §1-210(b)(7) to discuss estimates and evaluations for construction contracts relating to the school roof projects.

**MADE BY: RASCATI
SECONDED BY: Mr. LeTourneau seconded but was not heard on the recording.**

**VOTE: UNANIMOUS; 8-AYE; Chairman Parisi was absent.
MOTION PASSED**

MOTION WAS MADE TO COME OUT OF EXECUTIVE SESSION

**MADE BY; RASCATI
SECONDED BY: LETOURNEAU
VOTE: UNANIMOUS; 8-AYE; Chairman Parisi was absent.**

MOTION PASSED.

ATTENDANCE AT EXECUTIVE SESSION: Cervoni, Economopoulos, Fishbein, LeTourneau, Rascati and Sullivan. Chairman Parisi was absent. Mayor Dickinson and Town Attorney Gerald E. Farrell, Sr., Mike Brodinsky, Chairman, School Roof Building Committee, David Stein, Project Architect, Silver and Petrucelli Gene Torrone, Gene Torrone, S.L.A.M., Owner's Representative, Dr. Sal Menzo, Superintendent of Schools, School Roof Building Committee members -Mark Deptula, J.P. Venoit and John Lynch

TIME OF EXECUTIVE SESSION: 7:00 P.M. – 7:17 P.M.

6. Consider and Approve a Resolution that the Wallingford Town Council commits to the total funding of the school re-roofing projects upon receipt of public bids and adoption of a funding ordinance as required by the State of Connecticut, Department of Education.

MOTION WAS MADE TO Approve a Resolution that the Wallingford Town Council commits to the total funding of the school re-roofing projects upon receipt of public bids and adoption of a funding ordinance as required by the State of Connecticut, Department of Education.

MADE BY: RASCATI
SECONDED BY: LETOURNEAU

*In Attendance: Mike Brodinsky, Chairman, School Roof Building Committee
David Stein, Project Architect, Silver and Petrucelli
Gene Torrone, S.L.A.M., Owner's Representative*

Mr. Brodinsky said that his comments under this item will be the same as he would say under Item 7 in the Public Hearing and asked for the Chairman's suggestion on what he would like.

Vice Chairman Cervoni said it was fine to hold the comments to Item #7 and called upon the Council for questions on the Resolution and there were none.

**ROLL CALL VOTE: ECONOMOPOULOS-YES; FISHBEIN-YES;
LAFFIN-YES; LETORUNEAU-YES; RASCATI-YES;
SULLIVAN-YES; ZANDRI-YES; CERVONI-YES
CHAIRMAN PARISI WAS ABSENT FROM THE MEETING.**

**(8) VOTED AYE.
MOTION PASSED**

7. Hold a Public Hearing at 7:00 P.M. to Consider and Act upon the following proposed Ordinance:

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

The purpose of the amendment is to increase the appropriation and bond authorization by \$7,630,000 from \$370,000 to \$8,000,000, to provide for construction and roof related energy improvements, and to ratify, confirm and adopt all prior authorizations and ordinances in connection therewith.

Mrs. Rascati read the Ordinance as follows: To Consider and Act upon the following proposed Ordinance:

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

At 7:21 P.M., Vice Chairman Cervoni convened the public hearing for the \$7,630,000 increase to the \$370,000 2011 School Roof Program bond authorization and providing for construction and energy improvements. The Ordinance which is the subject of this public hearing is available to the public and may be obtained at this meeting from the Town Clerk.

Councilor Rascati moved, and the motion was seconded by Councilor Letourneau, 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: ECONOMOPOULOS-YES; FISHBEIN-YES; LAFFIN-YES;
LETORUNEAU-YES; RASCATI-YES; SULLIVAN-YES;
ZANDRI-YES; CERVONI-YES
CHAIRMAN PARISI WAS ABSENT FROM THE MEETING.**

**(8) VOTED AYE.
MOTION PASSED**

Vice Chairman Cervoni read the following:

AN ORDINANCE APPROPRIATING \$8,000,000 FOR THE PLANNING, ACQUISITION AND CONSTRUCTION OF THE WALLINGFORD 2011 SCHOOL ROOF PROGRAM AND AUTHORIZING THE ISSUANCE OF \$8,000,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

