

**EAST HAVEN TOWN COUNCIL
REGULAR MEETING MINUTES
TUESDAY, FEBRUARY 4, 2014**

The East Haven Town Council held a regular meeting Tuesday, February 4, 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 7:20PM.
Chairman Anania asks all to stand for the pledge of allegiance.

Item #1

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

Item #2

Approval of minutes from the January 7, 2014 Regular Meeting.

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

Item #3

Correspondence:

- Chairman Anania reads a letter dated January 7, 2014 from Ken Mckay resigning from the East Haven Board of ethics due to his election to the East Haven Town Council.

Item #4

Subcommittee Reports:

- Public Safety-
 - Councilman Robert Sand states that he met with Police Chief Brent Larrabee last night and the discussion was regarding personnel, overtime, Department departures, vehicles and the building. Based on the conversation they had, he would like to say the Chief has a good handle on our Department. There were setbacks that occurred years ago before he arrived here, which seems to be the precursor to the situation they are experiencing now where there are escapists and not enough personnel. The Chief laid out the entire hierarchy of the Department with each

position as it is filled and what is vacant and also an overall view of the Department and where it should be in the next 6 or so months. It was a highlight of where the Department has been and where it is projected to go. The recruiting process has taken some time to get recruits into the pipeline, but they will be coming up in the next month or so and they will then be in training with the other officers. By the time August comes, the requirement for overtime may decrease some because these officers will be coming online. In addition, the civilian dispatchers will be a help to the Department, freeing up officers to be on the patrols. They also asked about other elements of the Department such as vehicles, some have been totaled and monies have been received so the Department will be looking to replace those by the upcoming budget. As far as the building itself, there are some renovations going on and monies have been allocated for that to take place. Overall, the subcommittee felt the Chief has a good handle on things, working with the DOJ and re-training officers is right on target.

- Councilman Santino says he has nothing to add in regards to the Police Department but he stopped by public works to see how things are going. Some of our trucks are from the 80's and they are in need of equipment. They are making do with what they have and it is not good.
- Board of Education- Vice Chairman Robert Parente says that the Board of Education had several meetings to set their goals for the upcoming year, and they are working on their budget for their presentation to the Board of Finance and Council.
- Parks/Rec- Councilwoman Judy Esposito states that this was the first year that the ice rink made a profit, they had extended their hours from 10:00pm to 11:30pm bringing in an additional \$15,000. The rink is one of the only rinks in the area to make a profit, it has been painted and the upkeep has been good. Men's basketball is now running; there are 10 teams. The morning aerobics program has been steady with approximately 25 people. Open swim has been going well also. There are still some issues with the Triple Crown using our fields, they are planning a meeting so that they can get on the same page because Triple Crown always made money and gave back to the Town so they want to come to an agreement and not lose them.
- Urban Renewal- nothing to report.
- Finance-nothing to report.

Item #5

Superintendent of Schools Portia Bonner to address the Council.

Chairman Anania explains that Dr. Bonner intended to come before the Council tonight but the Board of Education set a special meeting to discuss their capital improvements and long term goals so she is attending that meeting tonight.

Item #6

To consider and act upon an "Ordinance authorizing transfers aggregating \$40,000.00 for the East Haven Police Department" as follows:

East Haven Police Department**To:**

01-332-0190	Overtime Wages	\$40,000.00
TOTAL		\$40,000.00

From:

01-332-0192	Replacement Vacation Days	\$40,000.00
TOTAL		\$40,000.00

Reason: Funds needed for overtime.

Councilman Mckay makes a motion.

Councilman Santino seconds the motion.

Police Chief Brent Larrabee explains that they have some savings in vacation days so this can offset some of the overtime wages. They will probably have some more money that they will be moving around in the next several weeks to offset more overtime.

No public comment.

Council comment:

- Councilman Joseph Badamo says there is talk of the new recruits who go to the Academy and graduate and then jump ship. Is there a law that prohibits this where they have to work for 2-3 years before leaving?
- Chief Larrabee says that there was. He explains that he presented a historical perspective to the Board of Police Commissioners of what happened in Town in regards to people coming and going; it is not a new phenomenon. In 2007 or

