

Stacy Gravano, CTC
TOWN CLERK

**EAST HAVEN TOWN COUNCIL
REGULAR MEETING MINUTES
TUESDAY, NOVEMBER 13, 2018**

The East Haven Town Council held a regular meeting Tuesday, November 13, 2018, 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 7:29PM and asks all to stand for the pledge of allegiance and a moment of silence for past and present veterans.

Item #1

Roll Call-12 present-3 absent (Santino, Badamo and Butler III).
A quorum is present.

Item #2

Approval of minutes from the October 2, 2018 Regular Meeting.

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

Item #3

Approval of minutes from the October 2, 2018 Public Hearing.

Councilman Louis Pacelli makes a motion.
Councilman Big Steve Tracey 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 says the football team is doing great.
 - Councilman Richard Anania says he was at one of the meetings and was taken back by because the Board of Education Finance Director announced that he found \$1.5 million dollars. The Board seemed taken back by it too because they evidently didn't know anything about it either. They are always coming to the Council looking for the money. Another thing brought up by member Tom Hennessey was whether or not they were writing checks with no money in the account and the answer was yes. He asks how do they write checks with no money in their accounts? They are not reconciling like they are supposed to and he doesn't understand it.
 - Chairman Ken McKay asks how they cannot have money in the account but still write checks. Unfortunately the Council has no control over it.
 - Councilman Robert Parente says they actually bounced checks.
 - Councilman Nicholas Palladino says he knows the last time the Superintendent was here he mentioned the districts that were adding retired police officers to the schools and Derby just did the same thing. They put armed police in the schools there and that is now another Town that will be safer than us because we don't have it.
 - Chairman Ken McKay asks him if he has ever gone to a Board of Education meeting and asked. Councilman Nicholas Palladino says no he has not but he did ask the Superintendent and he didn't get an answer.
 - Councilman Joseph Deko says if he recalls the last time it was brought up she said it was because of the cost of \$275,000 per year. If she asks for it he doesn't think anyone on the Council will say no to it.
 - Councilwoman Judy Sittnick says it was prefaced at that meeting that there is a lot of money that has to go into new doors and maybe they are spending the money for those safety issues first and then they will maybe have the money for the officers in the schools. Someone needs to find out where that money came from that he says he found \$1.5 million dollars.
 - Councilman Nicholas Palladino says he was on the board of education for two years and they ran the budget right and had surpluses.
- b. Subcommittee on Public Safety, Health, & Welfare; **no report**
("BIG" Steve Tracey, Rich Anania, Joe Santino)
- c. Subcommittee on Finance; **no report**
(Judy Sittnick, Joseph Badamo, Joseph Carfora)
- d. Subcommittee on Public Services, Parks, & Recreation; **no report**
(Robert Parente, Joseph Deko, Lori Jaffe)
- e. Subcommittee on Urban Renewal/Housing; **no report**
(Richard Anania, Henry Butler, III, Joseph Deko)
- f. Temporary Subcommittee on Community Group Stipends; **no report- they are done with all of the stipends.**
(Kenneth McKay, Nick Palladino)

Item #6

To consider and act upon an "Ordinance Conveying 3,787.3 square feet bordering Granniss Street (AKA Grannis Street) to JJ Russo & Son Construction, LLC."

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

**An Ordinance Conveying 3,787.3 square feet bordering Granniss Street (AKA
Grannis Street) to JJ Russo & Son Construction, LLC**

WHEREAS, the Town of East Haven is desirous of selling 3,787.3 square feet of real property bordering Granniss Street (AKA Grannis Street);

AND WHEREAS, the Town's Planning and Zoning Commission, at its regular meeting on September 5, 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 conveyance of the property is subject to the approval of the Town Council;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of East Haven that the conveyance of 3,787.3 square feet bordering Granniss Street (AKA Grannis Street) to JJ Russo & Son Construction, LLC is hereby approved for a sales price of \$1,000.00 (One Thousand Dollars and Zero Cents 00/100);

BE IT FURTHER ORDAINED that Mayor Joseph Maturo, Jr., or his designee, is authorized 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
 Approved by: Joseph Maturo, Jr., Mayor
 Received by: Stacy Gravino, Town Clerk
 Councilman Robert Parente makes a motion.
 Councilman Nicholas Palladino seconds the motion.

