

**EAST HAVEN TOWN COUNCIL
REGULAR MEETING MINUTES
TUESDAY, OCTOBER 7, 2014**

The East Haven Town Council held a regular meeting Tuesday, October 7, 2014, at 7:00PM at the East Haven Senior Center, 91 Taylor Avenue, East Haven, CT 06512.

Chairman Anania calls the meeting to order at 8:06PM.
He asks all to stand for the pledge of allegiance.

Item #1

Roll Call - 14 present - 1 absent (Butler III).
A quorum is present.

Item #2

Approval of minutes from the September 2, 2014 Regular Meeting

Councilman Nicholas Palladino makes a motion.

Councilman Joseph Santino seconds the motion.

Voice vote: all in favor- none oppose- none abstain. Motion carries.

Item #3

Correspondence-

- Letter addressed to Chairman Anania and Councilman Santino from Diane Sirey regarding the beach parking matter. She wants to make sure the process is still going on and there is a resolution in sight. She suggests charging \$10 for the play area/picnic area. He will forward the letter to Commissioner Illingworth who will address it as Chairman of the committee.
 - Commissioner Illingworth states that this is on the agenda for the next regular meeting.
- Letter from Richard DePalma of Seaview Avenue- He is inquiring about legal costs and arrangements against Mayor Joseph Maturo. He doesn't feel the Town should be paying for it. Chairman Anania refers this matter to Attorney Zullo.
 - Town Attorney Joseph Zullo states that this is a matter that is going to be a part of their discussion when they do the claims reviews. It would be inappropriate and detrimental to the Town to discuss this in open session

just like every other case. It is his strong advice that the Council does not that mistake.

- Note from Ann DeSorbo thanking the Town Council for the floral arrangement sent to Art DeSorbo's service. She states that he loved the Town of East Haven and his service to the Council, the Mayor and the residents. He passed on doing what he loved most in life.
- Councilman Badamo asks about the letter written by Richard DePalma, he asks if there was a letter issued to the Mayor.
- Attorney Zullo states that with an abundance of caution he is going to stop him from speaking. Again, it is his strong advice that the Council does not discuss this issue in open session as it concerns a matter of pending litigation. This Council and other Boards in the past have ignored the advice of prior Town Attorneys, much to their detriment. He strongly advises that it not be discussed in open session. If this Council wishes to ignore this advice, it does so at its own risk.
- Councilman Badamo makes a motion that they go into executive session.
- Attorney Zullo explains that there is executive session pending at the end of the meeting where it would be perfectly acceptable to discuss it. He leaves it to the Council's discretion if they want to do it now.
- Councilman Badamo withdraws his motion.

Item #4

Subcommittee Reports-

- Public Safety- Councilman Santino stated that there was a grand opening at the new dispatch center; it is a beautiful state of the art facility that is doing a great justice to the taxpayers.
- Board of Education- Vice Chairman Robert Parente stated that Public Works and workers for the Board of Ed replaced the lights in the parking lot at Momauguin School to LED lights. They also replaced the lights around the building. There is a noticeable difference, it is much brighter and improves the safety of the students and the environment.
- Parks/Rec-Councilwoman Judy Esposito says there was not much to report since the Director was not there. The only discussion was the condition of the pool and who is responsible for the maintenance of it.
- Urban Renewal- Councilman Tony Mansi stated that there were a couple of payoffs and there is still some money in the reserve.
- Finance- Councilman Michael Riolino states that the last meeting was cancelled due to a lack of quorum.

Councilman Santino makes a motion to waive the reading of items #5, #6 and #7.

Councilman Joseph Badamo seconds the motion.

Voice vote: all in favor-none oppose-none abstain. Motion carries.

