

WOLCOTT TOWN COUNCIL

Regular Meeting

Tuesday, October 4, 2011

Council Chambers, Wolcott Town Hall

7:30 p.m.

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MINUTES

Note: These are summary minutes; a tape recording of this meeting is on file in Commission Secretary's Office in Wolcott Town Hall.

Chairman Santogatta called the meeting to order at 7:30 p.m. with the Pledge of Allegiance, and attendance was taken.

MEMBERS PRESENT: Chairman Michael Santogatta, Vice-Chairman Steven Olmstead, Michael Bokon, Gale Mastrofrancesco, Charles Marsella, Rachel Wisler, Michael Perrone, David Valletta, and Francis Masi

MEMBERS ABSENT: None

ALSO PRESENT: Mayor Thomas Dunn; Linda Bruce, Municipal Finance Officer; Brian Tynan, Town Attorney; Edward Stephens, Chief of Police; Attorney Michael Tansley

APPROVAL OF MINUTES:

▪ **Regular Meeting – September 6, 2011**

Upon **MOTION** by David Valletta, seconded by Charles Marsella, it was unanimously voted to **approve** the minutes of the Regular Meeting held on September 6, 2011.

▪ **Workshop – September 20, 2011**

Upon **MOTION** by David Valletta, seconded by Charles Marsella, it was unanimously voted to **approve** the minutes of the Workshop held on September 20, 2011.

TAXPAYERS' TIME: (Limited to Items on the Agenda)

No taxpayers came forward.

CORRESPONDENCE (on file):

1. Proposed Resolution for Lease Agreement with Municipal Leasing Consultants/Suntrust Equipment Finance & Leasing Corp. (for various Town Vehicles/Equipment)
2. Proposed Lease Agreement with Municipal Leasing Consultants/Suntrust Equipment Finance & Leasing Corp. (for various Town Vehicles/Equipment)

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3. Letter dated September 29th from Linda Bruce regarding the Proposed Lease Agreement
4. Letter dated September 29th from Town Attorney Brian Tynan regarding the Proposed Lease Agreement
5. Notice to Town Clerk dated September 16th advising that the Regular Meeting of the Town Council scheduled for September 20th has been canceled
6. Letter received September 16th from Robert Larson, Chairman of the Farmingbury Hills Golf commission, regarding temporary 'special' rates
7. Letter dated September 23rd from Mayor Dunn recommending a Transfer to the Capital & Non-Recurring Fund
8. Letter dated September 27th from Mayor Dunn regarding Police Department Promotions (copy of letter from Police Chief Stephens to Mayor Dunn regarding same attached)
9. Email dated September 27th from David DeBaise of Wallingford, CT, regarding newspaper article on Town Employee Using Personal Vehicle
10. Email dated September 28th from Chris O'Brien, Chairman of the Economic Development Commission, advising that a Free Business Forum for local business people is scheduled for Thursday, September 29th at 5:30 p.m., at the East St. Eatery
11. Building Committee Request List
12. Letter dated September 29th from the Office of the Tax Collector regarding Motor Vehicle "Pilot Program" (draft agreement attached)
13. Board of Education Year to Date Budget Report dated 08-31-11
14. Town of Wolcott Expenditure Report, Revenue Report, & Trial Balance, for month ending 08-31-11 (previously sent on 9-15-11)
15. Letter dated September 30th from Steve Olmstead regarding newspaper article on Town Employee Using Personal Vehicle

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MAYOR'S REPORT:

Mayor Dunn came forward and reported the following:

- Tosun Road project going very well; bid opening for Nutmeg Valley and Town Line Road is scheduled for next week;
- The Cub Scouts did a cleanup on Minor Road; a pizza party was held for them afterwards;
- Farmingbury Women's Club held a ceremony yesterday for Breast Cancer Awareness

Mr. Masi stated that the Town Crew did an excellent job repairing/maintaining upper Rt. 69 at the construction site during the heavy rainstorm last week; they kept the road passable and cars were not further damaged. Mayor Dunn noted that a decision had to be made; the contractor left the site, and could not be contacted. Cars were getting stuck and damaged, therefore the road either needed to be closed or he had to send the Town Crew there. Mayor Dunn next gave a detailed report as to what happened that evening. He attended a meeting yesterday with the DOT and the contractor. The State agreed that he made the right decision under the unusual circumstances. He is attempting to recover the monies for the material and the wages expended by the Town, as it is a State project; a list of the expenses was submitted at the meeting.