PUBLIC SESSION

Mr. Ed Bradley, 2 Hampton Train, spoke about the State of Connecticut reimbursement. Chairman Brodinsky said that to be eligible for maximum reimbursement, roofs need to be 20 years old and they are of that age and that they are looking for 50% reimbursement of the total cost which is the maximum for our town and if they won't be getting that, then the roofs will not be done. He said that the town's cost will be determined when the bids come back which will be in March or April. He said there will be another meeting at that time when the Council will have some decisions to make on those bids. Mr. Bradley asked about the town's current bond indebtedness. Comptroller Bowes stated is about \$42-\$43 million.

Mr. Robert Gross, 114 Long Hill Road, if the \$8 million will cover all of the school roofs. Mr. Brodinsky said that they will be back and that this is to get a jump-start on the five schools That will be done in 2012. The balance of the project will be done in 2013, or six schools. The five in 2012 are half of Lyman Hall and half Sheehan, Dag, Moran and Stevens. Mr. Stein confirmed that plan stated by Mr. Brodinsky.

Mr. Geno Zandri, 9 Balsam Ridge Circle, asked about the timeframe. Mr. Stein said the project start will be the last day of school and the finish date is August 1, with some roof operations exceptions which will run a little later

At 7:29 P.M. Vice Chairman Cervoni closed the Public Hearing as there were no more comments from the public.

MOTION WAS MADE THAT THE PROPOSED ORDINANCE TO AMEND THE CURRENT \$370,000 2011 SCHOOL ROOF PROGRAM APPROPRIATION AND BOND AUTHORIZATION BY INCREASING IT TO \$8,000,000 AND TO PROVIDE FOR CONSTRUCTION AND ENERGY UIMPROVEMENTS BE ADOPTED.

MADE BY: ZANDRI
SECONDED BY: LETOURNEAU

The Council asked questions about the timing and how it coincides with the upcoming budget process; that the Comptroller might not use all \$8 million for bonding; the cost of the project phase will be known when the bids are received in the spring; roofing during the summer when school is not in session.

ROLL CALL VOTE: ECONOMOPOULOS-YES; FISHBEIN-YES; LAFFIN-YES;
LETORUNEAU-YES; RASCATI-YES; SULLIVAN-YES;
ZANDRI-YES; CERVONI-YES
CHAIRMAN PARISI WAS ABSENT FROM THE MEETING.

(8) VOTED AYE.
MOTION PASSED

Vice Chairman Cervoni declared the Ordinance adopted.

8. PUBLIC QUESTION & ANSWER PERIOD

Mr. Geno Zandri asked that Police help identify street lamps that are out; it is a safety matter.

Mr. Gross asked about competitive bidding and Mr. Bowes said that sometimes negotiation is better.

9. Consider and Approve a Resolution adopting the USCM Deferred Comp Program and its group flexible purchase payment deferred variable annuity contract and hereby establishes the Town of Wallingford Deferred Comp Plan for the voluntary participation of all eligible employees belonging to the Managers Union and non-bargaining unit managers and to authorize the Mayor to execute such agreements and contracts as are necessary to implement for the Program – Personnel

MOTION WAS MADE TO Approve a Resolution adopting the USCM Deferred Comp Program and its group flexible purchase payment deferred variable annuity contract and hereby establishes the Town of Wallingford Deferred Comp Plan for the voluntary participation of all eligible employees belonging to the Managers Union and non-bargaining unit managers and to authorize the Mayor to execute such agreements and contracts as are necessary to implement for the Program.

MADE BY: RASCATI
SECONDED BY: LETOURNEAU

ROLL CALL VOTE: ECONOMOPOULOS-YES; FISHBEIN-YES; LAFFIN-YES;
LETORUNEAU-YES; RASCATI-YES; SULLIVAN-YES;
ZANDRI-YES; CERVONI-YES
CHAIRMAN PARISI WAS ABSENT FROM THE MEETING.

(8) VOTED AYE.

