

**EAST HAVEN TOWN COUNCIL  
PUBLIC HEARING MINUTES  
TUESDAY, JUNE 5, 2018**

In accordance with Chapter III, Section 6 of the East Haven Town Charter, the East Haven Town Council Hearing Committee held a public hearing meeting Tuesday, June 5, 2018, at 7:00PM at the East Haven Senior Center, 91 Taylor Avenue, East Haven, CT 06512.

**RECEIVED FOR FILING  
JUN 07 2018  
TOWN CLERK'S OFFICE  
EAST HAVEN, CONN.**

Chairman Ken McKay calls the meeting to order at 7:00PM.

**Item #1**

*Stacy G. Quinn, CCA*  
TOWN CLERK

Roll Call for Hearing Committee-13 present- 2 absent (Deko and Anania).  
A quorum is present.

**Item #2**

To conduct Public Hearing #1 regarding "An Ordinance amending the 2017-2018 capital ordinance entitled, 'An Ordinance making appropriations for various public improvements aggregating \$2,520,000 for the 2017-2018 capital budget and authorizing the issuance of \$2,520,000 bonds of the town to meet said appropriations and pending the issuance thereof the making of temporary borrowings for such purpose.'"

***NOTE:** Reallocation Purpose - Substituting the purchase of an "ABI Force" machine instead of a "Sand Pro" machine for Public Works.*

**"An Ordinance amending the 2017-2018 capital ordinance entitled, 'An Ordinance making appropriations for various public improvements aggregating \$2,520,000 for the 2017-2018 capital budget and authorizing the issuance of \$2,520,000 bonds of the town to meet said appropriations and pending the issuance thereof the making of temporary borrowings for such purpose.'"**

***NOTE:** Reallocation Purpose - Substituting the purchase of an "ABI Force" machine instead of a "Sand Pro" machine for Public Works.*

**WHEREAS**, on October 3, 2017, the East Haven Legislative Town Council considered and approved the following ordinance:

"An Ordinance making appropriations for various public improvements aggregating \$2,520,000 for the 2017-2018 capital budget and authorizing the issuance of \$2,520,000 bonds of the town to meet said appropriations and pending the issuance thereof the making of temporary borrowings for such purpose;"

**AND WHEREAS**, said ordinance provided for the bonding of \$25,000.00 for a "New Sand Pro machine;"

**AND WHEREAS**, since the approval of said ordinance, the Public Works Department has determined that it is in the Town's best interest to purchase an "ABI Force" machine, due to its lower cost and better performance;

**NOW THEREFORE, BE IT ORDAINED** by the Town Council of the Town of East Haven that the aforementioned ordinance is hereby amended to provide for the purchase of an "ABI Force" or like-kind machine in place of a "SandPro Machine."

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

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

Date: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Date: \_\_\_\_\_

Public comment:

- Donna Richo-67 Charnes Drive, East Haven, CT- Ms. Richo asks what the difference is between the ABI Force and the SandPro in terms of cost.
- Chairman Ken McKay says the ABI Force is less expensive.
- Town Engineer/Director of Public Services Kevin White says the ABI Force is \$23,361 instead of \$25,000.

Council comment:

- Councilman Joseph Santino says they are in dire need of it.

**Item #3**

Adjournment of Public Hearing #1.

Councilman Joseph Santino makes a motion.

Councilman Louis Pacelli seconds the motion.

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

**Item #4**

To conduct Public Hearing #2 regarding an "Ordinance approving a transfer of \$37,120.35 for Legal Services (Appraisals)."

