

**EAST HAVEN TOWN COUNCIL
SPECIAL MEETING MINUTES- AMENDED
THURSDAY, MARCH 13, 2014**

The East Haven Town Council held a special meeting Thursday, March 13, 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 7:00PM.

Chairman Anania asks all to stand for the pledge of allegiance.

Item #1

Roll Call - 14 present - 1 absent (Thompson Jr).

A quorum is present.

- Councilman Joseph Santino states that they need to stick to the meeting schedule they voted on. The regular meetings keep getting cancelled and changed. He says the Special Meetings need to stop.
- Chairman Anania states that they don't get changed a lot, last meeting he had a conflict and had to cancel. He will make an effort not to have to cancel them.

Item #2

Approval of minutes from the February 4, 2014 Regular Meeting.

Councilman Robert Sand makes a motion.

Councilman Vincent Spaduzzi seconds the motion.

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

Item #3

Correspondence:

- Chairman Anania summarizes a letter from Officer Robert Nappe which is an objection to the Mayor's appointment to the Police Commission.
 - Councilman Nicholas Palladino asks that the Council members get a copy of it. It was sent to him to present to the Council.
 - Town Attorney Joseph Zullo explains that correspondence is presented and read at the discretion of the Chairman under the standing rules so he can summarize and distribute it as he pleases.

Item #4

Subcommittee Reports.

- Public safety- nothing to report.
- Board of Education- Councilman Parente states that they have been meeting very diligently on the budget and he looks forward to listening to it.
- Parks/Rec-nothing to report, the last few meetings were cancelled.
- Urban Renewal-nothing to report.
- Finance- Councilman Henry Butler III states they have been working diligently on the budget which will be presented soon.

Item #5

Presentation by CohnReznick regarding the 2012-2013 FY Audit.

Councilmembers indicate that they did not receive a copy of the audit. Finance Director Paul Rizza apologizes and explains that the audit was issued in January and should have been electronically submitted by his secretary to the Council. He will re-transmit it electronically and send a hard copy to all Council members.

Councilman Joseph Badamo makes a motion to table this agenda item.

Councilman Santino seconds the motion.

Council comment:

- Councilman Fred Parlato states that the Council would likely be most interested in any deviation from the previous year to this year and anything that we should be critically aware of in this audit that will progress and require action in the upcoming budget. He thinks allowing them to go over these things would be more than sufficient.
- Councilman Santino asks if the auditor would come back to answer questions to which he says he would.

Roll call vote: 9 yes- 5 no (Parente, Mckay, Sand, Esposito, Spaduzzi). Motion carries.

- Councilman Michael Riolino asks if, since he is there, he can go over it.
- Attorney Zullo says no, the item has been tabled and as a matter of procedure he cannot speak and they will have to move on to the next agenda item.

Item #6

To consider and act upon a Resolution confirming the Town of East Haven's commitment and participation in a Household Hazardous Waste Collection Center program.

**RESOLUTION
TOWN OF EAST HAVEN**

**CONFIRMING COMMITMENT AND PARTICIPATION IN A REGIONAL HOUSEHOLD
HAZARDOUS WASTE COLLECTION CENTER**

WHEREAS the South Central Connecticut Regional Water Authority, as agent for the South Central Regional Council of Governments and participating municipalities, has undertaken the permitting, construction and operation of a regional facility for the collection of household hazardous waste and conditionally exempt small quantity generator business waste at its headquarters at 90 Sargent Drive in New Haven; and

WHEREAS, The municipalities participating in the facility are able to have residents drop off their household hazardous wastes on Saturday mornings (9am- noon) and conditionally exempt small quantity generators deliver business waste on Saturday morning, (by appointment from 7am -8:30am), from spring through fall for proper processing, transportation, and disposal;

WHEREAS, The facility is owned, managed and operated under the supervision of the South Central Connecticut Regional Water Authority for the benefit of the participating municipalities;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF East Haven THAT:

The Town of East Haven declares its commitment to continue participation in the regional household hazardous waste collection center for a minimum three-year period (July 1, 2014 through June 30, 2017), and confirms its intent to contribute financially for the operation, processing, transportation, and disposal of household hazardous waste.

