

JUN 09 2016

TOWN CLERK'S OFFICE

EAST HAVEN, CONN.

EAST HAVEN TOWN COUNCIL

REGULAR MEETING MINUTES

TUESDAY, JUNE 7, 2016

TOWN CLERK

The East Haven Town Council held a regular meeting Tuesday, June 7, 2016, at 7:00PM at the East Haven Senior Center, 91 Taylor Avenue, East Haven, CT 06512.

Vice Chairman Robert Sand calls the meeting to order at 7:00PM.

Item #1

Roll Call -11 present - 4 absent (Parlato, Depalma, Lettieri-Morales and Butler III).
A quorum is present.

Vice Chairman Sand explains that the Chairman is prepping for a procedure tomorrow so he asked him to Chair tonight and Councilman Parente will be the Vice Chair tonight. He asks all to stand for the pledge of allegiance.

Item #2

Approval of minutes from the May 3, 2016 Public Hearing.

Councilman Joseph Santino makes a motion.
Councilman Nicholas Palladino seconds the motion.

No public comment:

No Council comment:

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

Item #3

Approval of minutes from the May 3, 2016 Special Meeting.

Councilman Santino makes a motion.
Councilman Richard Anania seconds the motion.

No public comment:

No Council comment:

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

Item #4

No Correspondence.-Chairman Sand explains that the Chairman received a letter which is in the packet in regards to Caroline Road.

Item #5

Subcommittee Reports:

- Public Safety-Councilman Santino says the Police Department has an ID system machine and he would like to see the Zoning and Building Official and those who go out to people's properties with no identification on them have one of these. He has checked and they do not have any type of ID. There are also some Town vehicles that have not been marked yet that he would like to see marked. He asks if the Secretary can send a letter to have the vehicles marked with the exception of the Police/Fire Chiefs and the detectives.
 - Chairman Sand asks if Councilman Santino has made a formal request to the Police Commission yet.
 - Councilman Santino says he has not, he only saw it because they are using the machine for the Fireworks this year for the vendors and they did a nice job on it, they put your picture on it and it tells who you are. They have the machine to do it so they should take advantage of the opportunity.
 - Councilman Parente says he is correct; some of the cars don't have the proper insignia. They try to keep up on it, they do the best they can and they work with what they have with the 2nd hand vehicles they end up with. He will see if he has some labels for the cars that are on the road, they should have labels.
 - Chairman Sand asks him to report back next month as to the status of the request made.
- Board of Education-Councilman Parente says they are winding down the fiscal year and the school year is ending. Two schools are going to be closing down and unfortunately there were layoff slips that went out with yesterday's paychecks. There are going to be changes with the Board of Education.
 - Councilman Santino asks about the event that was cancelled for the kids because the school wanted \$24,000 before the program could start.
 - Councilman Vincent Spaduzzi says they had to pay up front before they would allow them to use the facility, the High School gym.
 - Councilman Santino says they had to cancel the game tonight.
 - Chairman Sand says he assumes they had knowledge of this beforehand.

- Board of Finance- Councilman William Richardson reports that the last meeting they had transfers for Public Works to take care of year end issues. They passed the tax expense list totaling \$233,450.30 which they will discuss tonight. They mentioned that they never had the auditors come in from the past year to present the audit. Another issue is State funding for the budget is still unknown at this point, there may be some changes made. The next meeting is June 22nd.

Item #6

To consider and act upon a Resolution accepting the Suspense List for Tax Collection for the 2015-2016 fiscal year in the total amount of \$233,450.30 and authorizing the Tax Collector to place said accounts on suspense.

A resolution accepting the Suspense List for Tax Collection for the 2015-2016 fiscal year in the total amount of \$233,450.30 and authorizing the Tax Collector to place said accounts on suspense.