**AUTHORIZING ORDINANCE OF THE  
 East Haven Town Council**

**An Ordinance approving a transfer of 37,120.35 for Legal Services (Appraisals)**

**WHEREAS**, the Town Council of the Town of East Haven, upon recommendation of the Board of Finance, must approve transfers of monies in excess of \$50,000.00 in any given fiscal year;

**AND WHEREAS**, the Board of Finance, on April 23, 2018, approved and recommended the following transfer to the Town Council:

**Legal Services**

<b>To:</b>	<b>For:</b>	
01-113-0694	Other Contractual Services	\$37,120.35
<b>TOTAL</b>		<b>\$37,120.35</b>

**From:**

01-881-0950	Self Insurance	\$37,120.35
<b>TOTAL</b>		<b>\$37,120.35</b>

**Reason:** Transfer needed for additional expert appraisal fees.

**AND WHEREAS**, the total aggregate transfers into the "Other Contractual Services" line item will exceed \$50,000.00 dollars this fiscal year, inclusive of this transfer;

**NOW THEREFORE**, be it **ORDAINED** by the Town Council of the Town of East Haven that said transfer is approved.

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: _____

**Public comment:**

- Donna Richo, 67 Charnes Drive, East Haven, CT- Ms. Richo asks what purpose the appraisals were done for.
- Town Attorney Joseph Zullo says for assessment appeals.
- Ms. Richo asks how many there were.
- Attorney Zullo says Mr. Perelli's invoices are for mostly residential and there are at least 40 and the ones from Advanced Appraisals were all commercial properties.
- Ms. Richo asks if all 40 are for this current year or are they carryovers. Because she sits on the Board and didn't think they have 40 this year that went unresolved.
- Attorney Zullo says it was a reevaluation year and all commercial properties go. This isn't for this year only; they are cumulative.
- Ms. Richo asks how long they can go unresolved?

- Attorney Zullo says the one involving the old quarry on Russo Ave is still ongoing, they can drag out for years.
- Ms. Richo asks if they are paying taxes during this time.
- Attorney Zullo says most taxpayers pay the taxes so they don't accrue the interest.
- Ms. Richo asks if when they do the appraisals they are seeing them be resolved.
- Attorney Zullo says they only order the appraisals when it is necessary for pre-trial purposes and they have gotten great results from it.

#### **Item #5**

Adjournment of Public Hearing #2.

Councilman Joseph Santino makes a motion.

Councilman Louis Pacelli seconds the motion.

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

#### **Item #6**

To conduct Public Hearing #3 regarding "An Ordinance Approving and Authorizing the Conveyance of a Portion of 240 Commerce Street to Mellen Properties, LLC, or its designee."

### **AUTHORIZING ORDINANCE OF THE East Haven Town Council**

#### **An Ordinance Approving and Authorizing the Conveyance of a Portion of 240 Commerce Street to Mellen Properties, LLC, or its designee**

**WHEREAS**, the Town of East Haven is desirous of selling a .6024 acre parcel of land, which is a portion of the real property located at 240 Commerce Street in East Haven, Connecticut, better known by the following Map, Block, and Lot Number: "090/0911/001;"

**AND WHEREAS**, the Town's Planning and Zoning Commission, at its regular meeting on April 4, 2018, issued a favorable 8-24 referral in connection with the proposed the sale of the property;

**AND WHEREAS**, the Town Council has approved, or will approve concurrently herewith, the waiver of the competitive bidding process in connection with the contemplated sale;

**AND WHEREAS**, the sale of this "sliver parcel" is necessary to correct a technical error in the original authorization issued by this Council on September 5, 2017 to sell a portion of property at 280 Proto Drive

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of East Haven that the conveyance of a .6024 acre parcel of land, which is a portion of the real

property located at 240 Commerce Street in East Haven, Connecticut to Mellen Properties, LLC, or its designee, is hereby approved;

**BE IT FURTHER ORDAINED**, that the sales price of the .6024 acre "sliver" parcel shall be considered incorporated into the previously approved sales price for 280 Proto Drive, such that the total sales price for both parcels shall be \$191,789.12 (One Hundred and Ninety-One Thousand Seven-Hundred and Eighty-Nine Dollars and Twelve Cents 12/100);

**BE IT FURTHER ORDAINED** that the Land Disposition Agreement memorializing said sale is hereby re-approved in the form substantially as presented to this Council, such that it shall be understood to incorporate the appropriate portions of both 280 Proto Drive and 240 Commerce Street;

**BE IT FURTHER ORDAINED** that Mayor Joseph Maturo, Jr., or his designee, is authorized to sign the aforementioned Land Disposition Agreement, to enter into any agreements, and to execute any and all related deeds and documents in order to effectuate the contemplated conveyance.