A brief question and answer period followed with respect to the above and the following:

- There is not a book at the Library on the history of the Town of Wolcott; it was noted that Flo Goodman with the Historical Society does write ups every month in the Wolcott Community News; she may be able to put something together

FINANCE OFFICER'S REPORT/TRANSFERS:

Linda Bruce came forward and reported the following:

- A meeting was held on September 29th with a representative from FEMA to review the damages incurred from Tropical Storm Irene; reporting requirements are similar to the packets that they have submitted for snowstorm reimbursements; the FEMA representative will be returning to Wolcott on October 12th to inspect and assess road damage and review the debris accumulated at the Public Works facility;
- They continue to work with BlumShapiro to finalize the 2010-2011 fiscal year audit; she has started to work on the Management Discussion &

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Analysis; she was hoping to have it presented at the November 1st meeting, but has not received confirmation on that yet

SUB-COMMITTEE AND LIAISON REPORTS:

Volunteer Ambulance: Mrs. Mastrofrancesco reported that they just got finished with their independent audit for their financials for the 2010-2011 fiscal year. Also, they will be holding an Oldies Show on Saturday, October 15th at Wolcott High School, which is a benefit for the Police Explorers, the Fire Department Cadets, and the Ambulance Explorers.

Back Tax Committee: Chairman Santogatta reported that he saw an email indicating that the committee wants to meet on Thursday at 5:30 p.m. to review one issue.

UNFINISHED BUSINESS:

There was no unfinished business.

NEW BUSINESS:

1. **Discussion & Possible Action on Transfer to Reserve Fund for Capital & Non-Recurring Expenditures**

Upon **MOTION** by Francis Masi, seconded by David Valletta, it was unanimously voted to **approve** the recommendation by the Mayor to transfer \$110,000.00 to the Reserve Fund for Capital & Non-Recurring Expenditures (**see attached**).

Mayor Dunn advised that the above transfer is part of the budget process. Per the Charter, the Mayor has to recommend the transfer and then it requires Council approval. If they wanted to use the monies, then it would have to be approved at a Town Meeting.

2. **Discussion & Possible Action on Proposed Resolution & Authorization for Mayor to Sign Lease Agreement with Municipal Leasing Consultants/Suntrust Equipment Finance & Leasing Corporation**

Upon **MOTION** by Steven Olmstead seconded by Francis Masi, it was unanimously voted to **adopt** the following resolution; RESOLUTION OF THE GOVERNING BODY; Resolution Authorizing the Execution and Delivery of a Master Lease Agreement, Equipment Schedule No. 03 an Escrow Agreement, and Related Instruments, and Determining Other Matters in Connection Therewith {Municipal Leasing Consultants/Suntrust Equipment Finance &

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Leasing Corp.} (Mr. Olmstead stated that he will waive the reading of entire resolution-remainder will be entered into the minutes) (**see attached**).

Upon **MOTION** by Francis Masi, seconded by Charles Marsella, it was unanimously voted to **authorize** the Mayor to sign the Lease Agreement (with Municipal Leasing Consultants/Suntrust Equipment Finance & Leasing Corp.) {on file}.

Mrs. Mastrofrancesco reported that through the bidding process, they were able to save about \$30,000 for the vehicle in the lease for the Volunteer Ambulance Dept. When they sell the old vehicle, about \$10,000 will be going back to the Town.

3. Discussion & Possible Action on Police Department Promotion

Chairman Santogatta advised that they have a request from the Police Chief to the Mayor, and a recommendation from the Mayor to the Council to approve the promotion of Mark Dressel to Sergeant (**see attached**).

Upon **MOTION** by Francis Masi, seconded by Charles Marsella, it was unanimously voted to **approve** the promotion of Acting Sergeant Mark Dressel to rank of Police Sergeant.

