

Stacy Gravano, CTC
TOWN CLERK

EAST HAVEN TOWN COUNCIL
REGULAR MEETING MINUTES
TUESDAY, SEPTEMBER 3, 2019

The East Haven Town Council held a regular meeting Tuesday, September 3, 2019, at 7:00PM at the East Haven Senior Center, 91 Taylor Avenue, East Haven, CT 06512.

Chairman Ken Mckay calls the meeting to order at 7:49PM.
He asks all to stand for the pledge of allegiance.

Item #1

Roll Call- 14 present – 1 absent (Butler III).
A quorum is present.

Item #2

Approval of minutes from the August 6, 2019 Public Hearing.

Councilman Louis Pacelli makes a motion.
Councilman Joseph Badamo seconds the motion.
Voice vote: all in favor-none oppose-none abstain. Motion carries.

Item #3

Approval of minutes from the August 6, 2019 Regular Meeting.

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

Item #4

No Correspondence.

Item #5

Subcommittee Reports:

- a. Subcommittee on Education, Library, and School Building;
(*Robert Parente, Lou Pacelli, Linda Hennessey*)
 - Councilman Robert Parente indicates school is open and all is going well.
- b. Subcommittee on Public Safety, Health, & Welfare;
(*"BIG" Steve Tracey, Rich Anania, Joe Santino*)

- Councilman Nicholas Palladino asks about the issue with regard to Town Hall and the roof leak/asbestos/mold.
- Chairman Ken Mckay says he will find out and get back to him.
- c. Subcommittee on Finance; **no report**
(*Judy Sittnick, Joseph Badamo, Joseph Carfora*)
- d. Subcommittee on Public Services, Parks, & Recreation;
(*Robert Parente, Joseph Deko, Lori Jaffe*)
 - Councilman Robert Parente says the beach is closed; it was a good season.
- e. Subcommittee on Urban Renewal/Housing; **no report**
(*Richard Anania, Henry Butler, III, Joseph Deko*)
- f. Temporary Subcommittee on Community Group Stipends.
(*"BIG" Steve Tracey, Nick Palladino, Robert Parente*)
 - Councilman Nicholas Palladino says all the stipends are done.

Item #6

To consider and act upon "An Ordinance Amending E.H. Code Sec. 18-8, entitled "Tax abatement for volunteer firefighters."

AUTHORIZING ORDINANCE OF THE East Haven Town Council

An Ordinance Amending E.H. Code Sec. 18-8, entitled "Tax abatement for volunteer firefighters"

BE IT ORDAINED that subsection (a) of E.H. Code 18-8 is repealed and replaced with the following:

"(a) Each volunteer firefighter and each emergency medical technician of the East Haven Volunteer Fire Companies, who meets the service criteria set forth in subsection (b) of this section, shall receive an abatement of any real and/or motor vehicle property taxes owed to the town by such firefighter or emergency medical technician in an amount equal to the lesser of the total amount of real and/or motor vehicle property taxes owed to the town for such fiscal year, or:

- (i) The sum of one thousand five-hundred dollars (\$1,500.00) for any real and/or motor vehicle property taxes due and payable for the period commencing July 1, 2019, and ending June 30, 2021;
- (ii) The sum of two thousand dollars (\$2,000.00) for any real and/or motor vehicle property taxes due and payable on and after July 1, 2021

Whereas, in consideration of the services provided by volunteer firefighters with less than one thousand-five hundred dollars (\$1,500.00) in property taxes due at the time of the abatement for taxes due and payable between July 1, 2019 and ending June 30, 2021 or less than two-thousand dollars (\$2,000.00) for taxes due and payable on or after July 1, 2021, the balance of funds shall be paid by the town in check form to equal the amount of benefit received by volunteer firefighters with tax bills of one thousand

five-hundred dollars (\$1,500.00) or two-thousand dollars (\$2,000.00) or more, respectively depending on the due date."

BE IT FURTHER ORDAINED that 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 Joseph Deko makes a motion.
Councilman Nicholas Palladino seconds the motion.

No public comment.

Council comment:

- Chairman Ken Mckay says he has to abstain due to his affiliation with the volunteers and as a past career firefighter.

Roll call vote: 13 in favor- none oppose- 1 abstention (Mckay).
Motion carries.

Chairman Mckay thanks all of the men and women volunteers that are there tonight and the public who came out to show their support. The Council supports them. He was a volunteer for Company 3 for 59 years as well as a career firefighter.

Item #7

To consider and act upon "An Ordinance Accepting 'Letis Court' as a Town Road."

