

**EAST HAVEN TOWN COUNCIL
REGULAR MEETING MINUTES
TUESDAY, JUNE 3, 2014**

The East Haven Town Council held a regular meeting Tuesday, June 3, 2014, at 7:00PM at the East Haven Senior Center, 91 Taylor Avenue, East Haven, CT 06512.

Chairman Richard Anania calls the meeting to order at 7:11PM.
He asks all to stand for the pledge of allegiance.

Item #1

Roll Call- 13 present – 2 absent (Palladino and Mckay).
A quorum is present.

Item #2

Approval of minutes from the May 6, 2014 Public Hearing.

Councilman Joseph Santino makes a motion.
Councilman Henry Butler III seconds the motion.
Voice vote: all in favor-none oppose-none abstain. Motion carries.

Item #3

Approval of minutes from the May 6, 2014 Special Meeting.

Councilman Santino makes a motion.
Vice Chairman Robert Parente seconds the motion.
Voice vote: all in favor-none oppose-none abstain. Motion carries.

Item #4

Correspondence-

- A memo from Louis Anastasio Jr. of the Recreation & Athletic Committee stating that for the past several decades the maintenance of the Town Pool has deteriorated and he has been tasked by the Commission to determine why. He is doing an analysis and asks for the assistance of the East Haven Finance Department, East Haven Recreation Department, East Haven Public Works, East Haven Town Council, East Haven Town Attorney, East Haven Board of Finance and East Haven Mayor Joseph Maturo.

- A letter from Superintendent of Schools Dr. Portia Bonner thanking the council for their discussions and concerns and for the appropriation of \$46,410,357 for the Board of Education and School Districts to operate. She states that they will be releasing their master plan regarding the number of facilities they are operating in the late fall. She attaches a memo about the effects of relocating the Adult Education Program to the high school indicating that they are able to use a portion of grant dollars to contribute to salaried positions, benefits, transportation and technology line items. Financially the district would lose \$106,673.98 towards the general operating budget and \$122,191.02 from the grant if they moved Adult Education to a Town facility such as the high school.

Item #5

Subcommittee Reports:

- Public Safety- Councilman Santino states they he noticed the Police Department has a couple front end cars, a crown Victorian and an SUV, that have been parked for two weeks out of service because they can't afford break pads for these cars. They are \$30 break pads for two vehicles, this has to stop we can't go on like this. They need to get the money.
 - Police Chief Brent Larrabee states that the purchase order process is working its way through. This time of year there are some shortages and it's harder to find funding. There are two front line cars that hopefully this week or the beginning of next week will be operating.
 - Councilwoman Beverly Gravino asks Finance Director Paul Rizza to explain the purchase order process. What is the process for an emergency?
 - Mr. Rizza explains that the Town has been in a very tight freeze across all Town Departments, part of the reason for that freeze is the transactions the Council will see and vote on tonight. They are trying to offset some of the over expenditures with under expenditures in the same Department. He says he knows from personal experience that on a daily basis the Mayor is reviewing purchase orders on a one by one basis. There are people who bring purchase orders in daily, some three or four times a week. Are purchase orders being rejected in a mass manner, no. After a full explanation the Mayor does approve roughly 90% of them; they are not buying paper clips, pens, index cards or any office supplies. We are buying necessary items; gasoline, fuel, auto parts to get vehicles on the road, parts for equipment, etc. so 90% we are frozen on and the 10% that keeps us operational are being approved. If it was a \$50 item brought to him or the Mayor it would be approved for repair of vehicles for public service, fire and police.