Chief Stephens noted that he will be holding a ceremony for the promotion and would like to invite the Town Council to attend; he will advise the Council as to the date and time as soon as it is set.

4. Establishment of Building Committees

Upon **MOTION** by Francis Masi, seconded by Gale Mastrofrancesco, it was unanimously voted to **establish** the following five (5) Building Committees:

1. Walking Trail at Scovill's Reservoir
2. Road Reconstruction
3. School Upgrades (Gym Floor, Fire Alarms, Bleachers)
4. Waterlines (Wolcott High School & Lower Woodtick)
5. Fire Truck

Chairman Santogatta stated that they can plan a Special Meeting to staff the above committees.

5. Discussion & Possible Action on Proposed Contract for the Town Hall Employees/MACO/Dispatchers and Police Clerical Union

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Upon **MOTION** by Francis Masi, seconded by Gale Mastrofrancesco, it was unanimously voted to **table** 'Discussion & Possible Action on Proposed Contract for the Town Hall Employees/MACO/Dispatchers and Police Clerical Union', to Executive Session.

ITEMS FOR NEXT AGENDA:

Chairman Santogatta advised that if anyone has any items to please contact himself or the Clerk.

TAXPAYERS' TIME:

No taxpayers came forward.

EXECUTIVE SESSION:

Upon **MOTION** by Rachel Wisler, seconded by Michael Bokon, it was unanimously voted to take a five minute recess at 7:54 p.m. and **enter** into Executive Session for the purpose of discussing a contractual matter inviting Mayor Dunn, Attorney Michael Tansley, and Linda Bruce, MFO.

Chairman Santogatta called the regular session back to order at 8:25 p.m.

- **Discussion & Possible Action on Proposed Contract for the Town Hall Employees/MACO/Dispatchers and Police Clerical Union**

Upon **MOTION** by Gale Mastrofrancesco, seconded by Michael Bokon, it was unanimously voted to **approve** the Contract for the Town Hall Employees/MACO/Dispatchers and Police Clerical Union, with one abstention from David Valletta (on file).

ADJOURNMENT:

Upon **MOTION**, by Michael Perrone, seconded by Charles Marsella, it was unanimously voted to **adjourn** the meeting at 8:26 p.m.

APPROVED:

Elizabeth Gaudiosi, Secretary
WOLCOTT TOWN COUNCIL

Michael J. Santogatta, Chairman
WOLCOTT TOWN COUNCIL

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[Escrow]

RESOLUTION OF GOVERNING BODY

At a duly called meeting of the governing body of Lessee held in accordance with all applicable legal requirements, including open meeting laws, on the 4th day of October, 2011, the following resolution was introduced and adopted:

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A MASTER LEASE AGREEMENT, EQUIPMENT SCHEDULE NO. 03 AN ESCROW AGREEMENT, AND RELATED INSTRUMENTS, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the governing body of TOWN OF WOLCOTT, CONNECTICUT ("Lessee") desires to obtain certain equipment (the "Equipment") described in Equipment Schedule No. 03 to the Master Lease Agreement (collectively, the "Lease") with MUNICIPAL LEASING CONSULTANTS, LLC, the form of which has been available for review by the governing body of Lessee prior to this meeting; and

WHEREAS, the Equipment is essential for the Lessee to perform its governmental functions; and

WHEREAS, the funds made available under the Lease will be deposited with SUNTRUST BANK (the "Escrow Agent") pursuant to an Escrow Agreement between Lessee and the Escrow Agent (the "Escrow Agreement") and will be applied to the acquisition of the Equipment in accordance with said Escrow Agreement; and

WHEREAS, Lessee has taken the necessary steps, including those relating to any applicable legal bidding requirements, to arrange for the acquisition of the Equipment; and

WHEREAS, Lessee proposes to enter into the Lease with SUNTRUST EQUIPMENT FINANCE & LEASING CORP. and the Escrow Agreement with the Escrow Agent substantially in the forms presented to this meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF LESSEE AS FOLLOWS:

Section 1. It is hereby found and determined that the terms of the Lease and the Escrow Agreement (collectively, the "Financing Documents") in the forms presented to this meeting and incorporated in this resolution are in the best interests of Lessee for the acquisition of the Equipment.