2008 we lost 2-5 people. The difference now is that in October of 2011 the Legislature changed the law which used to say when you go from a sponsoring city to the Academy, after 6 months in the Academy there are 400 hours for field training, and you then have to give that sponsoring Town a minimum of three years of service. Since they changed it, there was an officer in Town who did the 6 months of the Academy and 400 hours training and left a week later. We have now put in the Civil Service tests for East Haven the three year commitment after the Academy and we have recently instituted pre-employment contracts with individuals. We have four officers who signed pre-employment contracts which obligate them to stay a minimum of three years. The contracts are narrowly described, if someone wants to leave because this career does not work for them, they understand that but they are no longer going to undergo our training which costs approximately \$100,000 for one year figuring salary, benefits, Academy, etc. and then leave and we get nothing back. The majority of people who left since he came here was due to retirements and disabilities. Some of the leaving was due to contract negotiations or fears of changes in medical benefits. Since he came on there were about 4 people who retired, 4 who were indicted and 4 people who retired before June so we have constantly been trying to catch up. It hasn't changed historically; it has just come at a bad time for us while we were in turmoil. There are a number of people who do want to come here; we have an attractive MERS retirement benefit and many areas that we compete with other Towns.

- Councilman Badamo asks how many vacancies we have now.
- Chief Larrabee states that we are entitled to have 33 patrolmen; we currently have 23 working, 3 vacancies and 7 people sidelined because they are either in the Academy or soon going. There are 10 vacancies because you can't back these, so they go into overtime. Additionally, 3 officers cannot be used against overtime; the internal affairs officer, the DARE officer and 1 for the DEA. So we really have 20 patrolmen to staff 3 shifts 24 hours a day. That's why they are working so much overtime. Every day they are filling in just to meet minimums. He says they are conscience of the overtime numbers.
- Councilman Badamo asks if the Chief thinks the \$40,000 will be sufficient.
- Chief Larrabee says absolutely not, we will be back but they are doing the best they can.
- Vice Chairman Parente says he went by a jobsite last week which had North Haven, Branford and East Haven police. At what point do we solicit other Towns to help us?
- Chief Larrabee says we have mutual aid agreements with our surrounding Towns, but to bring them in to fill shifts is nearly impossible. We do use them for extra duty and help for special events. The consent decree mandates that they

have to be trained under the decree and putting them through the training is not going to happen.

- Vice Chairman Parente asks what they get in terms of payment for helping us. Are there any additional costs to the town?
- Chief Larrabee says they get their regular pay, no additional costs to us.
- Councilman Badamo asks if their Town pays them or East Haven pays them and then gets reimbursed.
- Chief Larrabee says if we bring them in for a private detail, they get paid from the vendor. If we brought them in to work a shift for us, which is rare, then they go directly through us.
- Councilman Santino asks why the DARE officer can't be used for patrol.
- Chief Larrabee says he can when school is not in session. We use him for regular shifts in the summer or when there is a school break.
- Councilman Anthony Mansi asks about the positions announced in the paper regarding the civilian dispatchers not becoming effective until June. Why can't we use these people right away?
- Chief Larrabee explains that there are logistics involved in this. One is the physical plan, it has to be adjusted. The intention is to put the dispatch center in the current records room in the Police Department. There has to be movement of some of the rooms within the Department. The test was just given; there were about 193 people who took the test and approximately 150 passed. There are only 6 positions available and background checks have to be done on all of them. The aggressive timeline is within the next 60 days to have the names and hire them, followed by training periods. After all of this, you would be looking at maybe June or July. We are also under the mercy of contractors and subcontractors for this, moving things from the Fire Department to the Police Department which is done by the State, etc. It will work out well but we are under some constraints.

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

Item #7

To consider and act upon an "Ordinance Expanding and Authorizing Property Tax Exemptions for Veterans Receiving Financial Assistance for Specially Adapted Housing Under Title 38 of the United States Code."

The following ordinance shall be codified as Section 18-12 of Chapter 18 of the East Haven Code of Ordinances.

AUTHORIZING ORDINANCE OF THE East Haven Town Council

18-12. An Ordinance Expanding and Authorizing Property Tax Exemptions for Veterans Receiving Financial Assistance for Specially Adapted Housing Under Title 38 of the United States Code.

(a) Pursuant to C.G.S. §12-81(21)(C), the dwelling house and the lot whereupon the same is erected, belonging to or held in trust for any citizen and resident of this state, occupied as such person's domicile shall be fully exempt from local property taxation, if such person is a veteran who served in the Army, Navy, Marine Corps, Coast Guard or Air Force of the United States and has received financial assistance for specially adapted housing under the provisions of Section 801 of Title 38 of the United States Code and has applied such assistance toward the acquisition or modification of such dwelling house.