AUTHORIZING ORDINANCE OF THE East Haven Town Council

An Ordinance Accepting 'Letis Court' as a Town Road

BE IT ORDAINED that East Haven Legislative Town Council hereby accepts Letis Court as a public roadway within the Town of East Haven;

BE IT FURTHER ORDAINED that the Town Engineer is directed to add said roadway to the list of public roadways maintained in the office of the Town Clerk;

BE IT FURTHER ORDAINED that Mayor Joseph Maturo, Jr., or his designee, is authorized to execute any and all documents to effectuate the intent of this ordinance;

BE IT FURTHER ORDAINED that this ordinance shall be effective in accordance with the provisions of the East Haven Town Charter.

Submitted by:	Danelle Feeley, Council Clerk	Date: _____
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Approved by: Joseph Maturo, Jr., Mayor
 Received by: Stacy Gravino, Town Clerk

Date: _____
 Date: _____

Councilman Robert Parente makes a motion.
 Councilman Nicholas Palladino seconds the motion.

No public comment.

No Council comment.

Roll call vote: 13 in favor- none oppose- 1 abstention (Deko). Motion carries.

Item #8

To consider and act upon a Resolution Directing the Finance Director and Council Clerk to Request Proposals in Connection with Hiring Counsel to Advise on Charter Revision.

A Resolution Directing the Finance Director and Council Clerk to Request Proposals in Connection with Hiring Counsel to Advise on Charter Revision

BE IT RESOLVED that the Finance Director and Council Clerk are directed to request proposals from attorneys licensed in the State of Connecticut to advise the Town Council as it begins the process of charter revision;

BE IT FURTHER RESOLVED that all attorneys making proposals to the Town Council shall:

1. Be licensed to practice in the State of Connecticut;
2. Have no pending or past record of discipline;
3. Possess at least ten (10) years of experience, with at least five (5) in the area of municipal law; Attorneys with actual experience representing municipalities with regard to charter revision shall be given additional consideration.

BE IT FURTHER RESOLVED that attorneys submitting proposals may do so in the form of a "not to exceed" cost figure or may propose billing on an "hourly basis;"

BE IT FURTHER RESOLVED that the Council Clerk shall advertise for proposals within twenty (20) days of the passage of this resolution, shall require submissions within twenty-one (21) days of publication, and shall submit any responses to the Council thereafter.

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

Councilwoman Loria Jaffe makes a motion.
Councilman Big Steve Tracey seconds the motion.

No public comment.

Council comment:

- Chairman Ken Mckay says this is a charter revision that will go into effect; they are looking for Attorneys that can advise them on the process and procedures.
- Councilman Joseph Deko asks if the Council will be selecting the Attorneys that will be working on it. What is the process once the proposals go out? And what is the timeframe?
- Attorney Zullo says they are the clients; so they will evaluate the proposals and determine the time frame. They could recommend the Chairman form a subcommittee to compile the proposals and then present them to the full Council. It may be an unnecessary step because the bottom line is all of the proposals will go to all 15 members of the Council and the Council as a body will decide, whom, if anyone, to hire.
- Chairman Ken Mckay says it has been a long time since it was done; we'll go along and make it happen.
- Councilman Nicholas Palladino says he believes the last Attorney that did this has passed away.
- Attorney Zullo requests another technical amendment to item #2 where it reads "Have no pending or past record of discipline in the State of Connecticut" he asks that they amend the resolution to indicate "Have no pending or past record of discipline" because there could be a past record or pending matter in another State.

Councilman Richard Anania makes a motion to amend the resolution accordingly.
Councilman Big Steve Tracey seconds the motion.

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

Roll call to approve Item #8 with the amendment- all in favor- none oppose-none abstain. Motion carries.

Item #9

To consider and act upon a Resolution to provide a tax refund of \$1,198.04 to Bienestar Y Salud, LLC as follows:

A Resolution to provide a tax refund of \$1,198.04 to Bienestar Y Salud, LLC

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:

Bienestar Y Salud, LLC
 46 William Street
 West Haven, CT 06516

Reason : Taxpayer did not know where he was living during these years. As a result, our assessor removed the bills and sent them to New Haven.

Acct./List: 2015-03-0051755
Amount: \$250.30

Acct./List: 2015-03-005177
Amount: \$159.04

Acct./List: 2015-04-0080401
Amount: \$225.72

Acct./List: 2015-04-0080402
Amount: \$101.11

Acct./List: 2016-03-0051975
Amount: \$228.12

Acct./List: 2017-03-0052025
Amount: \$143.05

Acct./List: 2017-04-0080408
Amount: \$90.70

TOTAL: \$1,198.04

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 Robert Parente makes a motion.

Councilman Joseph Santino seconds the motion.

Public comment:

- Lorena Venegas-73 George Street, East Haven- Ms. Venegas indicates she is there as a resident of East Haven using her Spanish speaking skills to help interpret the discussion and to answer any questions.