BE IT RESOLVED that the Town Council hereby accepts the Suspense List for Tax Collection for the 2015-2016 fiscal year in the total amount of \$233,450.30 as presented by the Tax Collector;

BE IT FURTHER RESOLVED that the Tax Collector is authorized to place said accounts on suspense according to the following:

2013 Motor Vehicle	\$188,312.05
2013 Supplemental Motor Vehicle	\$41,681.79
2014 Motor Vehicle	\$2,050.05
2014 Supplemental Motor Vehicle	\$186.30
2014 Personal Property	\$264.40
2013 Personal Property	\$205.12
2012 Personal Property	\$166.20
2011 Personal Property	\$206.44
2010 Personal Property	\$211.13
2009 Personal Property	\$166.82
Total FY 2015-2016	\$233,450.30

Councilman Santino makes a motion.

Councilman Ken McKay seconds the motion.

No public comment.

Council comment:

- Councilman Palladino says he knows it was explained once before, but these are put on suspension and what does that mean? What happens?
- Town Attorney Joseph Zullo explains that the Town of East Haven does about 95% of its delinquent tax collection in house either through the Tax Collector's Office or the Office of the Town Attorney. What happens with two types of taxes, motor vehicle and personal property, is that people can become particularly evasive in avoiding the taxes. It's not a house so there is not a physical asset to go after all the time. Sometimes people simply move away and forget they have a vehicle installment tax due. What happens is the Town will collect these taxes as much as possible, up to a certain point and then turn them over to a 3rd party collections agency that has greater resources to collect on our behalf. They run background checks, they have nationwide databases of information where they can track these people down and collect the taxes further. They take a small contracted fee to do that. Placing them on suspense means that the Town is suspending its collection efforts and is now transferring those efforts to a third party. The Town would essentially consider these taxes uncollectible with its resources.
- Councilman Palladino asks what the percentage is that we pay.
- Attorney Zullo says he would have to check with Lisa Basilicato. As a percentage of the total amount of taxes budgeted to collect, these are relatively small amounts. We don't always collect motor vehicle in excess of 80%-82% in a given year, but that is still very good compared to neighboring Towns who have to put the boots on the cars to get to 60%-70%. We generally do a good job with collections and this represents the minority.
- Councilman Richardson asks what the typical collection percentage is when it goes out to the collections agency. Is it 80%, is it 10%?
- Attorney Zullo says if you look at the budget services reports they have suspense collections as one of those line items. He believes it is budgeted in this year's budget for \$600,000 or \$500,000; it is actually a large chunk of the revenues. He could ask Lisa to give him that number and he can report on it at the next meeting. They have far greater resources, a lot of the companies have nationwide databases and can do background checks for much less cost than the Town can because they buy packages. It really is a good deal for us.
- Councilwoman Susan Archambault asks if these people want to pay, can they go to Town Hall to pay or they can't because it's with a collections agency.
- Attorney Zullo says once it is turned over to collections they are forwarded to the 3rd party collection company.

- Councilwoman Archambault says so they can't just pay what is due at Town Hall. So they have to go to the collections agency and pay the fee? Because they charge a fee.
- Attorney Zullo says that she is thinking about when it is turned over to a Marshal.
- Councilwoman Archambault says she knows a few people that said they got a letter and if they owed \$100 they now have a bill for \$600. She can get the bill from them, the agency was in New Jersey and they were asking for \$500-\$600 for a bill that was only \$100-\$200.
- Attorney Zullo says if she wouldn't mind he would like to see the bill and he would be happy to look at it.
- Councilman Santino asks why this collection agency is in Town when they didn't even pass this yet.
- Attorney Zullo says this is approved every year. They might have other accounts that were turned over in previous years.
- Councilwoman Archambault says it is only one account they have.
- Attorney Zullo says he would venture to say that this taxpayer probably has other accounts from the past, he wouldn't know unless he sees the bill. They only turn them over once they are approved by the Board of Finance and the Town Council.

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

Item #7

To consider and act upon a Resolution, pursuant to C.G.S. Sec. 12-195h, approving the assignment of tax liens encumbering 20 Caroline Road and authorizing Mayor Joseph Maturo, Jr., or his designee, to sign any and all documents, including but not limited to an "Assignment of Municipal Tax Liens," in order to effectuate the same.

A Resolution, pursuant to C.G.S. Sec. 12-195h, approving the assignment of tax liens encumbering 20 Caroline Road and authorizing Mayor Joseph Maturo, Jr., or his designee, to sign any and all documents, including but not limited to an "Assignment of Municipal Tax Liens," in order to effectuate the same.