- Councilman Badamo says we are talking about breaks for emergency vehicles not weed whackers or mowers, can't money for the vehicles be taken from the contingency? The emergency vehicles need to be on the road not the parking lot.
- Mr. Rizza says that he just asked the Chief if he brought in the \$100 purchase order to the Mayor and he said no. How can the Mayor or he approve something they do not know about? He states that he is in his office every day for people to bring in purchase orders.
- Councilman Santino asks when the purchase order was done for the breaks.
- Chief Larrabee says about 10 days ago. He says there are a ton of purchase orders going down and they hold their non-essential ones. There were four purchase orders that went down, one was for an axle that was done and one of the cars had the front breaks done and now the back breaks need to be done.
- Councilman Santino seeks clarification that the front breaks were done and they discovered that the back breaks need to be done so they sent it back and now it has to go back in again?
- Chief Larrabee says he doesn't know exactly how it is being done but there is no sacrifice of public safety because of this.
- Vice Chairman Robert Parente says that the front breaks were done, the back breaks were not considered to be in an emergency status; they will be done in the next week or so.
- Councilwoman Gravino asks if there is a way to red flag purchase order that are coming through in an emergency situation.
- Mr. Rizza says yes, and it has happened.
- Board of Education-Vice Chairman Parente states that the Board of Education has been meeting and they are happy that the budget has been approved, they are working on the 5 year plan and they are not going to be cutting any summer programs.
- Park/Rec- Councilwoman Judy Esposito states that the ice rink is currently doing spring and summer work projects as well as painting. Morning water aerobics has been steady with approximately 30 people and open swim is also doing well. Recreation is currently taking day camp applications and the beach is officially open following Memorial Day weekend. The committee discussed the issue of the safety at the middle school fields, they indicated that if the Town and public works feel there is no problem they rescind their decision to close the field. The football team will now have 1 week to send a check in and show proof of insurance or they can no longer have use of our fields. The new chairperson is Joan Adamczyk and the Vice Chairman is Lou Anastasio.

- Chairman Anania says they are working diligently and did bring some money back to the Town by settling some discrepancy with baseball and now football; people will pay to use fields.
- Councilman Anthony Mansi asks if anything was mentioned at the meeting where they have to go to Madison to play baseball to which Councilwoman Esposito said no.
- Urban Renewal- nothing to report at this time, there is a meeting this Thursday.
- Finance- Councilman Riolino says he doesn't know if there was a May meeting but he has minutes from the April 16th meeting. Tonight they will be talking about the legal fees transfer and June 30th is the end of the fiscal year so they will be communicating with the auditor soon.
 - Chairman Anania adds that there was a May meeting that he attended because there was something on the agenda about the Library. The library was looking for money out of the contingency so he voiced his opinion and told them that the Council was displeased and there was no cost share for medical. He recommended to the Board of Finance that they not pass this and do not take money out of the contingency. It's to his understanding that it is coming back to the Board of Finance again and they are looking into giving them a little bit of help though he does not know how much. Unfortunately it does not come to the Council because the dollar amount is not enough.

Item #6

To consider and act upon a Resolution approving and authorizing Mayor Joseph Maturo, Jr. to enter into an agreement to obtain Curb-to-Curb Municipal Solid Waste Pickup Services.

NOTE: Potential Executive Session pursuant to C.G.S. §1-231 and §1-210(b)(24) – Exemption for “[r]esponses to any request for proposals or bid solicitation issued by a public agency or any record or file made by a public agency in connection with the contract award process.”

Councilman Riolino makes a motion to enter into executive session along with Finance Director Paul Rizza, Town Attorney Joseph Zullo, and Asst. Director of Administration and Management Frank Gentilesco.

Councilman Santino seconds the motion.

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

Executive session begins at 7:32PM.

Councilman Robert Parente makes a motion to end executive session.

Councilman Vincent Spaduzzi seconds the motion.

Voice vote: all in favor-none oppose-none abstain. Motion carries.
Executive session ends at 7:47.

A Resolution approving and authorizing Mayor Joseph Maturo, Jr. to enter into an agreement to obtain Curb-to-Curb Municipal Solid Waste Pickup Services

BE IT RESOLVED that the East Haven Town Council hereby approves a document entitled "TOWN OF EAST HAVEN AGREEMENT FOR THE PROVISION OF CURBSIDE MUNICIPAL REFUSE, BULKY WASTE AND RECYCLABLE MATERIAL COLLECTION, SEMI-ANNUAL COLLECTION OF WHITE GOODS AND METALS AND MUNICIPAL LANDFILL SITE/TRANSFER STATION COLLECTIONS" and all corresponding documents;

BE IT FURTHER RESOLVED that Mayor Joseph Maturo, Jr., or his designee, is authorized to execute said agreement and all corresponding documents.