Date: _____
 Date: _____
 Date: _____

No public comment.

No Council comment.

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

Item #7

A Resolution Waiving the Town Charter's Competitive Bidding Requirements in Connection with the Sale of 3,787.3 square feet bordering Granniss Street (AKA Grannis Street) to JJ Russo & Son Construction, LLC.

A Resolution Waiving the Town Charter's Competitive Bidding Requirements in Connection with the Sale of 3,787.3 square feet bordering Granniss Street (AKA Grannis Street) to JJ Russo & Son Construction, LLC

WHEREAS, the Town of East Haven is the present owner of a "sliver parcel" real property bordering Granniss Street (AKA Grannis Street), said real property being within the former boundaries of Grannis Street prior to its reconfiguration;

AND WHEREAS, since the sliver parcel cannot be utilized for Town or municipal purposes, it would be in the Town's best interests to sell the property so as to put it back on the grand list;

AND WHEREAS, Chapter 6, Section 4(C) of the East Haven Town Charter provides that all sales of real property by the Town shall be by competitive bidding;

AND WHEREAS, the sale of this "sliver parcel" is will facilitate the development of an abutting lot and construction of a new single family home, which will in turn grow the grand list and increase tax revenue to the Town;

AND WHEREAS, the Finance Director recommends that the Council waive the competitive bidding requirements to allow the Town to effectuate said conveyance;

AND WHEREAS, the assessor has reviewed the land to be conveyed and is of the opinion that the potential selling price for the property is within the range of estimated values for the property;

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 conveyance of 3,787.3 square feet bordering Granniss Street (AKA Grannis Street) are hereby waived;

BE IT FURTHER RESOLVED that this bid waiver shall expire on June 30, 2019.

Councilman Robert Parente makes a motion.
Councilwoman Loria Jaffe 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 an "Ordinance Conveying 1.102 Acres +/- Comprising a Portion of 280 Proto Drive to KM Realty, LLC."

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

**An Ordinance Conveying 1.102 Acres +/- Comprising a Portion of
280 Proto Drive to KM Realty, LLC**

WHEREAS, the Town of East Haven is desirous of selling 1.102 Acres +/- , comprising a Portion of 280 Proto Drive in East Haven, Connecticut;

AND WHEREAS, the Town's Planning and Zoning Commission, at its regular meeting on September 5, 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 conveyance of the property is subject to the approval of the Town Council;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of East Haven that the conveyance of 1.102 Acres +/- , comprising a Portion of 280 Proto Drive to KM Realty, LLC is hereby approved for a sales price of \$30,000.00 (Thirty Thousand Dollars and Zero Cents 00/100);

BE IT FURTHER ORDAINED that Mayor Joseph Maturo, Jr., or his designee, is authorized 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: _____

Councilman Robert Parente makes a motion.

Councilman Louis Pacelli seconds the motion.

No public comment.

No Council comment.

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

Item #9

A Resolution Waiving the Town Charter's Competitive Bidding Requirements in Connection with the Sale of 1.102 Acres +/- Comprising a Portion of 280 Proto Drive to KM Realty, LLC.

A Resolution Waiving the Town Charter's Competitive Bidding Requirements in Connection with the Sale of 1.102 Acres +/- Comprising a Portion of 280 Proto Drive to KM Realty, LLC

WHEREAS, the Town of East Haven is the present owner of real property located at 280 Proto Drive, East Haven, Connecticut and identified by the following map, block, and lot number: "120/1412/001."