WHEREAS, a substantial number of tax liens and a significant tax indebtedness presently encumber the property known as 20 Caroline Road (MBLU 020 0010 003);

AND WHEREAS, the Town, pursuant to C.G.S. Sec. 12-195h, deems it appropriate to assign said liens and the rights to the same to Caroline Road Associates, LLC;

NOW THEREFORE, BE IT RESOLVED that pursuant to C.G.S. Sec. 12-195h, the assignment of municipal tax liens encumbering 20 Caroline Road (MBLU 020 0010 003) for the grand list years 2009 through 2014 inclusively is hereby approved;

BE IT FURTHER RESOLVED that Mayor Joseph Maturo, Jr., or his designee, is authorized to enter into an agreement with Caroline Road Associates, LLC to complete such an assignment and to execute all documents deemed necessary to effectuate said assignment.

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

Councilman Santino makes a motion.

Councilman Spaduzzi seconds the motion.

Public comment:

- Terrance Martowski-123 William Street, East Haven, CT- Mr. Martowski asks if someone can explain what this is.

Council comment:

- Chairman Sand says there are several parts to this. He will ask Attorney Zullo to go through it because it is in numerous parts. The bottom line is that the property has fallen in arrears with taxes going back to 2009 to current and in order to collect those taxes, the Town has a procedure to make it happen. This is the beginning of it. He asks Attorney Zullo to explain it in greater detail.
- Attorney Zullo explains that the Town has multiple ways to collect taxes. Obviously there are foreclosure proceedings, where we could start to foreclose on a property that has delinquent taxes. If successful we would obtain a judgment where we would either get the property by strict foreclosure or by sale. If it is by strict we get the property and if it is by sale we get the proceeds from the sale to satisfy the tax liens. Occasionally there are properties where it is not worth the Town bringing it through the foreclosure process or that it is very difficult for the Town to bring it through the foreclosure process. A good example is recently they passed a similar tax lien sale resolution because the Town did not want to foreclose on a large piece of property that has environmental issues. It was not a good idea for the Town to incur potential liability of becoming owner of an environmentally contaminated piece of property. So, rather than do that the Town sold the tax liens. What happens when you sell the tax liens is that you are essentially selling your right to foreclose on the property to someone else for the value of the taxes. You don't lose anything necessarily because you are getting the tax revenue and it is becoming easier to get that revenue because you are not going through the foreclosure process, receiving the judgment, having to hire someone to conduct the foreclosure sale. In this case, we are doing the same thing. There is a property on Caroline Road owned by two owners and there have been multiple bankruptcy filings, which have frustrated the Town's efforts to

proceed to get a judgment for foreclosure. When someone files for bankruptcy they benefit from the automatic stay provisions of the United States Bankruptcy code; this is an injunction that stops anybody from pursuing foreclosure action against anyone that has filed for bankruptcy. In this case, the owners of the property have used bankruptcy protection multiple times to frustrate the Town's efforts to take the property. Obviously that causes our foreclosure Counsel to incur more fees and frustrates the efforts to collect the taxes, which are very valuable to us at this point. So rather than continue to do that, the Town has identified an entity that is willing to buy those liens, this owner is willing to buy the liens for the full value of the liens, so we are not compromising in any way. All we are essentially doing is getting that money more quickly without having to do so ourselves and without the risk of being frustrated in the future by other efforts to file bankruptcy. All fees incurred by the Town and the Town's foreclosure Counsel will be paid by the purchaser of the liens so the Town does not incur any of those fees and his time is part of his retainer so it is unbilled so there are no additional fees in that regard.