MOTION PASSED

10. Discussion and Possible Action regarding the Town owned parcel(s) located to the east of North Main Street, known as the Wooding-Caplan Property – Councilor Craig Fishbein

MOTION WAS MADE TO TAKE THE 2005 RFP AND SEND IT BACK TO THE LAW DEPARTMENT FOR POSSIBLE REVISION AND FUTURE CONTEMPLATION BY THE COUNCIL IN ONE MONTH

**MADE BY: FISHBEIN
SECONDED BY: ECONOMOPOULOS**

Following lengthy discussion by the Council and the Public, which covered the history of the property, its problems with access and egress and the concerns with safety in the parking areas and upon entering the intersection with Center Street, ideas of use, costs, the Police station, the feasibility of temporary parking construction with lighting, Mayor offered to send a report to the Council with what can be done with the situation temporarily

**ROLL CALL VOTE: ECONOMOPOULOS-YES; FISHBEIN-YES; LAFFIN-NO;
LETORUNEAU-NO; RASCATI-NO; SULLIVAN-NO;
ZANDRI-NO; CERVONI-NO
CHAIRMAN PARISI WAS ABSENT FROM THE MEETING.**

**SIX (6) VOTED NAY; TWO (2) VOTED AYE;
MOTION FAILED.**

11. Discussion and Possible Action regarding the property located at 390 Center Street – Councilor Craig Fishbein

This property was discussed in Item 10 as it is part of what is known as the Wooding-Caplan property. No action was taken.

12. 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

Withdrawn

MOTION WAS MADE TO ADJOURN THE MEETING.

**MADE BY: RASCATI
SECONDED BY: LETOURNEAU
VOTE: 8 AYE; 1 ABSENT
MOTION PASSED**

THE MEETING ADJOURNED AT 9:44 P.M.

Respectfully submitted,

Sandra Weekes
Town Council Secretary
Meeting digitally recorded

Robert F. Parisi, Chairman

Date

Barbara Thompson, Town Clerk

Date

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

An ordinance entitled, "AN ORDINANCE APPROPRIATING \$370,000 FOR PLANNING AND DESIGN OF THE TOWN OF WALLINGFORD 2011 SCHOOL ROOF PROGRAM AND AUTHORIZING THE ISSUE OF \$370,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE" adopted by the Town Council on 8/30/11 which ordinance is hereby ratified, confirmed and adopted, is amended to increase the appropriation and bond authorization therein by \$7,630,000, from \$370,000 to \$8,000,000, and to provide for construction and energy improvements as follows:

Section 1. The title of the Ordinance is amended to read as follows:

"AN ORDINANCE APPROPRIATING \$8,000,000 FOR THE PLANNING, ACQUISITION AND CONSTRUCTION OF THE WALLINGFORD 2011 SCHOOL ROOF PROGRAM AND AUTHORIZING THE ISSUANCE OF \$8,000,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE"

Section 2. The following is substituted for Section 1 of the Ordinance:

"Section 1. The sum of \$8,000,000 is appropriated for the the planning, acquisition and construction of the Town of Wallingford 2011 School Roof Program consisting of roof improvements at Lyman Hall High, Sheehan High, Hammarskjold Middle, Moran Middle, Beach Elementary, Cook Hill Elementary, Highland Elementary, Parker Farms Elementary, Pond Hill Elementary, Rock Hill Elementary, and Stevens Elementary Schools (hereafter the "Project"). The Project may include the removal, replacement, repair or improvement of existing roofs, supporting structures and attachments, repair of interior structures and spaces necessitated by the improvements or the conditions of the existing roof, installation of flashing and gutter systems, vents, ice and water shield, decking repair and blocking, extension of all electrical wiring and duct work, solar panels and other alternative or energy conserving roof related measures, and related appurtenances and improvements, or so much thereof or such additional improvements as may be accomplished within said appropriation and as may be determined in accordance with

final plans and specifications, and for architectural, engineering and consultant fees, owners representative, equipment, administrative, printing, legal, and financing costs related thereto. Said appropriation shall be in addition to all prior appropriations for said purpose, and inclusive of state and federal grants in aide thereof.

Section 3. The first sentence of Section 2 of the Ordinance is amended by substituting the amount of \$8,000,000 for \$370,000, thereby making the first sentence of Section 2 read as follows:

“To meet said appropriation \$8,000,000 bonds of the Town or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the twentieth year after their date.”