The Town of East Haven authorizes its Mayor to enter into this agreement with the South Central Connecticut Regional Water Authority for the operation of the facility. Such agreement will permit the Authority to act as its agent to maintain the facility, to contract with a vendor for the transportation and disposal of the wastes, to receive financial support from grant sources, to enter into agreements with other municipalities, and to operate the facility.

Invoicing will be based on a two part formula:

1. Annual operational costs are based on the number of 1- and 2- family housing units,

2. Annual transportation and waste disposal costs are prorated by residents' usage.

This resolution shall be effective July 1, 2014 through June 30, 2017.

I hereby certify that this is a true and correct copy of action taken by the _____
Town Council at its meeting held on _____.

Town of EAST HAVEN

By: Town Clerk

(date)

Councilman Michael Riolino makes a motion.

Councilman Santino seconds the motion.

No public comment.

Council comment:

- Attorney Zullo explains that they looked into whether there were any other alternatives to this. The cost is very minimal because it is at the election of the resident. There are no other agencies or companies that do this; it is essentially the only game in Town. It is a very nice service for the residents at very little cost to the Town. This is the same resolution that has been renewed for a number of years. Our contract is up so we are being asked to renew it again.
- Councilman Riolino says so this is when residents go to the Regional Water Authority to dispose of house hold chemicals and there is a cost to the Town. Aren't there volunteers from East Haven that will go there once a year? Is that separate from this?
- Councilman Robert Parente says no, it is basically the same program. He explains it is on a rotating basis. When they have their monthly meeting they set a schedule. He states that he can forward the dates to the Town Council members. The people of East Haven do participate in this program, on one given Saturday there were 43 cars from East Haven. They dispose anything from car batteries to hazardous waste. When they go to the landfill, they are re-directed to go to the Sargent Drive facility.
- Councilman Sand asks what our cost is for this year. He believes it is typically around \$30,000-\$35,000.
- Paul Rizza says it's about \$15,000-\$20,000 per year.
- Councilman Anthony Mansi asks how they come up with the cost, is it by item, by car?
- Attorney Zullo says it is essentially pro-rated by what you turn in. You pay for what you turn in. The operational costs of the actual facility are based on the

total number of houses in each town. The disposal cost is similar to when you go to the dump, you pay per ton. We pay by the number of batteries, ounces, etc.

- Councilman Mani asks if East Haven has its own dumpster when you go down there. If every Town used the same dumpster how would they know how much we have to pay?
- Councilman Santino says there is someone down there when you go.
- Town Clerk Stacy Gravino explains that there is a form that residents fill out when they go there. You put your town and your information and they write on there what you are disposing of, so that is likely how they keep track of what each Town is doing.
- Councilman Parente says when the volunteers go down there they make a list and keep a running record for our Town.

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

Item #7

To consider and act upon a Resolution correcting the appointments of Joseph N. Piccirillo, Jr., Clyde A. Riccio, and Carl Ruggiero to the Blight Appeals Committee.

A Resolution correcting the appointments of Joseph N. Piccirillo, Jr., Clyde A. Riccio, and Carl Ruggiero to the Blight Appeals Committee

WHEREAS, Joseph N. Piccirillo, Jr., Clyde A. Riccio, and Carl Ruggiero were appointed by the Town Council to the Blight Appeals Committee to terms beginning March 1, 2012 and ending March 1, 2014;

AND, WHEREAS, a scrivener's error occurred in transposing the dates of their terms of service, resulting in their terms being transcribed to be a year shorter than they actually are;

AND, WHEREAS, pursuant to the East Haven Town Charter, the Town Council is designated as the appointing authority empowered to appoint individuals to the Blight Appeals Committee;

NOW, THEREFORE, BE IT RESOLVED that the Town Council hereby amends the appointments of these individuals to the Blight Appeals Committee to reflect that their terms shall begin on March 1, 2012 and end on February 28, 2015.

