

Stacy G. Pivello
TOWN CLERK

**EAST HAVEN TOWN COUNCIL
PUBLIC HEARING MINUTES
September 6, 2011**

The East Haven Town Council held Public Hearings on Tuesday, September 6, 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.

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

Roll Call

12 Present- (Camera, Dougherty, McKay, Santino, Depalma, Donahue J, Thompson, Badamo J, Garguilo, Riolino, Carbo and Anania)

3 Not in Attendance (Arpino, Cofrancesco and Esposito)

Councilwoman Donahue reads the following Public Hearing #1:

To consider and act upon an Ordinance appropriating \$1,250,000 for the settlement of litigation against the Town and for related costs and authorizing the issuance of \$1,250,000 bonds of the Town to meet said appropriation and pending the issuance thereof the making of temporary borrowings for such purpose.

2nd by Riolino.

Mr. Thompson presents. New Haven Register didn't advertise the public hearing and we need to hear it again. Nothing has been borrowed. As you recall, when Bond Counsel was here, if we are going to borrow for these settlements, you can go back sixty days. Also, each claim has to be over 250k. We could not borrow for some of them. If we borrow this, it will go into a separate bank account, we pay those then in October/November.

Donna Ricco presents for public comment. Why are we borrowing this much if we only need 600k. We should just borrow what we need.

Paul Hongo presents for comment. The New Haven Register did not post it. It needs to

go into the register, to go into effect. I do not believe we need 1.25 Million. They did not receive the Notice to print. They did not charge us either. This is a do-over to move forward.

Mr. Louis Crisci presents for public comment. He understands the implication of the redo. Why wasn't the bond reduced since we only need 600k.

No Further Public Comment.

McKay asks if we can edit it to 600k instead of the 1.25 Million. Why can't we just advertise it. So there is a possibility that we may need more the 600k?

Attorney Cofrancesco states that you were given a list of pending litigations. There is a high possibility of needing it.

Camera states that we were always underinsured. If all we are doing is bringing up what they passed in the past. We would take only what we need, when we needed it. This is just a matter of what we passed before.

Esposito asked if this is to cover the worst case scenario?

Mr. Thompson states that yes, that's correct.

Thompson states this is for potential litigation and nothing else.

No Further Council Questions.

Santino Motions to Adjourn the Public Hearing.

2nd by Donahue.

All in Favor.

None Oppose.

Councilman Thompson makes a Motion to waive the reading of all the numeric(s) of hearings two through five.

2nd by Santino.

All in Favor.

None Oppose.

Councilwoman Donahue reads the following Public Hearing #2:

To consider and act upon an Ordinance for transfer of funds within the Building Maintenance Department as listed:

Total 142,792.86

Mr. Thompson states this is one that was previously discussed.

Donna Ricco asks if they are for year ending what?

Mr. Thompson states 10-11.

Jim _____ presents for comment. Isn't electricity a budgeted item already? We didn't know how much it would cost?

Mr. Thompson states no, we wouldn't tell. It's hard to tell.

No Further Public Comment.

Anania asks why we are always taking money out for street and traffic lights. It comes out of street and light whenever we make a transfer.

No Council Comment.

No Further Council Questions.

Thompson Motions to Adjourn the Public Hearing.

2nd by Santino.

All in Favor.

None Oppose.

Councilwoman Donahue reads #3 Public Hearing.

To consider and act upon an Ordinance for the transfer of funds within the Police Department as listed:\$ 142,792.86

Dougherty states there is a mistake in the Account Number. It should be 01-332-0530 for Gas and Diesel.

2nd by Carbo.

Mr. Thompson states, we were underspent due to not hiring two sergeants.

NO Public Comment.

Carbo states two years ago we were going to reorganize the PD so this wouldn't happen again.

Mr. Thompson states hopefully this year it will be enough.

Anania states that on salaries we had two sergeant positions we didn't fill. Wasn't some of that money used to pay the Deputy Chief? It was included in the total budgeted.

Paul Hongo presents for comment.

Badamo states all this money is taken from positions that are vacant.

Paul Hongo states yes.

McKay states we are already short this much for this year.

Mr. Thompson states this is not the new year.

No Further Council Comment.

Riolino Motions to Adjourn the Public Hearing.

2nd by Donahue

All in Favor.

None Oppose.

Councilwoman Donahue reads #4 Public Hearing.

To consider and act upon setting an "Ordinance for the transfer of funds within Employee Benefits as listed: \$284,941.32

2nd by Riolino.

Mr. Thompson states we had again, employer contribution rates went up. The combination of all of these items put us over.

No Public Comment.

Anania states we are taking a lot from the Fund Balance. Isn't that going to deplete it?

Mr. Thompson states no, and gives the numbers.

No Further Council Comment.

Santino Motions to Adjourn the Public Hearing.

2nd by Carbo.

All in Favor.

None Oppose.

Councilwoman Donahue reads #5 Public Hearing.

To consider and act upon an Ordinance for the transfer of funds within the Fire Department and Miscellaneous accounts as listed: \$319,951.95

2nd by Riolino.

Mr. Thompson states this is due to several people on workers compensation so we needed to pay overtime.

Mr. Lou Crisci presents for comment. If you budget for the entire deficit and you are now taking from it.

Mr. Thompson states we are showing a positive number as was shown last month.

Ms. Donna Ricco presents for comment. The fund balance contribution balance is not coming out of our current balance.

No Council Comment.