Section 2. The Lease and the acquisition and financing of the Equipment under the terms and conditions as described in the Lease are hereby approved. The Mayor of Lessee and any other officer of Lessee who shall have power to execute contracts on behalf of Lessee, be, and each of them hereby is, authorized to execute, acknowledge and deliver the Lease with any changes, insertions and omissions therein as may be approved by the officers who execute the Lease, such approval to be conclusively evidenced by such execution and delivery of the Lease. The Town Clerk of the Lessee and any other officer of Lessee who shall have power to do so be, and each of them hereby is, authorized to affix the official seal of Lessee to the Lease and attest the same.

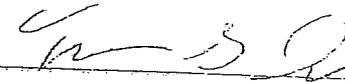
Section 3. The proper officers of Lessee, be, and each of them hereby is, authorized and directed to execute and deliver any and all papers, instruments, opinions, certificates, affidavits and other documents and to do or cause to be done any and all other acts and things necessary or proper for carrying out this resolution and the Lease.

Section 4. Pursuant to Section 265(b) of the Internal Revenue Code of 1986, as amended (the "Code"), Lessee hereby specifically designates the Lease as a "qualified tax-exempt obligation" for purposes of Section 265(b)(6) of the Code.

The undersigned further certifies that the above resolution has not been repealed or amended and remains in full force and effect and further certifies that the Lease and Escrow Agreement executed on behalf of Lessee are the same as presented at such meeting of the governing body of Lessee, excepting only such changes, insertions and omissions as shall have been approved by the officers who executed the same.

Date: Oct 5, 2011

TOWN OF WOLCOTT, CONNECTICUT,
Lessee

By: 

Name: Thomas G. Dunn
Title: Mayor

Attested By: 

Name: Dolores Slater
Title: Town Clerk



TOWN OF WOLCOTT

TOWN HALL • 10 Keneo Avenue
Wolcott, Connecticut 06716
Tel. (203) 879-8100 • Fax: (203) 879-8105

September 29, 2011

TO: Michael J. Santogatta, Chairman
Wolcott Town Council
FROM: Linda R. Bruce, Municipal Finance Officer

RE: Lease Agreement – Municipal Leasing Consultants

A lease financing bid was opened on September 6, 2011 with Municipal Leasing Consultants the lowest bidder. Please find attached a lease agreement for Municipal Leasing Consultants to finance equipment approved in the 2011-2012 Fiscal Year budget. The equipment included in the lease agreement is a Wheeled Coach Ambulance, a Fire Department Rescue Truck, a Chevrolet Tahoe, two (2) Ford F550 Dump Trucks with plows and two (2) Chevrolet Impala Police Cars. The lease agreement has been forwarded to Town Attorney, Brian Tynan for his review.

/lrb

Attachments

CC: Mayor Thomas G. Dunn

Town Council Members

MSantogattaMunicipalLeasingConsultants
Equipment LeaseForReview10.04.2011

TYNAN & IANNONE
Attorneys at Law
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Wolcott, Connecticut 06716-2634

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September 29, 2011

Chairman Michael Santogatta
Wolcott Town Hall
10 Kenea Avenue
Wolcott, CT 06716

RE: Proposed Lease Agreement for Various New Replacement Vehicles

Dear Chairman Santogatta and Members of the Wolcott Town Council:

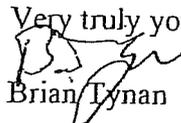
The Town of Wolcott has entered into a Master Lease Agreement dated August 1, 2006 with Municipal Leasing Consultants, LLC. The Town now wishes to enter into a Lease Agreement with the same Company as Lessor for the Lease/Purchase of new replacement vehicles for various departments. The Master Lease is proposed to be assigned to SunTrust Finance and Leasing Corporation. The Town of Wolcott would be the Lessee and SunTrust Bank would be the escrow agent.