Item #5

To consider and act upon "An Ordinance authorizing transfers aggregating \$122,112.00 for the East Haven Fire Department" as follows:

East Haven Fire Department

To:

01-334-0110	Salaries	\$95,557.00
01-334-0202	Water	\$26,555.00
TOTAL		\$122,112.00

From:

01-334-0115	P/T Wages	\$3,469.00
01-334-0132	Differential	\$1,854.00
01-334-0150	Vacation	\$22,066.00
01-334-0160	Holiday	\$22,151.00
01-334-0165	Pres. Days	\$1,756.00
01-334-0175	Education	\$8,000.00
01-334-0190	O/T	\$18,191.00
01-334-0191	Garcia	\$13,871.00
01-334-0270	Telephone	\$418.00
01-334-0310	Mileage	\$200.00
01-334-0350	Prof. Dev.	\$2,876.00
01-334-0410	Off. Equip.	\$448.00
01-334-0458	Safe. Equip.	\$855.00
01-334-0470	Rec. Equip.	\$500.00
01-334-0505	Books	\$745.00
01-334-0510	Photocopy	\$214.00
01-334-0520	Off. Sup.	392.00
01-334-0530	Gas	\$3,647.00
01-334-0540	Photo Sup.	\$500.00
01-334-0563	Tires	\$224.00
01-334-0563	Oil	\$829.00
01-334-0570	Bldg. Sup.	\$380.00
01-334-0575	Clothing	\$4,583.00
01-334-0662	Veh. Repair	\$2,453.00
01-885-0689	Contingency	\$11,490.00

TOTAL **\$122,112.00**

Reason: Funds needed to close out FY 2013-2014.

Councilman Palladino makes a motion.

Councilman Santino seconds the motion.

No public comment.

No Council comment.

Roll call vote: all in favor-none oppose-none abstain. Motion carries.

Item #6

To consider and act upon "An Ordinance authorizing transfers aggregating \$171,799.11 for the East Haven Police Department" as follows:

East Haven Police Department

To:

01-332-0190	Overtime Wages	\$146,130.50
01-332-0190	Overtime Wages	\$25,668.61
TOTAL		\$171,799.11

From:

01-332-0110	Regular Salaries	\$29,599.00
01-332-0115	Part-Time Wages	\$15,699.50
01-332-0131	Perfect Attend.	\$200.00
01-332-0132	Shift Differential	\$8,133.00
01-332-0140	Longevity	\$1,050.00
01-332-0160	Holiday Pay	\$27,645.50
01-332-0175	Education Incent.	\$5,796.50
01-332-0178	No Smoking	\$1,605.00
01-332-0330	Business & Travel	\$1,200.00
01-332-0350	Prof. Dev. & Train	\$4,860.00
	Office & Lab	
01-332-0410	Equip.	\$517.00
	Firearms, Police	
01-332-0420	Equipment	\$2,750.00
	Mechan. & Manual	
01-332-0430	Oper. Equip.	\$1,152.00
01-332-0440	Motor Vehicles	\$6,581.50
01-332-0505	Books/Maps/Ref.	\$1,500.00

	Materials	
01-332-0510	Photocopy/Printing Supplies	\$24.50
01-332-0540	Photo & Recording Supplies	\$190.00
01-332-0561	Vehicle Supplies & Parts	\$10,588.50
01-332-0563	Tires & Tubes	\$2,822.00
01-332-0565	Motor Oil, Lubricants	\$34.50
01-332-0568	Food & Food Supplies	\$2,164.00
01-332-0570	Building & grounds Maintenance	\$2,411.50
01-332-0578	Mech. & First Aid Supplies	\$633.50
01-332-0590	Training Supplies	\$5,559.50
01-332-0592	Traffic Signs, Street Markers	\$4,047.00
01-332-0615	Printing & Binding	\$123.50
01-332-0644	Rental of Equipment	\$777.50
01-332-0646	Regist. Dues & Subscription	\$686.50
01-332-0658	Equipment Maint. Svcs.	\$89.00
01-332-0660	Build. Maint. & Repair Svcs.	\$2,830.50
01-332-0662	Vehicle Rep. & Maint. Serv.	\$3,953.00
01-332-0827	SCJAC – Match	\$906.50
01-885-0689	Contingency	\$25,668.61
TOTAL		\$171,799.11

Reason: Funds needed to close out FY 2013-2014.