- Councilman Richard Anania says with all our power as a Town and with all the money spent for the attorneys, we cannot foreclose and get any money out of this because these people are filing bankruptcy. Why would a person buy these liens if we can't get the money, why would a person want to buy the liens? What is in it for this person? They are dishing out money to buy liens and they are going to be stuck with it for how long, why would anybody want to do that? Unless they have an interest in it.
- Attorney Zullo says some people feel that the owners of the property have exhausted their ability to file for bankruptcy so there is a lessened risk. Even if they can no longer file bankruptcy and we could get a judgment, we are still going to have to wait for a strict foreclosure and approvals. They might be willing to hazard that risk because they are buying it now and it is an 18% investment for them, the day they get them they will earn 18% on that money. So they might just see it as a good investment with is better than any savings bond or stock company in the short term. He knows there is a story/family history behind the property but that doesn't particularly concern the Town, the Town just needs to ask itself if it is getting the full fair market value of the liens which they absolutely are they are not compromising one cent. Are we avoiding any potential to have our future collection efforts frustrated? Yes we are definitely avoiding that. As of May 1st we have collected all but \$90,000 of the delinquent tax allocation for this current fiscal year. That is impressive, but believe it or not this is the first fiscal year that they haven't exceeded the collection ratio as of this date and the reason they have not exceeded it yet this year is because they have gotten all the ones they can and now they are going after the harder properties, they are now getting

more creative as to how they collect those monies. They are going to be able to get \$50,000 of the \$90,000 in one shot before June 30th which will be a big help in closing out this fiscal year as long as the board approves this. It certainly comes with his recommendation.

- Councilman Palladino reads the document and it says Stephen Falcigno, Managing Member of Caroline Road Associates, LLC. This is the company that wants to buy the liens? Do they own other property there, is that why they are trying to do this?
- Attorney Zullo says he believes they own another property, he thinks it is the one next door which might be the entity's interest in buying it as far as uniting the properties and creating a buildable lot. It is beachfront property; certainly very valuable as is, combined with another lot it may be even more valuable.
- Councilman Palladino asks if this LLC is in East Haven.
- Attorney Zullo says he believes it is Woodbridge, he went to the Secretary of the State's website and printed it out.
- Councilman Santino asks the value of the property.
- Attorney Zullo says he believes approximately \$200,000 and there is no house on it, just waterfront property. He doesn't believe there are any zoning approvals for it though. If the Town were to retain its right and continue to a sale, he doesn't know what it would sell for in a tax sale without any building permits or approvals.
- Councilman Santino asks what happens when these liens are sold, what happens with the new taxes?
- Attorney Zullo says they condition all of their sales on future taxes being paid. For example, if July 1st comes and then 30 days go by and August 1st comes and the taxes are not paid, the new liens are now prior right to the ones they just sold which means the Town has every protection to go back and foreclose. Even if there is this new purchaser of these liens, they are going to protect their interest by paying the taxes.
- Chairman Sand adds that there are additional resolutions that are coming that pertain to this, so this is the first one.
- Councilman Richarson says it indicates that the lot sold in 2005 for \$14,000.
- Attorney Zullo says there was a reval for the grand list year 2011; during that reval the assessor's office or quality data services may have reevaluated it as a buildable lot. If it is worth \$14,000 truly, this is one of the best deals they can get because if it went into a foreclosure sale they wouldn't even come near the amount owed.

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

Chairman Sand explains that there was an item in the packet, which was a letter from the Attorney which explained all of the other proceedings that are going to follow.

Item #8

To consider and act upon a Resolution Waiving the Town Charter's Competitive Bidding Requirements in Connection with the assignment of Municipal Tax Liens Encumbering and Affecting 20 Caroline Road.

A Resolution Waiving the Town Charter's Competitive Bidding Requirements in Connection with the assignment of Municipal Tax Liens Encumbering and Affecting 20 Caroline Road

WHEREAS, the Town of East Haven is the present owner of municipal real estate tax liens, for the grand list years 2009 to 2014 inclusively, and encumbering and affecting the real property known as 20 Caroline Road and identified by the following Map/Block/Lot Number: 020/0010/003

AND WHEREAS, the Town wishes to assign said tax liens to Caroline Road Associates, LLC;

AND WHEREAS, Chapter 6, Section 4(C) of the East Haven Town Charter provides that the sale of certain assets by the Town shall be by competitive bidding;

AND WHEREAS, the Town, based on a variety of unique circumstances, believes that effectuating the assignment outside of the competitive bidding process will fetch the highest price for the liens which the Town wishes to assign;

AND WHEREAS, the Finance Director recommends that the Council waive the competitive bidding requirement to effectuate said assignment;

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 any competitive bidding requirements associated with the Town's proposed assignment of municipal tax liens encumbering and affecting 20 Caroline Road are hereby waived;

BE IT FURTHER RESOLVED that this bid waiver shall expire on November 1, 2016.