(b) The same exemption as allowed in Subsection (a) of this ordinance may also be allowed on such housing units owned by the surviving spouse of such veteran (i) while such spouse remains a widow or widower, or (ii) upon the termination of any subsequent marriage of such spouse by dissolution, annulment or death, or by such veteran and spouse while occupying such premises as a residence.

(c) The exemptions provided for in this ordinance shall be subject to the conditions and qualification requirements of Title 38 of the United States Code and Connecticut General Statutes §12-81(21)(C). It shall be the burden of the person requesting any of the exemptions provided for in this ordinance to submit proof of satisfaction of said conditions and qualification requirements to the assessor.

(d) This ordinance shall become effective in accordance with the provisions of the East Haven Town Charter.

Submitted by: Danelle Feeley, Council Clerk Date: _____

Approved by: Joseph Maturo, Jr., Mayor Date: _____

Received by: Stacey Gravino, Town Clerk Date: _____

Councilman Mckay makes a motion.

Councilman Santino seconds the motion.

No public comment.

Council comment:

- Councilman Fred Parlato states that he is a decorated veteran; he did not see any of the actions these disabled veterans saw. What bothers him is when we don't take care of people who provide this service for us. We lost over 50,000 people in Vietnam and likely, double that number was injured. As a country, we require our veterans to give the most, and we give very little in exchange. Mr. Parlato states that he had a relative in the same situation as the woman before the Council tonight, they had to do similar renovations and it had a tremendous effect on his family. There was nothing then, like what we have available today. If we can show other Towns that we all should do this because it is right, it is one of the best things we can do.

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

Item #8

To consider and act upon "An Ordinance authorizing the re-allocation of \$170,000.00 dollars of capital improvement funds to purchase a new front end loader for the Public Works Department" as follows:

Public Works

To:

92-03-103-03	Capital – Light Vehicle and Equipment	\$170,000.00
TOTAL		\$170,000.00

From:

92-03-113-01	Chiller	\$170,000.00
TOTAL		\$170,000.00

Reason: Funds needed to purchase a front-end loader.

Councilman Santino makes a motion.

Councilman McKay seconds the motion.

Council comment:

- Councilman Santino asks how soon this loader would be delivered, who is doing the specs and are they done.
- Finance Director Paul Rizza says that this will have to go out to bid. The specs are not hard because it is a common machine and as soon as he receives them

he will put it in the newspaper. If we had the specs today, we would advertise it tomorrow and then open it in approximately two weeks.

- Councilman McKay asks if this is replacing a machine that is broken down.
- Vice Chairman Parente says yes, the one that is there is non-repairable. We will be utilizing some of it for trade purposes, it does have some value.
- Councilman Parlato says the Council should realize when budget time comes, that the pay loader down there now is about 30 years older, the one that is running is almost as old. When we have a snowstorm you need three pieces of equipment. Someone has to stay at public works to load the sand and the other pay loaders are used for cleaning parking lots and whatever else. If you look at the fleet we have, we don't have a savings fund that we should have so we can replace these things and not have to do it on an emergency basis. If another loader goes down, we will have to rent one if it is even available. He says the Council should request from the Town Engineer an inventory of equipment; the number of pieces, the classifications, the age of it, trade in/replacement value plus the level of priority the equipment has. If we can start putting money away so that when these things come up, we can take care of it. When we spend money every time something happens to a truck, it is no longer cost effective.

Public comment:

- Gene Ruocco-74 Bennett Road, East Haven, CT- Mr. Ruocco asks if the chiller was repaired and the \$170,000 is not needed.
- Mr. Rizza explains that the Council allocated \$300,000 for the repair/replacement of one chiller that was down. The first chiller was repaired and the second chiller which went down prior to the first one was also repaired. There was a replacement of a computer which monitors the heating/cooling of different parts of the building. It hadn't been reprogrammed since 2003. There is a three year maintenance program on both of the chillers. With that, it left us approximately \$170,000 in the original re-appropriation. So we are really re-allocating the re-allocation. So that's where the \$170,000 came from. Originally it was part of the portable classrooms which the board, school building committee and our budget would not support back in the beginning of 2012.

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

Item #9

A Resolution Authorizing Mayor Joseph Maturo, Jr. to execute a Contingent Commercial Real Estate Contract for the purchase of real property located at 420, 450 and 470 Bradley Street, East Haven, Connecticut.

A Resolution Authorizing Mayor Joseph Maturo, Jr. to execute a Contingent Commercial Real Estate Contract for the purchase of real property located at 420, 450 and 470 Bradley Street, East Haven, Connecticut.

