

**EAST HAVEN TOWN COUNCIL
REGULAR MEETING MINUTES
TUESDAY, MAY 6, 2014**

The East Haven Town Council held a regular meeting Tuesday, May 6, 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 7:04PM. He asks all to stand for the pledge of allegiance and a moment of silence for Town Hall employee Francine whose daughter is hospitalized following an accident over the weekend.

Item #1

Roll Call- 12 present – 3 absent (Gravino, Riolino and Buter III).
A quorum is present.

Item #2

Approval of minutes from the April 21, 2014 Public Hearing

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

Item #3

Approval of minutes from the April 22, 2014 Special Meeting

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

Item #4

No correspondence.

Item #5

Subcommittee Reports:

- Public Safety- Councilman Robert Sand states that the swearing in of Lt. Ed Lennon to the position of Deputy Police Chief will be taking place this Thursday at Company 3 at 12:00PM.
- Board of Education-Vice Chairman Robert Parente states that he was happy to hear that Finance Director Paul Rizza had a meeting with the Board of Education to discuss their 5 year plan and they discussed the shifting or closing of some of the schools which was something the Council was also concerned about.
- Parks/Recreation-nothing to report.
- Urban Renewal-nothing to report
- Finance-nothing to report

Item #6

To consider and act upon an “Ordinance authorizing a transfer of \$100,000.00 for the East Haven Police Department” as follows:

East Haven Police Department**To:**

01-332-0190	Overtime Wages	\$100,000.00
TOTAL		\$100,000.00

From:

01-332-0110	Regular Wages	\$100,000.00
TOTAL		\$100,000.00

Reason: Funds needed for overtime.

Councilman Santino makes a motion.

Councilman Ken Mckay 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 Resolution Authorizing the Waiving of Competitive Bidding in Connection with the Town's contracting for 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.”

A Resolution Authorizing the Waiving of Competitive Bidding in Connection with the Town's contracting for Curb-to-Curb Municipal Solid Waste Pickup Services

WHEREAS, the Town of East Haven presently contracts for the curb-to-curb pickup of municipal solid waste generated by the Town;

AND WHEREAS, said contract is set to expire on June 30, 2014;

AND WHEREAS, the Town wishes to enter into a new contract for curb-to-curb pickup of municipal solid waste;

AND WHEREAS, the Town has undertaken due diligence to research the market for said services and has met with prospective and feasible service providers;

AND WHEREAS, Chapter 6, Section 4(C) of the East Haven Town Charter contains bidding requirements for certain expenditures;

AND WHEREAS, because of market conditions and other factors, the Town believes that it is in the Town's best financial interests to contract for curb-to-curb pickup of municipal solid waste outside of the competitive bidding process;

AND WHEREAS, the Finance Director recommends that the Council waive the competitive bidding requirement to allow the Town to contract for said services before the expiration of the present contract;

AND WHEREAS, the Town Charter's bidding requirements may be waived by two-thirds of the members present and voting;

NOW THEREFORE, be it **RESOLVED** by the Town Council of the Town of East Haven that competitive bidding requirements in connection with the Town's contracting for curb-to-curb municipal solid waste pickup services are hereby waived.

BE IT FURTHER RESOLVED that this bid waiver shall expire on August 15, 2014.

Councilman Santino makes a motion.

Councilman Sand seconds the motion.

- Town Attorney Joseph Zullo states that because of the sensitive nature of the material, he requests that the Chairman solicit a motion to enter into executive session so that there can be a discussion of the figures.

Councilman Mckay makes a motion to enter into executive session and include Frank Gentile, Paul Rizza, Attorney Zullo and Town Engineer Kevin White.

Councilman Sand seconds the motion.

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

Council enters executive session at 7:11PM.

Executive session ends at 7:33PM.

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

Item #8

Discussion with Finance Director re: follow-up with Hagan Memorial Library and monthly expenditure reporting to the Finance Director.

- Mr Rizza states that following discussions during this year's budget workshops, he drafted a memo to the Library Director outlining what they are looking for on a monthly basis. The Library Director wrote a memo back that says he will comply with Mr. Rizza's request. The reports will be received on a monthly basis by the 10th day of each month. They will be in the same format as the budget, line by line.

Council comment:

- Councilman Palladino states that what he doesn't understand is that the employees of the Library are but aren't Town employees. They are paid by taxpayer's money and donations. He asks why they are not on the Town's self-insurance for medical.
- Mr. Rizza states that they are not Town employees. They do have Anthem which is nearing the Town's pricing but they are a very small group, approximately 5-7 people are covered by it. What he thinks happened at this point is that people moved into it and went from single to married or new people came on board that were already married or had families so they were bumped up. He found out that they don't have any cost shares, even at 7% or 10% it would be something.
- Mr. Palladino asks if they are not Town employees, who do they work for.
- Mr. Rizza says they work for the Library itself.
- Mr. Palladino says so the Library is a separate entity or corporation, but the taxpayers pay the bill.