The Wolcott Town Council would be required to approve this Lease as the Lease spans more than one fiscal year. The acquisition cost of the equipment is \$486,549.00 but with the additional interest component brings the total amount to \$502,466.36 to be paid over five (5) annual installments beginning October 5, 2011. The Municipal Finance Officer has assured me that the initial payment due October 5, 2011 has been properly allocated in the budget the Town Council passed in June 2011.

I have reviewed the various documents that Municipal Leasing Consultants, LLC has supplied to my attention and I have drafted my Opinion of Counsel to be included in this package provided that the Town Council approves the request.

Therefore since I approved this Lease as to form, I would recommend that the Town Council approve the proposed Lease Agreement. I will be available at the Town Council meeting to answer any questions that may arise.

Thank you very much for your attention to this matter.

Very truly yours,

Brian Tynan

BT/an
Enclosure

THOMAS G. DUNN
MAYOR



OFFICE OF THE MAYOR
TOWN OF WOLCOTT

September 23, 2011

Mr. Michael Santogatta, Chairman
Wolcott Town Council
10 Kenea Ave.
Wolcott, CT 06716

Re: Transfer to Capital Non-Recurring Fund

Dear Chairman Santogatta and Town Council Members:

In accordance with the Wolcott Town Charter Section 704 (k), I would like to recommend that a payment be made from the General Government Account #01-1-112-8-8996 (Capital Non Recurring Line Item) in the amount of \$110,000.00 to Fund 19 Reserve Fund for Capital and Non-Recurring Expenditures.

Very truly yours,

Thomas G. Dunn
Mayor, Town of Wolcott

TGD/mm
Cc: Town Council Members
Town Clerk

THOMAS G. DUNN
MAYOR



OFFICE OF THE MAYOR
TOWN OF WOLCOTT

September 27, 2011

Wolcott Town Council
Attn : Michael Santogatta, Chairman
10 Kenea Ave.
Wolcott, CT 06716

Re: Police Department Promotions

Dear Chairman Santogatta:

The following Officer has been recommended for a promotion to Sergeant:
Temporary Sergeant Mark Dressel.

I approve of the proposed promotion and would appreciate your approval as well. I have attached a copy of the Chief's recommendation letter for your review.

Sincerely,

A handwritten signature in black ink, appearing to be 'T. G. Dunn', followed by a long horizontal line extending to the right.

Thomas G. Dunn
Mayor, Town of Wolcott

TGD:mm



Wolcott Police Department

225 Nichols Road
Wolcott Connecticut 06716

Chief Edward L. Stephens
Chief of Police

Phone 203-879-1414
Fax 203-879-5243

Tuesday, September 27, 2011

Mayor Thomas G. Dunn
Wolcott Town Hall
10 Kenea Avenue
Wolcott, CT 06716

Dear Mayor Dunn,

On September 17, 2011, an examination for the position of Police Sergeant for the Wolcott Police Department was conducted by Dr. Larry Jetmore. It is with great pleasure that I inform you that Acting Sergeant Mark Dressel came out number one in the test.

Acting Sergeant Dressel has been performing his current duties as Shift Supervisor on Code "C", (10:00 pm to 6:00 am), since July of 2010. In his Acting role, Sergeant Dressel has shown that he is a very competent leader who is able to motivate his staff in their duties for the Wolcott Police Department. He is able to do this with very little supervision.

As the Wolcott Police Department's Gun Range Master, Acting Sergeant Dressel led the drive for the Wolcott Police Department to replace and upgrade our side arms. Additionally, he is one of the Wolcott Police Department Explorer Advisors, which he volunteers for and gives of his own time. He is also very active in the Boy Scouts of America, volunteering his time for many years to this worthy cause.

In an effort to continue the forward progression the Wolcott Police Department is making, I would like to recommend that Acting Sergeant Mark Dressel be promoted to the rank of Police Sergeant. The Sergeant's position that he is temporarily filling is entirely funded in the current budget and his promotion would bore no additional cost to the Town of Wolcott.

Thank you for your consideration in this matter. I look forward to hearing from you soon.

Sincerely,

Edward L. Stephens
Chief of Police

ELS:cjo