Councilman Sand 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 #8

To consider and act upon a Resolution Making Various Board and Commission Appointments.

A Resolution Making Various Board and Commission Appointments

Board	Name(s)	Term
Board of Assessment Appeals	Edward J. Wnek	2/1/2014-1/31/2017
Board of Assessment Appeals – Alternate	Andrew C. Janer	2/1/2014-1/31/2017
Constables	Ronald J. Vestuti David Sagnella Joan A. Adamczyk Donna Maltese Annarose M. Russo Michael Demaio Mary Ann Rivera	11/16/2013-11/14/2015 11/16/2013-11/14/2015 11/16/2013-11/14/2015 11/16/2013-11/14/2015 11/16/2013-11/14/2015 11/16/2013-11/14/2015 11/16/2013-11/14/2015
East Shore Health	Angela V. Carrano	2/1/2014-1/31/2017
Ethics, Board of	Joseph R. Polio Danelle Feeley	2/1/2014-1/31/2017 2/1/2013-1/31/2016
Housing Authority	Dave Sagnella Wendy Bellmore	2/1/2014-1/31/2017 2/1/2014-1/31/2017
Old Cemetery Board	Leticia Morales William Jackson James Saccavino	2/1/2012-2/1/2015 2/1/2014-1/31/2017 2/1/2014-1/31/2017
School Building Committee	Bill Richardson Lewis Langella Richard Raffone	2/1/2013-2/1/2016 2/1/2014-1/31/2017 2/1/2014-1/31/2017
Selectmen, Board of	Angelo Santomassimo Bill Richardson Michael R. Jones	11/16/2013-11/14/2015 11/16/2013-11/14/2015 11/16/2013-11/14/2015
Urban Renewal Agency	William Demayo Albert Fucci Sandra E. Dynderski	2/1/2012-2/1/2015 2/1/2014-1/31/2017 2/1/2014-1/31/2017
Zoning Board of Appeals	Ben Giaquinto Ted Musco	2/1/2014-1/31/2017 2/1/2014-1/31/2017
Zoning Board of Appeals – Alternate	Joseph A. Porto	2/1/2014-1/31/2017

WHEREAS, numerous board and commission appointments have expired or have become vacant;

AND, WHEREAS, pursuant to the East Haven Town Charter, the Town Council is designated as the appointing authority to re-appoint individuals to said positions;

NOW, THEREFORE, BE IT RESOLVED that the Town Council hereby appoints the above-described individuals to the respectively named boards for the terms as set out above. Said appointments 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.

Council comment:

- Councilman Palladino states that he has read the Charter pretty extensively and the Legislative Town Council which they are has the authority to make these appointments. Having said that, they are being asked to make appointments for names he has never seen a resume for, nothing to signify why they are going on the commission or what they are bringing to the Board. He hopes that if they are giving their approval that they compile this list as a Board because he doesn't understand where these names came from aside from it being on TV asking people to send things to the Mayor's Office, but he had no input on any of these names. As a Councilman, going by what the Charter says he should and the entire Council should have a say in who is going on the Board and how the names come about.
- Chairman Anania says that he is not saying Mr. Palladino is wrong but it has been done this way as a past practice, in this administration, the one before and the one before that. This is the way it has always been done. He won't comment on whether it is right or wrong, but this is the way it has been done.
- Councilman Palladino says he appreciates what the Chairman is saying but the Police Department always did things the way it was always done too and then saw that was wrong. Now if this is the wrong way of doing it, just because every administration has done it this way, if it's not in accordance with the Charter can't they be the one to say they are going to do it the right way from now on.
- Attorney Zullo states that there is nothing legally deficient about the process. There is nothing about this process that violates the Charter. Can the process be changed, sure it can. But there is nothing wrong or deficient about this process. He says they are open to not vote in favor of this resolution and to ask for input in the future. But it is done properly in that the Council is making the appointments pursuant to the Charter.