This resolution shall be effective in accordance with the provisions of the East Haven Town Charter.

Councilman Santino makes a motion.
Councilman Robert Sand seconds the motion.

No public comment.
No Council comment.
Roll call vote: all in favor-none oppose-none abstain. Motion carries.

Item #7

To consider and act upon a "A Resolution authorizing Mayor Joseph Maturo, Jr. to execute an Option Letter extending the lease of state land on Frontage Road (for the Trolley) for five additional years."

A Resolution authorizing Mayor Joseph Maturo, Jr. to execute an Option Letter extending the lease of state land on Frontage Road (for the Trolley) for five additional years

BE IT RESOLVED that Mayor Joseph Maturo, Jr., or his designee, is authorized to execute an "Option Letter" with the State of Connecticut extending the Town's existing lease of State land on Frontage Road for the use of the Trolley and for parking associated with the Trolley.

This resolution shall be effective in accordance with the provisions of the East Haven Town Charter.

Councilman Santino makes a motion.
Councilman Sand seconds the motion.

No public comment.

- Attorney Zullo explains that the lease does not cost the Town any money it is just a formality. Even though we are a little late getting back to the State, they have opted to not charge us a fee to renew.

Council comment:

- Councilman Badamo asks what the hours of the trolley are, is it just open on the weekends.
- Frank Gentilesco, Assistant Director of Admin/Mgt. says he believes it is limited now but generally once the summer season begins it is manned 7 days a week.
- Councilman Badamo asks who they have working there, is it someone who is retired.
- Mr. Gentilesco says he is not certain everyone who works there but the one gentleman he knows of is retired.

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

Item #8

To consider and act upon “An Ordinance authorizing transfers aggregating \$300,000.00 for the East Haven Police Department” as follows:

East Haven Police Department

To:

01-332-0190	Overtime Wages	\$300,000.00
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TOTAL		\$300,000.00

From:

01-885-0689	Contingency	\$300,000.00
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TOTAL		\$300,000.00

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

Councilman Santino makes a motion.
Councilman Sand seconds the motion.

No public comment.

Council comment:

- Councilman Riolino asks about the contingency account 885- is it within general services.
- Mr. Rizza says yes. He adds that there will be \$175,000 left in the contingency until June 30th but a month from now there will not be much left.

Roll call vote: 12 yes - 1 no (Badamo) - none abstain. Motion carries.

Item #9

To consider and act upon “An Ordinance authorizing transfers aggregating \$79,000.00 for the Legal Services Department” as follows:

Legal Services**To:**

01-113-0668	Legal and Lawyer Fees	\$79,000.00
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TOTAL		\$79,000.00
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From:

01-881-0950	Self Insurance	\$79,000.00
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TOTAL		\$79,000.00
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Reason: Funds needed to close out FY 2013-2014.

Councilman Santino makes a motion.

Councilman Butler III seconds the motion.

No public comment.

Council comment:

- Councilman Sand asks if this is an estimate or an actual number.
- Attorney Zullo says it is an estimate we do not actually owe it yet. Anything given to him he hopes to return back to the general fund in the end. He wants to point out that they have actually made up for every dollar; they asked for about \$120,00 in transfers from within their Department and they have over collected tax collections as of now by \$116,500. They were budgeted \$750,000 and have collected \$866,500 with three months to go.
- Councilman Riolino says for this Department, we are not going to the contingency like with every other Department. For this account number, is it a contribution we are making to the self-insurance fund, which is a separate fund, not part of the general fund.
- Mr. Rizza says the funding source is the general fund but the balance it would move to at the end of the year is a revolving fund.
- Councilman Riolino asks if we could ever take money from that other account to put into this. Mr. Rizza says no.
- Councilman Riolino says why do we think we are able to not put the \$79,000 into self-insurance.
- Attorney Zullo says that when he came in back in 2011 it was down to about \$300,000 but justifiably so because it was used to settle lawsuits like the Sanchez lawsuit which resulted in a \$900,000 verdict. Aside from that they have