WHEREAS, the Town of East Haven is desirous of purchasing the real property located at 420, 450, and 470 Bradley Street in East Haven, Connecticut, better known by the following Map, Block, and Lot Numbers: "290/3616/008," "290/3611/001/," and "290/3813/001;"

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of East Haven that Mayor Joseph Maturo, Jr. is authorized to commence negotiations and execute a written commercial real estate contract in furtherance of purchasing said properties;

BE IT FURTHER RESOLVED that the purchase of the said properties shall be subject to a favorable 8-24 referral from the Planning and Zoning Commission;

BE IT FURTHER RESOLVED that the purchase of the said properties shall be contingent on the passage, by the Town Council, of an ordinance authorizing the Mayor to act on the required 8-24 referral from the Planning and Zoning Commission to consummate the purchase of said properties;

BE IT FURTHER RESOLVED that the purchase of said properties shall be contingent on the satisfactory demonstration to the Town Council and approval of adequate third-party funding to consummate said purchase, or in the alternative, the Town Council's authorization of adequate appropriations to consummate said purchase, or any combination of the two, as approved by the Council.

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

Councilman Mckay makes a motion.

Councilman Vincent Spaduzzi seconds the motion.

- Arthur DeSorbo-Director of Administration and Management- Mr. DeSorbo explains that his office has been negotiating for the last few months with a company who wants to relocate their Warehouse/Distribution center to East Haven. The company is looking to build a minimum of 160,000 sq. ft. with the ability to expand to 200,000 sq. ft. After an exhaustive search, there is no piece of property within Town to accommodate a building that size. Although there are several opportunities in the industrial park, those do not meet criteria. He engaged someone who was formerly on the Economic Development Commission to locate a site. He says they got their hands on a piece of vacant property that was never built upon, it had a housing plan targeted for it but it was never approved. The property is approximately 70 acres, and after looking at

records, it appears we can get 25 buildable acres out of the 70. He discussed it with the Mayor and the Economic Development Commission and the Mayor didn't feel that the Town would be able to, on its own, purchase the full 70 acres. This agreement has so many contingencies and we are able to escape at any time. He met with the State of CT on Friday to discuss this and they indicated they were interested and would be able to help us out on this with about 10 different ways to do it. He doesn't anticipate we would go forward with this purely on funding from the Town; we would need a considerable amount of assistance from the State on it. He is in the course of dealing with the State for some requirements they have, such as providing them with appraisals.

- Attorney Joseph Zullo advises Mr. DeSorbo not to say the appraisal figure at this time, they don't have to necessarily enter into executive session but he should refrain from providing that number at this time.
- Mr. DeSorbo continues on to say that another reason they came up with the contract before the Council is so that when the Town expressed an interest in the property, the property owner didn't think that they had the Town's bank roll on a string. We came up with a number which is in this agreement. The key thing is that of the 70 acres, the Town would pay an amount just for the usable acres but get the full acreage. The intention of the Town, he believes, with the excess area that could not be used due to wetland considerations would be to turn it over to the Land Trust for their inventory. This would help us with our requirement for a certain amount of open space required by the State. This would also help us to get State funding in other areas showing we are making a commitment to open space in East Haven. Other than that, he will answer any questions that anyone might have.

Council comment:

- Councilman Sand asks the estimated usable acres.
- Mr. DeSorbo says it is estimated between 24 and 25 acres usable. It would be officially determined after a soil scientist studies the wetland and an Engineer does a study.
- Councilman Sand says we are likely going to spend a great deal of Town services to assess this piece of property. He asks about the provision where we have to provide an Engineer to assist.
- Mr. DeSorbo says if we expend money for that type of work such as a soil scientist, the seller would pay that if we buy that property.
- Councilman Sand says and is it capped it at \$50,000, refundable.
- Mr. DeSorbo says yes, and he got a price from an Engineer and it comes in at no more than \$50,000.
- Councilman Santino says as far as getting the property ready, is that on us?