Councilman Ken McKay makes a motion.

Councilman Santino seconds the motion.

Public comment:

- Deborah Johnson- 919 Thompson Street, East Haven CT- Ms. Johnson asks how long this appropriation lasts.
 - Chairman Anania states that this is end of year housekeeping at the end of last year's budget.

No Council comment.

Roll call vote: all in favor-none oppose-none abstain. Motion carries.

Item #7

To consider and act upon "AN ORDINANCE MAKING APPROPRIATIONS FOR VARIOUS PUBLIC IMPROVEMENTS AGGREGATING \$640,000 FOR THE 2014-2015 CAPITAL BUDGET AND AUTHORIZING THE ISSUANCE OF \$640,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATIONS AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE."

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF EAST HAVEN:

The sums set opposite the public improvements hereinafter listed are hereby appropriated to meet the costs thereof respectively, and for administrative, legal and financing costs related thereto, said appropriations to be inclusive of any and all State and Federal grants in aid thereof:

Board of Education

Security Doors @ Various Schools	\$30,000.00
Paving	\$45,000.00
Concrete Repairs	\$30,000.00
Environmental Study	\$35,000.00

Public Services Department

Refurnish Back Hoe	\$25,000.00
2 New Lawnmowers	\$25,000.00

Fire Department

Air Packs	\$50,000.00
Response SUV	\$35,000.00

Police Department

2 Patrol Vehicles	\$104,000.00
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Administration/Management

Westend Revitalization	\$20,000.00
Town Fair Tire Expansion	\$40,000.00
Bradley St. Industrial Park	\$40,000.00
Industrial Park Improvements	\$15,000.00
Town Beach Improvements	\$15,000.00

<u>Engineering Survey</u>	\$90,000.00
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Financing Costs

\$41,000.00

TOTAL ALL PROJECTS**\$640,000.00**

To meet said appropriations, \$640,000 bonds of the Town or so much thereof as shall be necessary for such purposes, shall be issued, maturing not later than the twentieth year after their date. Said bonds may be issued in one or more series in the amount necessary to meet the Town's share of the cost of the project determined after considering the estimated amounts of the State or Federal grants in aid of any of the public improvements listed in Section 1, or the actual amounts thereof, if this be ascertainable and the anticipated times of the receipt of the proceeds thereof, provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of \$5,000 or a whole multiple thereof, be issued in fully registered form, be executed in the name and on behalf of the Town by the facsimile or manual signatures of the Mayor and the Town Treasurer, bear the Town seal or a facsimile thereof, be certified by a bank or trust company which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company and be approved as to their legality by Pullman & Comley LLC, of Hartford, CT. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and interest thereon. The aggregate principal amount of the bonds of each series to be issued, the annual installments of principal, redemption provisions, if any, the certifying, registrar and transfer agent and paying agent, the date, time of issue and sale and other terms, details and particulars of such bonds including approval of the rate or rates of interest shall be determined by the Mayor and the Director of Finance in accordance with the General Statutes of the State of Connecticut, as amended.

Said bonds shall be sold by the Director of Finance in a competitive offering or by negotiation, in his discretion. If sold in a competitive offering, the bonds shall be sold at not less than par and accrued interest on the basis of the lowest true interest cost to the Town. If the bonds are sold by negotiation, the terms and conditions of the purchase agreement shall be approved by the Mayor and the Director of Finance.

The Director of Finance is authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the Mayor and the Town Treasurer, have the seal of the Town affixed, be payable at a bank or trust company designated by the Director of Finance, be approved as to their legality by Pullman & Comley LLC, of Hartford, CT and be certified by a bank or trust company designated by the Director of Finance. They shall be issued with maturity dates which comply with the provisions of the General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite

that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the project. Upon the sale of the bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

The balance of any appropriation not needed to meet the cost of any improvement included in Section 1, or the proceeds of any bonds not needed to meet the cost of any such improvement, may, on the recommendation of the Board of Finance, be transferred by resolution of the Town Council, to meet the additional cost of any other improvement included in Section 1 or the cost of any additional capital improvement.