Santino Motions to Adjourn the Public Hearing.

2nd by Camera.

All in Favor.

None Oppose.

Councilwoman Donahue reads #6 Public Hearing.

To consider and act upon an Ordinance to effectuate the ultimate disposition/use of to effectuate the ultimate disposition / use of property by the Town of East Haven and, acting by and through its Town Council, wishes to authorize a Referendum, which asks its electorate the following questions:

1. Shall the property located at 200 Tyler Street be rehabilitated at a cost to the town and used for educational purposes?

2. Shall the property located at 200 Tyler Street be rehabilitated at a cost to the town and used for community purposes?

3. Shall the property located at 200 Tyler Street be sold by the Town for condominium use?

2nd by Riolino.

Attorney Cofrancesco states this is Ordinance to set a Referendum. We have three choices that have been isolated. We have three choices for the property at 200 Tyler. There is not within the Charter a Referendum that deals with this issue. There is one in C.G.S. What the Town Council has the opportunity to do is place this on the ballot for the election and allow the Town Clerk to expend funds to do so. It would include informational literature. This cannot go forward without your approval of the Ordinance to authorize the Referendum.

Mr. Lou Crisci presents. He understands the purpose of the Referendum. Why can't everyone in Town have a say. The Statute provides an enabling law. What is the Law? Attorney Cofrancesco states C.G.S. 9-369(a).

Mr. Crisci states again, what is the enabling law. It does not authorize a municipal authority to add.

Attorney Cofrancesco states to look at 10-220. The Board of Ed granted sole authority to the Town of East Haven. Those two pieces of authority that give this Town Council the authority. I am not going to debate this with you.

Mr. Crisci states he believes she is incorrect.

Attorney Cofrancesco states she would disagree.

Donna Ricco presents. Two of these questions are redundant. In addition, I believe that the governing authority is to decide what needs to be done. She would like to see just two questions to either sell the property for the best use, or for the Town to retain it and expend funds to rehab the building. Just have two questions on the ballot.

Ed Foley presents for comment. He lives across the street from the high school. It almost seems that the wording is pushing voters to one side. I would like to add a fourth item that says none of the above. Is this binding? Do we have to do what is voted?

Attorney Cofrancesco states its binding.

Ed Foley also asks about the wording of these three questions. Is the wording ready?

Attorney Cofrancesco states it needs to be drawn up.

Paul Hongo states that the Mayor put together a Committee that came up with these different choices. Prior to, there will be additional information post.

Attorney Cofrancesco states that the Town Clerk must post the information in various areas of the Town. She needs money for printing costs, etc.

Donna Ricco hopes that information is actually made available.

Barbara _____ presents. She agrees that it doesn't need to be three choices. Do you know the costs associated with this?

Dougherty states that that is not the nature of this public hearing.

Frank Capone presents for comment. He wants to thank everyone for working on this. He appreciates all the efforts on trying to address this problem. He wants to again say thank you.

No Further Public Comment.

Carbo states would it be possible to get into the January tax bill? Some people just don't vote. It will put it off for a while.

Attorney Cofrancesco states this is the most cost effective way of doing this.

Anania states why does it matter what it's sold for? Why does it say sole condo use?

Attorney Cofrancesco states this is what was voted on.

Donahue states that the fact there is a big difference in the options available. We need the choice.

Thompson states we need to do something with this property. What if the state reimbursement does change? What if the condo situation doesn't work? There is no way to change it.

Camera states he was one of the people involved in this Committee. All the people were very concerned. No one wants to see that building go downhill. I agree with Frank Capone. The people that sat on that Committee are very sharp at what they were doing. He wants to complement the Mayor for doing this. This was a Town-wide invitation. What is the best use for the Town.

Esposito states we have a municipal building that is deteriorating. He believes that it is best for this to be on the ballot.

Badamo states that he has never heard of 100 percent turnout for an election. Not everyone votes. They need to get out.

McKay states that we would be locked into condo use. What if someone wants to build a senior housing and/or doctor's office? I would just hate to lock into the condo issue.

There should be better language.

No Further Council Comment.

Santino Motions to Adjourn the Public Hearing.

2nd by Camera.

All in Favor.

None Oppose.

Camera makes a Motion to close the Public Hearings Session.

2nd by Anania.

All in Favor.

None Oppose.

Public Hearings close at 8:09p.m.

Chairman Dougherty calls to Order the Hearing Committee of the Legislative Town Council at 8:10p.m.

Roll Call

13 Present- (Camera, Dougherty, McKay, Santino, Depalma, Donahue J, Thompson, Badamo J, Garguilo, Riolino, Carbo, Esposito and Anania)

2 Not in Attendance (Arpino and Cofrancesco)

Quorum Present.

Councilman Thompson makes a Motion to waive the readings of the contents of the Hearings with the transfers and take one vote collectively.

2nd by Santino.

All in Favor.

Councilwoman Donahue reads all Public Hearings as stated above.

2nd by Riolino.

Roll Call Vote

13 in Favor- (Camera, Dougherty, McKay, Santino, Depalma, Donahue J, Thompson, Badamo J, Garguilo, Riolino, Carbo, Esposito and Anania)

None Oppose.

Motion Carries.

Santino makes a Motion to Close the Hearing Committee.

2nd by Donahue.

All in Favor.

Hearing Committee closed at 8:15p.m.

Respectfully Submitted,


Bianca Genovesi
Council Clerk