Councilman Santino makes a motion.

Councilman Spaduzzi seconds the motion.

No public comment.

No Council comment.

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:

USB Leasing Lt
1850 Osborn Ave
Oshkosh WI 54903

Acct./List: 2014-03-0071647 E/S 28163
Reason: Vehicle Total Loss 6/17/12

TOTAL \$692.84

A Resolution to provide a tax refund of \$692.842 to USB Leasing Lt

WHEREAS, C.G.S. Section 12-129 provides that a local board of selectmen, or its equivalent, may, upon recommendation and certification of the Tax Collector, issue a refund for tax overpayments;

AND, WHEREAS, the following entity or person has requested a refund for the following overpayment:

USB Leasing Lt
1850 Osborn Ave
Oshkosh WI 54903

Acct./List: 2014-03-0071647 E/S 28163
Reason: Vehicle Total Loss 6/17/12

TOTAL \$692.84

AND, WHEREAS, the Tax Collector, via backup paperwork submitted to this Council, has recommended and certified the accuracy of this refund;

NOW, THEREFORE, BE IT RESOLVED that said refund is approved and the tax collector is authorized to effectuate said refund.

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

Councilman Santino makes a motion.

Councilman Mckay seconds the motion.

No public comment.

Council comment

- Chairman Sand states that this is standard procedure that they have done with the Tax Office numerous times. They are presented with the documentation in the packet and it substantiates the fact that payment was made and why it is being refunded.

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 the East Haven Public Schools to extend an existing Lease Agreement with Apple, Inc. and Wells Fargo Vendor Financial Services, LLC to fund technology projects for FY 2016-2017." The public hearing shall take place on July 12, 2016, at 7:00PM, at the East Haven Senior Center, 91 Taylor Avenue, East Haven, Connecticut.

An Ordinance Authorizing the East Haven Public Schools to extend an existing Lease Agreement with Apple, Inc. and Wells Fargo Vendor Financial Services, LLC to fund technology projects for FY 2016-2017 and waiving any bidding requirements associated therewith.

WHEREAS, the East Haven Board of Education and the Town of East Haven are parties to an existing Lease Agreement with Apple, Inc. and Wells Fargo Vendor Financial Services, LLC for computer technology;

AND WHEREAS, the East Haven Board of Education and the Town of East Haven wish to amend the current lease to provide for the leasing of new computer technology for an additional year through FY 2018-2019 for the Board of Education at a cost of \$262,000.00, net of applicable taxes;

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

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

NOW THEREFORE, be it **ORDAINED** by the Town Council of the Town of East Haven that the Town of East Haven and the Board of Education, acting by their duly authorized agents, are authorized to amend and extend an existing Lease Agreement with Apple, Inc. and Wells Fargo Vendor Financial Services, LLC to fund technology projects for FY

2016-2017 and to obligate the Town and Board of Education for the payment of \$262,000.00 (net of applicable taxes) in furtherance of this extension; and

BE IT FURTHER ORDAINED, that any bidding requirements associated with said transaction are hereby waived.

This Ordinance shall be 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: Stacy Gravino, Town Clerk Date: _____

Councilman Palladino makes a motion.

Councilman Richardson seconds the motion.

No public comment.

Council comment.

- Chairman Sand states that this stating that all they are doing is setting a hearing date, so any discussion in relation to this would be held at that time. In addition, all of the backup information for the contract is attached; this will not be repeated next month. So if you have questions, bring the document next month.

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

Item #11

To consider and act upon a Resolution Appointing Vincent Lettieri to the Zoning Board of Appeals as an Alternate Member.

A Resolution Appointing Vincent Lettieri to the Zoning Board of Appeals as an Alternate Member

WHEREAS, a vacancy exists on the Zoning Board of Appeals (Alternate Member);

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

NOW, THEREFORE, BE IT RESOLVED that pursuant to Section I, Item 7 of the Town Council Standing Rules, the Town Council hereby appoints Vincent Lettieri to the vacancy on the Zoning Board of Appeals (Alternate) for the unexpired term beginning February 1, 2015 and ending January 31, 2018.