Council comment:

- Chairman Ken Mckay asks if he is going to explain this, where he was living at the time.
- Ms. Venegas says that he was living in New Haven as of 2015. He went to the DMV and changed all of his records in 2015.
- Councilman Joseph Deko asks if this is for business property taxes. Where was the business registered?
- Ms. Venegas says yes, they are registered for business and the business was originally started in East Haven.
- Councilman Joseph Deko says he went on the Secretary of the States website CONCORD and pulled the business up. He found that from 2014-2019 the business was registered at 454 Main Street in East Haven, CT. He feels if this is a property tax for the business, the business is registered on Main Street in East Haven so the taxes are due to East Haven, not where he was living at the time.
- Ms. Venegas states that all of the bills were sent to the New Haven Tax Office and they told him he had to pay them there in East Haven. His car was towed to New Haven.
- Councilman Joseph Deko says but the business was registered in East Haven, and he did pay the taxes in East Haven.
- Ms. Venegas says the business was originally registered in East Haven and the taxes were paid in East Haven.
- Councilman Joseph Deko says correct, so he owes us the taxes but he wants the money back because he wasn't sure where he was living. It doesn't have to do with where he was living; it has to do with where his business was registered.
- Ms. Venegas says New Haven did receive paperwork from the DMV so he also paid New Haven \$2,600. He requests that he can submit proof that he did

change his address. He has a person that he works with in his business that completes everything for him online. It may be an issue with New Haven.

- Attorney Zullo says with motor vehicles the way they are taxed is based on origination and return methodology. If a car originates more than a percentage of time from one point and returns more than a certain percentage to that same point it is taxed in that jurisdiction. That's why you can't register a car in NY, Vermont, or somewhere else and get lower taxes because if we catch it originating and returning here more than a certain percentage of the time we tax it. He would guess that Mike Milici found out that the car was originating in New Haven or West Haven more than here so he probably adjusted the assessment because of that. If that is confirmed, in all likelihood the gentleman is probably due a refund. It wouldn't necessarily matter where the business is located. This may not be an issue of the tax collector it may be an issue of getting confirmation from the assessor.
- Councilman Joseph Carfora says the terminology is where the house is garaged is where it is taxed.
- Attorney Zullo recommends them tabling it so they can get confirmation from Mike Milici and that would be the determining factor.

Councilman Joseph Deko makes a motion to table Item #9.

Councilman Louis Pacelli seconds the motion.

- Councilwoman Loria Jaffe asks if these are car taxes. Property taxes? Business taxes?
- Attorney Zullo says he will request on behalf of the Council that information from Mike Milici. He will request a copy of the personal property declaration. This isn't like most of the routine refunds they have gotten so they will get that and have a full picture.

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

Item #10

A Resolution setting a Public Hearing date and time to discuss "AN ORDINANCE MAKING APPROPRIATIONS FOR VARIOUS PUBLIC IMPROVEMENTS AGGREGATING \$4,755,000.00 FOR THE 2019-2020 CAPITAL BUDGET AND AUTHORIZING THE ISSUANCE OF \$4,755,000.00 BONDS OF THE TOWN TO MEET SAID APPROPRIATIONS AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE."

BE IT RESOLVED that, pursuant to Chapter 3, Section 6 of the Town Charter and Section A, Item 3 of the Town Council Standing Rules, a public hearing shall take place

on Tuesday, October 1, 2019, at 7:00PM, at the East Haven Senior Center, 91 Taylor Avenue, East Haven, Connecticut to discuss "AN ORDINANCE MAKING APPROPRIATIONS FOR VARIOUS PUBLIC IMPROVEMENTS AGGREGATING \$4,755,000.00 FOR THE 2019-2020 CAPITAL BUDGET AND AUTHORIZING THE ISSUANCE OF \$4,755,000.00 BONDS OF THE TOWN TO MEET SAID APPROPRIATIONS AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE."

BE IT FURTHER RESOLVED that the council clerk and Town Attorney are charged to effectuate notice of said public hearing in accordance with the Town Charter and the Standing Rules.

Councilman Robert Parente makes a motion.
Councilman Nicholas Palladino seconds the motion.
Roll call vote: all in favor-none oppose-none abstain. Motion carries.

Item #11

Adjournment of Regular Meeting.

Councilman Robert Parente makes a motion.
Councilman Big Steve Tracey seconds the motion.
Voice vote: all in favor-none oppose-none abstain. Motion carries.

Meeting is adjourned at 8:14PM.

Respectfully Submitted,

Danelle Feeley

Danelle Feeley, Clerk, East Haven Legislative Town Council