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

Item #9

A Resolution Setting a Public Hearing for April 1, 2014 to discuss An Ordinance Repealing Section 15-3 ("Tow Policy") of the East Haven Code.

Councilman Ken Mckay makes a motion.

Councilman Parlato seconds the motion.

No public comment.

No Council comment.

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

Item #10

A Resolution authorizing Mayor Joseph Maturo, Jr., or his designee, to execute any and all documents necessary to enroll the Town of East Haven in the Southern Connecticut Regional Animal Control Unit Mutual Police Assistance Compact.

Councilman Santino makes a motion.

Councilman Mckay seconds the motion.

No public comment.

Council comment:

- Councilman Santino asks if this on the same basis as the Police Department with their road jobs where we would get assistance from other dog wardens and we would be able to go help them.
- Attorney Zullo says essentially yes. We have had informal mutual aid already. We actually have a court case right now arising from that. Owen Little was very good about wanting to do this and kept pushing it. This formalizes our relationship with the people we have mutual aid with so that our protections from liability are clearly spelled out. It is essentially a win-win; there is no cost to the Town.
- Animal Control Officer Owen Little says that Attorney Zullo about covered it, it makes it so that we are not liable. We use it frequently, recently we had a cruelty case and we were able to pick up the phone and get help from North Haven. It reduces overtime and it also allows us to put animals at other facilities. When it comes to farm animals, we can bring them somewhere where they can be placed. It helps all the way around and relieves us from liability.

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

Item #11

A Resolution to authorizing Mayor Joseph Maturo, Jr. to enter into a contract with the Connecticut State Library for a Historic Documents Preservation Grant.

Councilman Santino makes a motion.

Councilman Spaduzzi seconds the motion.

- Town Clerk Stacy Gravino explains that this is an ongoing grant from the State for an ongoing project for restoration and preservation of our land records. They are bound in books and the books are falling apart because they are very old, so they get put into sleeves.

Council comment:

- Chairman Anania asks if this is something that gets passed every year.
- Ms. Gravino says yes, it is passed every year. The State wants to know where the money goes and wants to be sure the Town is doing something productive with it.
- Councilman Riolino asks if it's only \$7,500 from the State.
- Ms. Gravino says yes, it actually went up \$1,000 it was only \$6,500 for a few years.
- Councilman Riolino asks if it was ever more.
- Ms. Gravino says yes, they did lend a very large amount of money at one time but one of the Governors appropriated money from the funds by eminent domain. It was a lot more but has not gone back up to that level yet.
- Councilman Riolino asks if she has other funds in her budget for it.
- Ms. Gravino says yes, there is \$2,500 that she is putting in for; there is the Town Clerk \$1 fund, where we get \$1 from each deed that we can use towards our vault. So it has been increased by \$1,000 and then we kick in some money from the Town side so we can do a few more volumes. Then hopefully they can shorten the project so they can move onto other things.

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

Item #12

A Resolution Setting a Public Hearing for April 15, 2014 to discuss the 2014-2015 Budget Ordinance – Board of Education Side of the Budget.

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 #13

A Resolution Setting a Public Hearing for April 21, 2014 to discuss the 2014-2015 Budget Ordinance – Town Side of the Budget.

Councilman Santino makes a motion.

Councilman Butler III seconds the motion.

No public comment.

No Council comment.

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

Item #14

A Resolution authorizing a Transfer of \$47,500.00 for Legal Services as follows:

Legal Services

To:

01-113-0668	Legal and Lawyer Fees	\$47,500.00
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TOTAL		\$47,500.00
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From:

01-885-0689	Contingency	\$47,500.00
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TOTAL		\$47,500.00
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Reason: Funds needed for complex litigation.

Councilman Santino makes a motion.

Councilman Sand seconds the motion.

No public comment.