been able to get it up to about \$700,000 plus. The goal for the fund is about \$1,000,000 because the Town is responsible for the first million of any lawsuit so as a result we really don't need more than \$1,000,000 and have done very well with restoring the fund. He thinks it is justifiable to not contribute so much because they are going to continue to restore incrementally. Paul has been very helpful with this in the fund balance, in this fund and hopefully in worker's comp.

- Councilman Riolino asks how much was budgeted for the fiscal year they are about to end as a contribution to the self-insurance fund.
- Attorney Zullo says it's not necessarily just a contribution to the fund; it is an amount of money set aside every year to settle lawsuits and claims. At the end, if there is anything left over it goes into the fund. The primary goal is to pay lawsuits. To that end he believes his original request was \$520,000 which he agreed to lower to \$400,000.
- Councilman Riolino says so if the fund is healthy enough you can donate \$100,000 to savings.
- Attorney Zullo says that is correct, as the fund gets stronger, there is less of a need to budget so there may be an extra \$100,000-\$150,000.
- Councilman Riolino asks if whatever comes out of this self-insurance fund can only go to legal department.
- Attorney Zullo says the 881 line item can technically go to any department so long as it is done during the fiscal year. In all reality the 881 and 883 line items are the same, they are just separate for accounting purposes. It is as close to an inter department transfer as it can be.

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

Item #10

To consider and act upon a Resolution setting a Public Hearing date and time to discuss "An Ordinance Abandoning the Town's Interest in a Portion of Oak Grove Street (AKA Oakgrove Street, AKA Oak Grove Road) and the Portion of Whitman Avenue north of the Northern Boundary of Coolidge Street." The public hearing shall take place on July 1, 2014, at 7:00PM, at the East Haven Senior Center, 91 Taylor Avenue, East Haven, Connecticut.

Councilman Santino makes a motion.

Councilman Badamo seconds the motion.

No public comment.

No Council comment.

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

Item #11

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

CAB East LLC

Ford Credit Personal Property Tax
 P.O. Box 67000, Dept. 231601
 Detroit MI 48267-2316

Acct./List: 2011-03-52763 E/S 23038
 Reason: Vehicle Sold 10/11

TOTAL: \$582.80

Councilman Santino makes a motion.
 Councilman Sand seconds the motion.

No public comment.
 Council comment:

- Councilman Santino says that he always thought if the vehicle was still owned as of October, taxes have to be paid on the vehicle.
- Attorney Zullo says that is correct and if you look at the tax bill itself it states that the vehicle was sold prior to October 1, 2011.

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

Item #12

A Resolution confirming the appointment by Mayor Joseph Maturo Jr. of Jack Leary to the Regional Water Authority Policy Board.

Councilman Santino makes a motion.
 Councilman Badamo seconds the motion.

No public comment.
 No Council comment.

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

- Councilwoman Beverly Gravino asks if the Council gets the suspense list that went to the Board of Finance.
- Attorney Zullo says they do, it will come in the next packet.
- Councilwoman Gravino says she was asked this question and didn't have the answer. Does East Haven do any business with vendors in East Haven who owe back taxes?

Vice chairman Robert Parente makes a motion to add to the agenda the discussion of vendors owing back taxes.

Councilman Santino seconds the motion.

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

- Mr. Rizza says with local vendors, especially through the bid process before there is an award made after recommendation of whatever Department head gives it, they check for back taxes not only in the name of the company but the owners also.

Item #13

Adjournment of Regular Meeting.

Councilman Parente makes a motion.

Councilman Badamo seconds the motion.

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

Meeting is adjourned at 8:07PM.

Respectfully Submitted,

Danelle Feeley, Clerk, East Haven Legislative Town Council