Said appointment shall be effective in accordance with the East Haven Town Charter.

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

No public comment.
No Council comment.

- Attorney Zullo says he just wants to make sure the Council is aware, pursuant to the Charter that Vin Lettieri is his second cousin by marriage on his mother's side. There is no financial interest to him but rather to be safe than sorry he wanted to disclose that.

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

Item #12

To consider and act upon a Resolution Appointing Robert Cubellotti to the Board of Assessment Appeals as an Alternate Member.

A Resolution Appointing Robert Cubellotti to the Board of Assessment Appeals as an Alternate Member

WHEREAS, a vacancy exists on the Board of Assessment Appeals (Alternate Member);

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

NOW, THEREFORE, BE IT RESOLVED that pursuant to Section I, Item 7 of the Town Council Standing Rules, the Town Council hereby appoints Robert Cubellotti to the vacancy on the Board of Assessment Appeals (Alternate) for the unexpired term beginning February 1, 2014 and ending January 31, 2017.

Said appointment shall be effective in accordance with the East Haven Town Charter.

Councilman McKay makes a motion.
Councilman Spaduzzi seconds the motion.

No public comment.
Council comment:

- Councilman Palladino asks if this is Sr. or Jr.
- Chairman Sand clarifies this is Robert, his son is Craig.

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

Item #13

To consider and act upon a Resolution Appointing Oni Sioson to the Americans with Disabilities Act Commission.

A Resolution Appointing Oni Sioson to the Americans with Disabilities Act Commission

WHEREAS, a vacancy exists on the Americans with Disabilities Act Commission;

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

NOW, THEREFORE, BE IT RESOLVED that pursuant to Section I, Item 7 of the Town Council Standing Rules, the Town Council hereby appoints Oni Sioson to the vacancy on the Americans with Disabilities Act Commission for an indefinite term.

Said appointment shall be effective in accordance with the East Haven Town Charter.

Councilman makes a motion.

Councilman seconds the motion.

No public comment.

Council comment:

- Chairman Sand says he did go around and ask everyone, but he missed Linda, about not having the resume and asking if it was okay and if everyone felt comfortable without the resume being attached.

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

Item #14

To consider and act upon a Resolution Appointing Dan McCann to the Old Cemetery Board.

A Resolution Appointing Dan McCann to the Old Cemetery Board

WHEREAS, a vacancy exists on the Old Cemetery Board;

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

NOW, THEREFORE, BE IT RESOLVED that pursuant to Section I, Item 7 of the Town Council Standing Rules, the Town Council hereby appoints Dan McCann to the vacancy on the Old Cemetery Board for the unexpired term beginning February 1, 2015 and ending January 31, 2018.

Said appointment shall be effective in accordance with the East Haven Town Charter.

Councilman Santino makes a motion.

Councilman Mckay seconds the motion.

No public comment.

Council comment:

- Councilwoman Linda Hennessey asks what the Old Cemetery Board does.
- Chairman Sand explains that they have the Cemetery on River Road; they do the caretaking in terms of the tombstones and the grass maintenance. There have been vandalism issues with the Cemetery so they have to repair stones.
- Councilman Mckay says they take care of the grass cutting, they do it privately, they do a lot and it is a historical part of East Haven.
- Councilman Richardson asks if it is all funded privately.
- Councilman Parente says they get a stipend.

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

- Chairman Sand says he asked Councilman Richardson to add item 14A to the Agenda.

Councilman Richardson makes a motion to add Agenda Item #14A to the agenda to allow Mr. Anastasio to make a brief comment to the Council.

Councilman Santino seconds the motion.

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

Councilman Mckay clarifies that there will be no action on this.

Chairman Sand says that is correct, Mr. Anastasio just asked to make a statement.