AND WHEREAS, over the past several years, the Town has systematically and strategically subdivided the useful portions of the property and sold said parcels to abutters for development;

AND WHEREAS, since the property cannot be utilized for Town or municipal purposes, it would be in the Town's best interests to sell the property so as to put it back on the grand list;

AND WHEREAS, Chapter 6, Section 4(C) of the East Haven Town Charter provides that all sales of real property by the Town shall be by competitive bidding;

AND WHEREAS, the Town is proposing to sell the parcel to an abutter to rectify a long-standing encroachment by the abutter and to facilitate the growth of the abutter's business;

AND WHEREAS, the Finance Director recommends that the Council waive the competitive bidding requirements to allow the Town to effectuate said conveyance;

AND WHEREAS, the assessor has reviewed the land to be conveyed and is of the opinion that the potential selling price for the property is within the range of estimated values for the property;

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 conveyance of 1.102 Acres +/- comprising a portion of 280 Proto Drive are hereby waived;

BE IT FURTHER RESOLVED that this bid waiver shall expire on June 30 2019;

Councilwoman Loria Jaffe makes a motion.
Councilman Louis Pacelli seconds the motion.

No public comment.

No Council comment.

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

Item #10

To consider and act upon an "Ordinance approving a transfer of \$234,594.00 for the Police Department" as follows:

AUTHORIZING ORDINANCE OF THE East Haven Town Council

An Ordinance approving a transfer of \$234,594.00 for the Police Department

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 September 19, 2018, approved and recommended the following transfer to the Town Council:

Police Department

To:

01-332-0110	Salaries	\$146,421.00
01-332-0130	Temp. Wages	\$265.00
01-332-0190	Overtime	\$87,908.00
TOTAL		\$234,594.00

From:

01-332-0132	Shift Differential	\$1,771.00
01-332-0350	Professional Dev.	\$1,465.00
01-332-0430	Oper. Equipment	\$2,084.00
01-332-0520	Office Supplies	\$878.00
01-332-0561	Vehicle Parts	\$7,244.00
01-332-0568	Food Supplies	\$1,209.00
01-332-0570	Maintenance Supplies	\$3,321.00
01-332-0575	Uniforms	\$19,455.00
01-332-0578	Medical Supplies	\$2,029.00
01-332-0592	Traffic Signs	\$4,531.00

01-332-0594	Safety Supplies	\$4,160.00
01-332-0615	Printing	\$2,510.00
01-332-0662	Vehicle Repair	\$7,964.00
01-332-0676	Waste Collection	\$1,003.00
01-332-0827	SCJAC	\$1,984.00
01-101-0610	Town Council	\$10,887.00
01-106-0110	Tax Wages	\$12,198.00
01-106-0668	Legal and Lawyer Fees	\$4,717.00
01-106-0687	Collection Fees	\$1,500.00
01-106-0695	Other Contractual	\$4,615.00
01-109-0110	Town Clerk Salaries	\$36,926.00
01-109-0111	Wages Adjustments	\$5,000.00
01-109-0350	Professional Dev.	\$1,250.00
01-109-0610	Advertising	\$2,463.00
01-109-0644	Equipment Rental	\$1,432.00
01-109-0657	Data Processing	\$9,518.00
01-110-0115	P/T Wages	\$19,795.00
01-110-0270	Telephone	\$2,000.00
01-110-0643	Postage	\$3,000.00
01-110-0658	Equipment Maint.	\$3,300.00
01-110-0675	School Custodian	\$3,758.00
01-110-0694	Other Contractual	\$1,270.00
01-885-0689	Contingency	\$49,357.00
TOTAL		\$234,594.00

Reason: To close out FY 2017-2018.

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: _____

Councilman Robert Parente makes a motion.
Councilman Joseph Deko seconds the motion.

Public comment:

- Donna Richo-67 Charnes Drive, East Haven, CT- Ms. Richo asks why the Chief is looking for this transfer. They are looking for a transfer of \$146,000 in regular salaries, which means they are paying salaries outside of the budgeted amount.
- Police Chief Ed Lennon says it is actually not that. This is going back prior to when their collective bargaining agreement was approved by the Town Council in July of last summer. The contract was approved after the budget was approved and most of this with the exception of about less than \$25,000 in overtime costs was to make up for the retro that was owed as well as FTO stipends and a few other stipends that were part of the collective bargaining agreement.
- Ms. Richo says so they negotiated a contract that put us in a position where we were spending more than our budget?
- Chief Lennon explains the contract was ratified after the budget was already approved. The retro's were paid going all the way back to 2012.
- Attorney Zullo says it was a very delayed contract due to a number of issues that came up during negotiations so they didn't know what it was going to be until it settled.
- Ms. Richo says so that is what the bulk of the costs are and her comment was that about \$70,000 is out of the department and the bulk is coming out of other town funds that have monies left over.
- Chief Lennon says no matter what, it was mostly to make up the difference from the retro, which goes back to 2012.
- Ms. Richo asks how long the contract is for.
- Chief Lennon says it expires on June 30, 2020. They are usually 3-5 year contracts.

