

**Town of East Haven  
Flood and Erosion Commissioner  
Regular Meeting**

The East Haven Flood and Erosion Commission held its regularly scheduled meeting Monday, November 1, 2008 at 7:00 p.m. at the East Haven Community Center, 91 Taylor Avenue, East Haven, CT in order to transact the following:

Chairman Leonardi called the meeting to order at 7:05 p.m.

Roll call     3 Present (Leonardi, Dievert, and McGuire)  
                  2 Absent (Mauro and Salemme)

Staff Present     James Staunton, PE, Town Engineer, James Cirillo, Esq., Assistant Town Attorney, and Marty Echter, Esq., Assistant Town Attorney

**Item #1 APPROVAL OF MINUTES**

Commissioner McGuire moved to accept the minutes of October 6, 2008, commission meeting.

Commissioner Dievert seconded the motion.

Voice vote – all in favor. None opposed. No abstentions.

Motion carried unanimously.

**Item #2 OLD BUSINESS**

Chairman Leonardi stated the next item can be discussed under old business. Chairman Leonardi wanted to clarify a comment in the letter date October 7, 2008, from the Town Engineer, which was prompted by a discussion between the Chairman and Mr. Staunton after the meeting had adjourned, not during the meeting as the letter indicated. The commission members should be informed if the commission is involved or named in any legal action.

Attorney Echter apologized to the commission for not keeping them informed, but the judge gave the Town a very short time to prepare for this enormous undertaking. We received an adverse ruling and at this point we are evaluating the Town's next step. He is here tonight

to inform the commission of the town's position and other issues pertaining to the Airport litigation.

Chairman Leonardi stated that as a member of the Airport Commission and, after a discussion with Attorney Cirillo, it's an obvious conflict to participate in the Executive Session regarding the matter of the Airport. He further stated, aside from the Executive Session and in the future, if the Engineer should issue a "Cease and Desist" the members should be informed prior to the issuance

Commissioner Dievert stated that it is the duty of the Town Engineer to issue any "Cease and Desist" it is part of his position and his discretion as Engineer. He, certainly, can inform us after the fact.

### **Item # 3 NEW BUSINESS Discussion on Court Ruling –Tweed New Haven Airport**

Commissioner Dievert moved to enter into Executive Session at 7:25 p.m. to include Commissioners Dievert, McGuire, Attorneys Cirillo and Echter and Town Engineer James Staunton.

Commissioner McGuire seconded the motion.

Voice vote – all in favor. None opposed. No abstentions.

Motion carried unanimously.

Commissioner Dievert moved to reconvene the regular meeting at 7:55 p.m.

Commissioner McGuire seconded the motion.

Voice vote – all in favor. None opposed. No abstentions.

Motion carried unanimously, meeting reconvened.

### **Item # 4 REPORTS**

James Staunton stated that he received a 27 page draft copy report of suggested regulations from the State of Connecticut. The commission should review the copies provided and edit for inclusion to the Town's regulations, we must meet our statutory responsibilities.

Commissioner Dievert asked Mr. Staunton his opinion, if there are glaring changes.

Mr. Staunton stated that they seem to be much more detailed but no glaring changes.

Chairman Leonardi asked the Assistant Town Engineer, James Cirillo if his presence at the Flood and Erosion meeting incurs an additional cost to the Town.

Attorney Cirillo stated that he is on retainer, no additional cost to the Town.

**Item #5 ADJOURNMENT**

Commissioner McGuire moved to adjourn.

Commissioner Dievert seconded the motion.

Voice vote – all in favor. None opposed. No abstentions.

Motion carried unanimously.

Meeting adjourned at 8:05 p.m.

Respectfully submitted,

Roberta A. DeLuca  
Temporary Commission Clerk