Item #14A

- Louis Anastasio addresses the Council and indicates that he is there to correct some misinformation presented to the Town Council concerning East Haven Aquatics leading to the Council denying the stipend to East Haven Aquatics. He mentions false statements lead to the destruction of the East Haven Aquatics program. The reason for ending funding was based upon some kind of

reasoning that East Haven Aquatics is an LLC, so it must be for profit and all others are non-profits so they must be OK and East Haven aquatics is not. That is the reasoning the Council is relying on and it is pure nonsense. He says East Haven Aquatics is an LLC because his Counsel and Accountant recognized that the Town does not provide insurance or liability protection and recommended that he formed an LLC. That is the only reason. He requested Town records under the Freedom of Information Act to determine the tax status of all stipend programs. Attorney Zullo stated through Jim Keeley that the Town would not be able to produce the information and it was not clear if all/some/none of the stipend recipients are registered as non-profit organizations. Those Council members that voted to deny the East Haven Aquatics stipend voted based on two false and misleading presentations, maybe the vote was right based on that. But East Haven Aquatics as an LLC being intended to make a profit is false; it was formed for liability protection. That all other stipend recipients are non-profit is false- the Town cannot produce records of their tax status. East Haven Aquatics has a contract with the Town signed by Mayor Maturo to provide instructional swim lessons and there are some requirements. They are required to put money into a special pool account that has spent money to repair the pool furnace, purchased safety equipment, purchased lane lines and saved the Town thousands of dollars by having a butterfly valve repaired for \$750 instead of \$4,000. He thinks Mr. Parente can testify to that because he was there during the repair. The contract also requires financial transparency; Recreation Director must and does review the tax returns of East Haven Aquatics annually. East Haven Aquatics is the only stipend program that contributes money to the Town and has their tax return reviewed by the Recreation Director. Council members stated that a \$150 fee should be charged to East Haven Aquatics. That statement is misleading as the rental fee is for birthday parties. It is the policy of the recreation director that programs that use recreational facilities and provide a service to the Town i.e. basketball, football, softball, track and swimming pay no rental fee for facility use. The only exception is the use of the ice rink, he doesn't know why. Volunteerism, as Director of East Haven Aquatics he volunteers his time, as Director for the pool during the Luzzi Administration he denied the \$100/week payment for his services and volunteers his time to this day. East Haven Aquatics has no assets; there are other stipend programs that have \$30,000-\$200,000 in assets. They go from month to month; the president of East Haven Aquatics has \$176 in his checking account. East Haven Aquatics / East Haven Swim Club has existed for 4 decades and supervised two programs- an instructional program contracted by the Town and a competitive program formerly supervised by the East Haven swim club. Both programs ran 12 months per year, had a paid staff of 6-9 coaches and instructors, serviced more residents

than any other programs, it is transparent concerning income which is annually reviewed by the recreation director, holds 12-14 registrations per year and transfers money to a special pool account. In summary, the information presented by some of the Council members directed at East Haven Aquatic was negative, misleading and false. The Council had the responsibility to receive information from an honorable person of East Haven Aquatics and he was never contacted. There is no reason to deny East Haven Aquatics the stipend, he has responded to all negative, derogatory, misleading and false information directed at East Haven Aquatics and the information is expandable and documented. East Haven Aquatics provides the best aquatics program in the State of Connecticut at the lowest possible cost. The loss of the stipend will end a program that has been in existence almost 50 years and supported from Mayor Proto to Mayor Maturo. He is requesting that a Town Council member or anyone help him get this \$7,500 back. He doesn't know what the procedure will be, he believes they voted with the information so maybe the vote was correct but that is going to terminate a program he thinks is the best in the State of Connecticut at the lowest possible cost. He thinks a mistake was made, he asks for help from Attorney Zullo or Sal, he can't come up with the money out of his pocket, and it would double the cost to residents. He needs some help to try and correct what was done taking their stipend away. He will follow any ideas anyone has.

- Chairman Sand thanks Mr. Anastasio for his comments and no action will be taken on it, it is mainly for the record. It will go to the Administration at Town Hall, he thinks himself that is where he needs to go next.

Item #15

Adjournment of Regular Meeting.


Councilman Mckay makes a motion.

Councilman Richardson seconds the motion.

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

Meeting is adjourned at 7:53PM

Respectfully Submitted,



Danelle Feeley, Clerk, East Haven Legislative Town Council