Council comment:

- Councilman Badamo asks what is left in Contingency after this transfer.
- Paul Rizza states that this is the first transfer out of the account; prior to the transfer we had \$425,000 if they approve the \$47,500 transfer there will be \$377,500 left.
- Councilman Palladino asks if Attorney Zullo can summarize what the complex litigation is.
- Attorney Zullo explains that right now the Town is dealing with the appeal from the Ventura lawsuit which was a \$12.1 million verdict. Attorney Hugh Keefe is doing a fantastic job; in the news recently, the same firm which has a mega judgment against us had a mega judgment against Clinton, which was just overturned in the Supreme Court. We are vigorously contesting this which requires funding. We continuously have to deal with Chacon V. Town of East Haven case. More recently, we had a summary judgment on a case that doesn't necessarily have a large judgment value but anytime there is a judgment against you, you have the attorney fees which are anywhere from \$100,000 to \$200,000. We are fighting these cases and a few more that he went over with the Council in executive session. He states that it pains him to come to the Council and ask for money and to tell them that he is going to come back and ask for more. He says that what he can tell them is that they budgeted tax collections of \$750,000 which is the largest amount that has been budgeted for as far back as he looked. We already beat that; to date they have collected \$766,000 and it is going up. His goal/promise to the Council is that any overage he has, he will make up for it in

delinquent tax collection and hopefully still give some of it back to the general fund. He will do the best he can, they have already cut down on legal fees, Hugh Keefe's bills have been very reasonable and all of the attorneys are on notice to cut down as much as possible, not extra work is being done right now.

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

Item #15

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

US Bancorp

Tax Dept
1310 Madrid St, Suite 100
Marshall MN 56258

Acct./List: 2012-02-40958 E/S 23080
Reason: Assessment Corrected

TOTAL: \$ 1,227.78.

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 #16

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

Ally Financial

Louisville PPC
P.O. 9001951
Louisville KY 40290-1951

Acct./List: 2012-04-84356 E/S 23104
Reason: Added MHA, Exemption Applied

TOTAL: \$737.85.

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

No public comment.

Council comment:

- Chairman Anania asks what MHA is.
- Attorney Zullo states that is a military exemption.

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

Item #17

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

Charles and Joann Lemons

17 Lattice Ln
Middletown, DE 19709

Acct./List: 2011-01-5753 E/S 23049

Reason: Per BAA Court Stipulation

TOTAL: \$707.20.

Councilman Santino makes a motion.

Councilman Butler III seconds the motion.

No public comment.

Council comment:

- Councilman Santino asks if he appealed it and the court stipulated it.
- Attorney Zullo says this was settled, it was a stipulated judgment.

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

Item #18

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

Parasco & Barrett, LLC

17 School St., 2nd floor
Glastonbury CT 06033

Acct./List: 2012-01-3934

Reason: Double payment made on 2nd install

TOTAL: \$ 1,137.42.

Councilman Mckay makes a motion.

Councilman Santino seconds the motion.

Council comment:

- Councilman Riolino asks if the tax collector knows when a double payment is made, do they notify the person or is it up to that party to realize it. What happens if they don't notice it, does it go toward future taxes?
- Attorney Zullo explains that if there is a credit on the account generally the tax collector will forward it to the next tax bill but people typically figure it out.

No public comment.

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

Item #19

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

Perfect Landscaping

80 Salvatore Dr
North Haven CT 06473

Acct./List: 2011-03-66762 E/S 21155

Reason: Bill Removed by Assessor

TOTAL: \$ 596.44.

Councilman Santino makes a motion.

Councilman Mckay seconds the motion.

Council comment:

- Councilman Santino states that this came before them last meeting, he sat with the Assessor Mike Milici, it has been clarified that the \$1,400 was for the truck which is parked at State Street and the car is in East Haven. They are getting back the money for the truck, we are getting the rest.
- Attorney Zullo states that Mike Milici verified with the owner and had him put it in writing, then he got the personal property declaration from North Haven to make sure the vehicles that he said were there were actually there.

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

Item #20

Adjournment of Special Meeting.

Councilman Santino makes a motion.

Councilman Palladino seconds the motion.

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

Meeting is adjourned at 7:50PM.

Respectfully Submitted,

Danelle Feeley, Clerk, East Haven Legislative Town Council