

**EAST HAVEN TOWN COUNCIL
PUBLIC HEARING MINUTES
OCTOBER 4, 2011**

The East Haven Town Council held Public Hearings on Tuesday, October 4, 2011, at 7:00p.m., at the East Haven Senior Center, 91 Taylor Avenue, East Haven, Connecticut, 06512.

Chairman Dougherty called the Meeting to order at 7:05p.m.

Roll Call.

9 Present- (Camera, Dougherty, Donahue J, Thompson, Cofrancesco, Garguilo, Riolino, Esposito and Anania)

6 Not in Attendance- McKay, Santino, Depalma, Arpino, Badamo, J., and Carbo)

Chairman Dougherty asks everyone to stand for the Pledge of Allegiance.

Councilwoman Donahue reads Public Hearing #1:

To Consider and act upon an Ordinance to create a designated smoking area on the East Haven Town Green.

2nd by Riolino.

Paul Hongo presents for comment. He states it was brought up by a resident in early August. There was a concert on the green, they are an elderly couple. The gentleman is on an oxygen tank. They get there early. For whatever reason, someone always comes up to them and starts smoking. I promised this couple I would come forward and try to designate a smoking area. It's a sad day when people don't show each other the common decency. I have been asked if this will go outside of the green,

and no. That is what's before you and the history behind it.

Donna Richo, 67 Charnes Drive.

She agrees with Paul. I don't believe that you can make an Ordinance over this issue. I also have a problem with it saying designated public areas.

No Further Public Comment.

Chairman Dougherty asks for Council Comment.

Riolino asked where the smoking area would be.

Paul states he doesn't know at this time. Somewhere away from the Gazebo.

Riolino states before the concerts begin, the audience should be told where the areas are.

Anania states he doesn't know how you would enforce it. Do you have police officers to enforce it? Not that it's not a good thing.

Attorney Cofrancesco states we looked into that and it would be an infraction.

Cofrancesco states from the other side. The guy who smokes, maybe designate a non-smoking area. It is a shame however. This is a tough one to put an Ordinance against.

Esposito feels there are two things he keeps thinking about. Even if you have a designated area, how would you block it off? Also, a California study showed the second hand smoke from concentrated areas is the same as being in the same room. Most municipalities state that you cannot smoke in public areas that are town owned to help solve this area. We need to err on the side of caution.

Thompson states he would like to see a non-smoking policy in effect for all town owned properties.

(Public Comment) (Unknown name) What are you going to do if you pass

this? Do you have an area already set? Are you going to arrest them.
Chairman Dougherty states this a public hearing to hear comments on this proposal. We are looking for feedback.

Anthony Simino, Sr. He would like to see all areas nonsmoking.

Riolino asks if anything does happen, it would be an infraction/fine as Attorney Cofrancesco states.

Camera states the idea of situation is before we start the program, someone, maybe the Fire Marshall, etc, someone who is running the function, to let the audience know to maybe leave the area if they want to smoke to a less populated area. Maybe that would hold some water with the public.

Donahue makes a Motion to Adjourn the Public Hearing.
2nd by Camera.

Chairman Dougherty notes that Councilman Santino arrived at 7:09p.m.

Public Hearing Closed.

Respectfully Submitted,

Bianca N. Genovesi
Council Clerk