- Mr. Rizza says that Attorney Zullo stated it best when he said that the Town is making a contribution. He adds that the amount of money put into the budget for them is a contribution to the Library.
- Mr. Palladino says it is a large contribution because he would assume that without this contribution, the Library would close its doors.
- Mr. Rizza says that is probably a fair assumption; he doesn't think they would be able to encumber \$700,000.
- Attorney Zullo states that he believes the reason it was left the way it was is because it is a non-profit corporation. Part of the reason is because the grant/trust that is set up, is set up in such a way that those monies could not be used if it is a municipally run Library. This way, it stays a non-profit so they can utilize those trust funds. This is likely the reason it is set up separately, they can probably look into doing things that will cut down on the cost which Mr. Rizza is already looking into.
- Councilman Sand says that with the finance report coming to the Council, what is the Council or the Finance Director allowed to do to advise them; are they obligated to take the advice?
- Mr. Rizza says he does not think so. He states that he did have two concerns; the first concern is the money itself. He does get a report on the trust every month that comes from Bank of America who is the trustee of that account. The return he has seen over the years is not good; right now they have about \$1,250,000 being invested and they are getting somewhere between \$40,000-\$50,000 per year off of the trust which is not a good return on investment, it is about 3%. He thinks that the Library can actively talk to the trustee because there are stocks, bonds and money market accounts, but the Board of Directors of the Library would have to go to the trustee on those things to actively trade or do something to get more money from the trust fund. He states that he can draft something, it could be read but they can choose to ignore it.
- Attorney Zullo says that a perfect example is the East Haven Fall Festival which is a non-profit Corporation which is separate from the Town. Every year the Town of East Haven makes a much smaller, but generous, contribution to the Fall Festival Corporation. Very similarly, the Town could draft a memo of request but at the end of the day they are a separate entity. The same way the powers lie with the Board of Education with regards to the budget.
- Councilman Sand says that their Board consists of librarians and average common knowledge individuals who may not have that type of expertise. He was looking to find what the next step would be in order to help them and help the Town as well.
- Attorney Zullo says that one connection among the Library and the Town is the Library Board which the members of it are appointed by the Town of East Haven. He states that he will look back at the Ordinance which formed this Board to find

out what exactly it says because it may be one of those issues where 25-50 years ago everyone knew the answers to the questions but after so many years some people are no longer with them and those answers get lost.

- Councilman Fred Parlato states that being a non-profit organization the Secretary of the State must monitor them in some way, he wouldn't doubt that they have to report in some way and if any red flags came up they would be notified. If he thinks there is one singular institution in Town that has a serious effect on the quality of life, it is the Hagan Memorial Library. A little guidance or help for them to help function better would likely not be rebuffed. He remembers years ago sitting with people from the Library because the Town didn't put an addition on the building, but it was because they owed too much money and they couldn't add any bonds. He says that the people of the Library may not have the financial expertise and would have to go out and find someone who does to guide them.

Item #9

To consider and act upon a Resolution setting a Public Hearing date and time to discuss "An Ordinance Authorizing the Conveyance of a Portion of River Street to the East Haven Trolley Museum." 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 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 #10

To consider and act upon a Resolution setting a Public Hearing date and time to discuss "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
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From:

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

Reason: Funds needed for overtime.

The public hearing shall take place on June 3, 2014, at 7:00PM, at the East Haven Senior Center, 91 Taylor Avenue, East Haven, Connecticut.

Councilman Mckay makes a motion.
Councilman Sand 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 setting a Public Hearing date and time to discuss "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.

The public hearing shall take place on June 3, 2014, at 7:00PM, at the East Haven Senior Center, 91 Taylor Avenue, East Haven, Connecticut.

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

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

Item #12

To consider and act upon a Resolution, pursuant to Chapter III, Section 8, of the East Haven Town Charter, adopting the recommendation of the Mayor and designating the firm of Cohn Reznik to audit the books and accounts of the Town for the fiscal year-ending June 30, 2013.

Councilman Mckay makes a motion.
Councilman Parlato seconds the motion.

No public comment.

Council comment:

- Councilman Santino asks the price that they charge to do the audit.
- Mr. Rizza states that for the current year they are talking about it is a cost of \$81,500. It is an increase of \$500 from the past audit; \$250 for the Town and \$250 for the Board of Education.
- Councilman Santino asks if we are waiving a bid and are their prices competitive.
- Mr. Rizza says no, this is for professional services there is no bid and their cost is extremely competitive. He adds that we have been using them for about 8-10 years so they know the territory and the players, we aren't facing any problems or training new people

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

Item #13

Adjournment of Regular Meeting

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

Meeting is adjourned at 7:52PM.

Respectfully Submitted,

Danelle Feeley, Clerk, East Haven Legislative Town Council