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: _____

- Sal Brancati-Director of Administration and Management- Mr. Brancati explains that they negotiated sale of the property at 280 Proto Drive to Town Fair Tire last year and he believes last September the Council approved the transfer of sale for the property. In completion of surveys and property description they realized there was a sliver parcel of .6024 acres that they found out was not included in the boundaries they transferred to Town Fair Tire. He shows them a small area for 193 parking spaces for tractor-trailers so they need to include the small sliver parcel in the sale transfer. This is an adjustment to the last September approval for transfer of sale to Town Fair Tire. This has gone to Planning and Zoning who approved the 8-24 referral and it is now for the Council's consideration this evening to include the sliver parcel in the total transfer of 280 Proto Drive; the small parcel is at 240 Commerce Street.

Council comment:

- Councilman Henry Butler III asks if they are paying any more money for it.
- Mr. Brancati says no because they thought when negotiating the sale that this was part of it already. So there is no additional cost, the sale price is \$191,789.12.
- Chairman Ken McKay says this property is wetlands right?
- Mr. Brancati says yes the majority of the property being transferred is wetlands. There are two small parcels that are like islands in the middle of the wetlands that were soil tested and proved not to be wetlands that they can use for parking. They are taking on the responsibility for any future developments they would go to the Dept. of Engineers and DEEP. In addition, as part of the negotiations in the sale of this property they obligated Town Fair Tire to move their tractor trailers to

this property within 2 years of the Council's approval of the transfer of the sale. They will add an additional 20,000 sq. ft. to the existing facility at their location now. This will also increase the grand list for the Town.

- Councilman Joseph Santino asks if they have any future plans for paving that area where they are going? Two companies have asked him now.
- Mr. Brancati says yes, the lower end of Proto Drive is uneven and there are a lot of potholes. He has talked to East Haven Builders weekly and Public Works has been back grading and leveling that end of Proto Drive. He is going to try to see if there are any capital funds available in this budget to pave that section. He is going to get the linear footage of that area to get a cost of paving the strip at the end of Proto Drive; if it is feasible they will try to pave it now but if not they will bring millings down which the businesses have been happy with.
- Councilman Joseph Santino asks if they have paid them already.
- Mr. Brancati says no, they needed this approval and then they will set a closing date. He adds that they sold and closed on 620 Coe Ave with Town Fair Tire.
- Councilwoman Loria Jaffe says she assumes this went before Inland/Wetlands for approval?
- Mr. Brancati says yes, they approved the site plan and if the Council approves it, they can set a closing date to transfer the rest of the property.
- Councilman Joseph Santino asks Town Engineer Kevin White if he is okay with this.
- Mr. White says yes, they had a couple conditions that they may have to come back for but right now they are okay.

#### **Item #7**

Adjournment of Public Hearing #3.

Councilman Joseph Santino makes a motion.

Councilman Nicholas Palladino seconds the motion.

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

#### **Item #8**

Hearing Committee report to the full Town Council and recommendation of action on Public Hearing #1.

Councilman Nicholas Palladino makes a motion.

Councilman Joseph Santino seconds the motion.

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

#### **Item #9**

Adjournment of Hearing Committee.

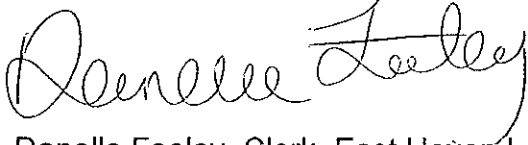
Councilman Joseph Santino makes a motion.

Councilman Henry Butler III seconds the motion.

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

Meeting is adjourned at 7:23PM.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Danelle Feeley". The signature is written in black ink and is positioned above the printed name.

Danelle Feeley, Clerk, East Haven Legislative Town Council