- Mr. DeSorbo says that is why he is in negotiations with the State. It is still to be determined depending on what the State is willing to provide.
- Councilman Santino says when the company comes in and builds this, are we leasing it?
- Mr. DeSorbo says they would build the building and we would provide them with the buildable lots with utilities right to the property line.
- Councilman Santino asks if one company is taking everything or are we going to have other companies come in.
- Mr. DeSorbo says there is a conceptual plan that calls for 1 company to take up to space for 200,000 sq. ft. and then additional space for 4 or 5 other lots.
- Councilman Santino says so it will be like a little Industrial Park.
- Mr. DeSorbo says that is the intent. He says it is difficult to market without having the property to do so. He says that he has been marketing with Fairfield and Westchester County and East Haven has a lot to offer them. While we may think our housing is expensive, it's a bargain compared to those Counties.
- Councilman Santino asks if this company will offer any jobs for residents.
- Mr. DeSorbo says there will be new jobs available with this but we can't tell a company that they have to be East Haven residents, but we will encourage it.
- Councilman Santino asks if it is a manufacturing company.
- Mr. DeSorbo says unfortunately it is not, it is a wholesale distributor. They manufacture their product in Europe, they ship to the United States and they have distribution centers all over the center. He says at this time he is under confidentiality with disclosing their name.
- Councilman Parlato says that after reading the packet he had some concerns about this, but he met with Mr. DeSorbo this afternoon. It is a total of 73.37 acres, the total assessed value of the 3 pieces is \$150,347 which Mr. DeSorbo stated he thinks is not accurate, and there is a problem with the assessment. The tax value at 70% is \$113,940. He was concerned about what we are paying per acre, but Mr. DeSorbo explained that, that type of property is already zoned industrial and is very reasonable. A building that size is probably going to be the biggest building in East Haven. That property has been proposed since he was in High School to be a track, a firing range, a housing development. As far as impact on traffic, there will be no traffic going north on Laurel Street or Bradley Street; everything that exits there will be going south towards the turnpike or North High Street. This is all contingent on an A24 referral from planning and zoning and we, as a Town Council, have to approve the A24 decision so we still have control over it. If we don't enter into anything we do not gain anything. He says he applauds Mr. DeSorbo for having all the information for him, and his record as far as bringing in business to East Haven is unparalleled for the 19 years he has been there, so he suggests the Council approves to move forward with this.

- Councilman Parente asks if we are going to be signing contingencies with this company and not moving forward on payment of anything until we know it won't just sit there.
- Mr. DeSorbo says he would be in favor of developing this Industrial Park even if this particular company wasn't going to come because we do not have any land left in East Haven for good credible commercial use. Again, this is the only piece that would accommodate a building this size with all of the other amenities such as being close to the highway, it goes through residential and it has all of the utilities there. The utilities are where you run into expenses for development if you have to go underground to get utilities.

Public comment:

- Donna Richo-67 Charnes Drive, East Haven CT- Ms. Richo asks how long this has been on the market. She questions the purchase amount of \$75,000 per sq. ft.
- Mr. DeSorbo says it has been on the market for at least 50 years. After doing the appraisal that is the number that was brought to him, and he felt it was a fair price. And we will get all 70 acres for just the cost of buildable acres.
- Ms. Richo asks if there are any preliminary plans for excess development.
- Mr. DeSorbo says he does have a preliminary plan in his office. The State is looking at the plans now and they have some due diligence to provide such as checking for any endangered species, archeological finds, any birds living there, etc.
- Ms. Richo says that we should hold the note while the development is being done. She asks how much of the property the building will be on.
- Mr. DeSorbo says this building is 200,000 sq. ft. there will likely be about 4 or 5 more lots.
- Ms. Richo asks if this will be approved and then move forward following this meeting.
- Mr. DeSorbo says to clarify, if approved, it is not binding on the Town's part. We have a lot of avenues for escape if he is not happy with certain things or the State decides they will not take part in it. He says he gave \$5,000 out of funds in his account and they will likely need an additional \$20,000 which will come from another area.
- Gene Ruocco-74 Bennett Road, East Haven, CT- Mr. Ruocco asks if this is on the track side of Bradley Street. There was talk of a possible railroad station in East Haven, would this be feasible for that.
- Mr. DeSorbo says it borders the side that is not used anymore. The active sides are in back of Home Depot. This would probably not be feasible for a railroad station because it is so far off the main line.

- Councilman Santino asks if the taxes on the property are current.
- Mr. DeSorbo says no. This will work in our favor and the assessed value likely is based on information the owner provided so many years ago, and in conversation with the assessor there may be adjustments. Part of closing would be the property owner paying all current and back taxes.

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

Item #10

Adjournment of Regular Meeting.

Councilman McKay makes a motion.

Councilman Santino seconds the motion.

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

Meeting is adjourned at 8:15PM.

Respectfully Submitted,

Danelle Feeley, Clerk, East Haven Legislative Town Council