Council comment:

- Councilman Louis Pacelli asks how many sworn budgeted positions there are.
- Chief Lennon says 53.
- Councilman Louis Pacelli asks if they are at full capacity?
- Chief Lennon says yes.
- Councilman Louis Pacelli says so a lot of the overtime is for injuries?
- Chief Lennon says yes, they were at a point when they were down 7 officers, some due to work related injuries and some due to other personal injuries outside of the department. He says they currently have 3 out on long-term department injury and someone else out for personal issues and one officer is on light duty. On paper, they are up to capacity.

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

Item #11

To consider and act upon an "Ordinance approving a transfer of \$88,340.00 for the Public Safety Dispatch Center" as follows:

AUTHORIZING ORDINANCE OF THE East Haven Town Council

An Ordinance approving a transfer of \$88,340.00 for the Public Safety Dispatch Center

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 September 19, 2018, approved and recommended the following transfer to the Town Council:

Public Safety Dispatch Center

To:

01-336-0115	Part-time wages	\$15,112.00
01-336-0190	Overtime	\$73,228.00
TOTAL		\$88,340.00

From:

01-336-0110	Regular Salaries	\$39,986.00
01-336-0160	Holiday Pay	\$5,963.00
01-336-0350	Professional Dev.	\$1,266.00
01-336-0615	Printing	\$2,968.00
01-336-0694	Other Contract. Svcs.	\$3,789.00
01-885-0689	Contingency	\$34,368.00
TOTAL		\$88,340.00

Reason: To close out FY 2017-2018.

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
Approved by: Joseph Maturo, Jr., Mayor
Received by: Stacy Gravino, Town Clerk

Date: _____
Date: _____
Date: _____

Councilman Robert Parente makes a motion.
Councilwoman Judy Esposito seconds the motion.

No public comment.

No Council comment.

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

Item #12

To consider and act upon a Resolution Approving a License Agreement between the Town of East Haven and Frank and Judith Butler regarding town property located at 825 Foxon Road and authorizing Mayor Joseph Maturo, Jr., or his Designee, to execute the same and all necessary, related documents.

Town of East Haven and Frank and Judith Butler regarding town property located at 825 Foxon Road and authorizing Mayor Joseph Maturo, Jr., or his Designee, to execute the same and all necessary, related documents

WHEREAS, The Town of East Haven (hereafter, "Licensor") is the owner of public property known as "825 Foxon Road "located in East Haven, Connecticut;

AND, WHEREAS, the Frank and Judith Butler (hereafter, "Licensee") are the owners of real property abutting 825 Foxon Road known as "31 Dora Drive;"

AND, WHEREAS, the Licensee's predecessors in title inadvertently constructed both fencing and part of the deck on the property such that both structures encroach upon the Town's property;

AND, WHEREAS, for insurance purposes, both the homeowners and the Town wish to enter into a license agreement to legally permit the encroachments on the condition that the homeowners insure them and indemnify the Town;

AND, WHEREAS, on September 5, 2018, the East Haven Planning and Zoning Commission issued a favorable 8-24 referral regarding the proposed License Agreement;

NOW, THEREFORE, BE IT RESOLVED that said License Agreement is hereby approved and Mayor Joseph Maturo, Jr., or his Designee, is authorized to execute the same and all necessary and related documents.

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

Councilman Louis Pacelli makes a motion.

Councilman Big Steve Tracey seconds the motion.