The Town hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the “Regulations”), to reimburse expenditures paid sixty days prior to and anytime after the date of passage of this ordinance in the maximum amount and for the projects defined in Section 1 with the proceeds of bonds, notes, or other obligations (“Bonds”) authorized to be issued by the Town. The Bonds shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the project, or such later date the Regulations may authorize. The Town hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Director of Finance or his designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds.

The Mayor, Director of Finance and the Town Treasurer, or any two of them, are hereby authorized, on behalf of the Town of East Haven, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to the Municipal Securities Rulemaking Board (the “MSRB”) and to provide notices to the MSRB of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this ordinance. Any agreements or representations to provide information to the MSRB made prior hereto are hereby confirmed, ratified and approved,

Enacted by the Town Council: _____ (Date)

Approved by the Mayor:

(Signature)

(Date)

Councilman McKay makes a motion.

Councilman Santino seconds the motion.

No public comment.

No Council comment.

Roll call vote: all in favor-none oppose-none abstain. Motion carries.

Item #8

To consider and act upon a Resolution setting a Public Hearing date and time to discuss an "Ordinance Authorizing the East Haven Public Schools to extend an existing Lease Agreement with GE Capital to fund technology projects for FY 2014-2015." The public hearing shall take place on November 11, 2014, at 7:00PM, at the East Haven Senior Center, 91 Taylor Avenue, East Haven, Connecticut.

Councilman Santino makes a motion to amend the resolution to read November 12, 2014.

Vice Chairman Parente seconds the motion.

Voice vote: all in favor-none oppose-none abstain. Motion carries.

Councilman Santino asks for a copy of the original minutes from when Randall Osborne went before the Council.

Attorney Joseph Zullo explains that the lease packet was included in this month's packet and will not be in next month so everyone should bring it to next month's meeting.

Councilman Santino makes a motion.

Councilman Badamo seconds the motion.

Roll call vote: all in favor-none oppose-none abstain. Motion carries.

Item #9

To consider and act upon a Resolution to provide the following tax refund:

Ally Financial

Louisville PPC

P.O. Box 9001951

Louisville KY 40290-1951

Acct./List: 2013-03-72095 E/S 24668

Reason: MHA Applied

TOTAL: \$730.74

Councilman Santino makes a motion.

Councilman Palladino seconds the motion.

No public comment.

No Council comment.

Roll call vote: all in favor-none oppose-none abstain. Motion carries.

Item #10

To consider and act upon a Resolution to provide the following tax refund:

LEAF Financial Corp.

2005 Market St, FL 14

Philadelphia PA 19103-7042

Acct./List: 2011-02-40554

Reason: Overpaid Balance

TOTAL: \$1,209.07

Councilman Santino makes a motion.

Councilman Palladino seconds the motion.

No public comment.

No Council comment.

Roll call vote: all in favor-none oppose-none abstain. Motion carries.

Item #11

Yearly Self Insurance, Risk/Loss, and Legal Claim Review.

NOTE: Likely Executive Session pursuant to C.G.S. §1-200(6)(B) for the purpose of discussing strategy and negotiations with respect to pending claims and pending litigation.

Councilman Santino makes a motion to enter into executive session and include Town Attorney Joseph Zullo.

Councilman Palladino seconds the motion.

Roll call vote: all in favor-none oppose-none abstain. Motion carries.

Executive session begins at 8:23PM.

Councilman Santino makes a motion to end executive session.

Councilman McKay seconds the motion.

Executive session ends at 9:02PM.

Item #12

Adjournment of Regular Meeting.

Councilman McKay makes a motion to adjourn.

Councilman Santino seconds the motion.

Voice vote: all in favor-none oppose-none abstain. Motion carries.

Meeting is adjourned at 9:02PM.

Respectfully Submitted,

Danelle Feeley, Clerk, East Haven Legislative Town Council