Public comment:

- Niki Whithead-9 Hilton Ave, East Haven CT- Ms. Whitehead explains that she thinks this item was tabled last month because she provided a copy of the deed to Attorney Zullo. This item is in regard to a piece of private property that has encroached on Town owned property and the idea is the Town would like to make it right by granting a license to the owners of the lot that has encroached. Her concern is to distinguish between town owned vacant land and town owned vacant space to the town via a subdivision approval. She references the deed that came into the Town in the 1970s when the subdivision was created and it's clear in the deed that this came to the Town as an open space parcel to be protected. She mentions that the deed indicates the conditions are to run with the land which means they are permanent and include some of the following which are that the premises shall be used solely and wholly for conservation purposes and open space, forever remain in its natural state, improvements allowed are removing hazardous trees and materials that are detrimental to the premises and considered a fire hazard, no building of any kind whether it be residential, commercial or educational other than a small maintenance shed shall ever be constructed on premises, tree trimming and maintenance should be done in keeping with the conservation, premises should not be used for automobile traffic except for emergencies. The intent is clear that it specifically is for conservation purposes and should forever remain in its natural state. She explains that the open space is 1.02 acres which is close to the minimum set aside and the encroachment is 34ft x 40ft which is almost 10% of the open space and this would be lost forever under the licensing agreement. Looking at this space in proportion to 31 Dora Drive, the lot that has encroached, the section they would be acquiring through this licensing agreement would be 2/3 of the size of their existing lot, which is a significant addition to the property that is encroaching. She explains there is a shed, deck and fenced in area on this land, which will be lost as open space as required in the deed. She indicates she believes Attorney Zullo is relying on CT State Statute 52-560A, which deals with enforcement against violations of open space land, it doesn't cover whether you should license land under these circumstances. She did the legislative research on the statute that passed between the CT House and Senate unanimously, the concerns expressed were with regard to the blue blazed trails not having authorization to cross over open space land and utility companies with regard to cutting down trees and their potential to be in violation of this enforcement statute. This statute is strong and you can secure restitution whether it is monies or restoration and you can get legal fees covered so it can be relied on for enforcement. It says no person can encroach or allows others to encroach with permission of the owners or other legal authorization so that is where it pertains to enabling licensing for someone to encroach but if you read the record, she thinks the intent is not to license encroachments but to prevent them. She doesn't think they should look at this statute for licensing; maybe it is used for the trail instances or utility company she mentioned. Her belief is the subdivision regulations which govern the set aside as open space bring the obligation to maintain this land and not agree to license it to a landowner that is encroaching. She adds that the planning and zoning commission was not aware of the provisions of this deed and this information when they sent the favorable approval of the 8-24. She believes this

license would be a breach within the covenants she read to them within the deed. She thinks there is a concern in the council packet with regard to liability because of the encroachment so there is a concern for the town not being liable so there is a provision for insurance to be carried by the owner of the lot. She thinks they can deal with these encroachments and take the town out of liability territory by requiring that the encroachments be removed, which are the shed, fence around the lot and addition onto the deck. To her knowledge, there is no provision for adverse possession against a municipality so there is something in the license that says the homeowner will never bring adverse possession against the Town and that is not something to bargain for they can't in any case do that. She asks that they bear in mind this is permanent and excludes any open space use for 1/10 of the land that was set-aside during the approval process of the subdivision. She says she advises against them contemplating this but if they do that they refer back to planning and zoning to re-do the 8-24 referral with a full understanding of it with regard to the deed restrictions in the subdivision approval.

- Ms. Richo asks about 1/10 of the lot that is set aside for open space at the end of Dora Drive, to date the use has been what?
- Councilman Robert Parente says zero use.
- Ms. Richo says the homeowner has a deck? And it has been there how long? A while. So her point is she doesn't necessarily like the lease idea, but transfer it over to the owner of the property and be done with it.
- Councilman Joseph Deko mentions a similar one they did on Rose Street.
- Attorney Zullo says that was abandonment, not open space. So he wants to explain a few things. This was taken off the agenda last month because the Town was unaware of the existence of a deed when it went to planning and zoning. That he agreed with Niki about but they disagree as to the affect of 560A section B; a statute which says no person may encroach upon another without permission which imply gives you the right to grant permission whether by license agreement, verbally, orally, etc. He does believe a municipality can utilize a license agreement to accomplish what they want to accomplish. He is waiting for a legal opinion from Attorney Al Zullo on the effect of the deed. Just because they have the right by statute to do something does not mean they can flout the covenants of the deed. He knew Niki had some relevant comments and concerns so he wanted it to stay on the Agenda since she spent a lot of time researching this and her comments are important and salient. He would ask that now that the comments were heard, they table the item until he gets the opinion from Al Zullo on the covenants of the deed. It would come back up on the December 4th agenda and he should have something by then to come back with

Councilman Robert Parente makes a motion to table item #12.

Councilwoman Loria Jaffe seconds the motion.

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

Councilman Joseph Deko makes a motion to waive the reading of items #13,14,15

Councilman Nicholas Palladino seconds the motion.

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

Item #13

To consider and act upon a Resolution to provide a tax refund of \$844.60 to Michael Gaetano as follows:

A Resolution to provide a tax refund of \$844.60 to Michael Gaetano

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:

Michael Gaetano
119 Rolling Ridge Road
Hamden, CT 06518

Acct/List: 2015-01-0004015

Reason: Overpayment

Amount: \$844.60

TOTAL: \$844.60

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 Nicholas Palladino makes a motion.

Councilman Louis Pacelli seconds the motion.

No public comment.

No Council comment.

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

Item #14

To consider and act upon a Resolution to provide a tax refund of \$2,900.87 to Linda Russo as follows:

A Resolution to provide a tax refund of \$2,968.71 to Cab East, 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:

Cab East LLC

Ford Credit Personal Property Tax
P.O. Box 67000, Dept. 231601
Detroit, MI 48267-2316

Acct/List: 2016-03-52854
Reason: Account adjustment
Amount: \$212.96

Acct/List: 2016-03-52835
Reason: Account adjustment
Amount: \$115.70

Acct/List: 2016-03-52888
Reason: Account adjustment
Amount: \$104.21

Acct/List: 2016-03-52806
Reason: Account adjustment
Amount: \$420.50

Acct/List: 2016-03-52890
Reason: Account adjustment
Amount: \$265.62

Acct/List: 2016-03-25878
Reason: Account adjustment
Amount: \$447.01

Acct/List: 2016-03-52874
Reason: Account adjustment
Amount: \$245.06

Acct/List: 2016-03-52817
Reason: Account adjustment
Amount: \$130.53

Acct/List: 2016-03-52889
Reason: Account adjustment
Amount: \$104.21

Acct/List: 2016-03-52850
Reason: Account adjustment
Amount: \$78.47

Acct/List: 2016-03-52897
Reason: Account adjustment
Amount: \$93.59

Acct/List: 2016-03-52803
Reason: Account adjustment
Amount: \$750.85

TOTAL: \$2,968.71

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 Nicholas Palladino makes a motion.
 Councilman Big Steve Tracey seconds the motion.

No public comment.

No Council comment.

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

Item #15

To consider and act upon a Resolution to provide a tax refund of \$844.60 to Karissa McLaurin as follows:

A Resolution to provide a tax refund of \$688.96 to Karissa McLaurin

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:

Karissa McLaurin
57 Lexington Gardens
North Haven, CT 06473

Acct/List: 2015-03-63455
Reason: Adjusted - Sent to N. Haven
Amount: \$219.58

Acct/List: 2014-03-63836
Reason: Adjusted - Sent to N. Haven
Amount: \$161.36

Acct/List: 2015-04-82765
Reason: Adjusted - Sent to N. Haven
Amount: \$308.02

TOTAL: \$688.96

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 Louis Pacelli makes a motion.
Councilwoman Judy Sittnick seconds the motion.

No public comment.

Council comment:

- Councilman Joseph Deko makes a comment to make sure that the minutes reflect the correct amount in the resolution.

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

Item #16

To consider and act upon a Resolution setting a public hearing date and time to discuss "An Ordinance Conveying the property located at 200 Tyler Street to 200 Tyler, LLC, or its Designee." The public hearing shall take place on December 4, 2018, 2018, at 7:00PM, at the East Haven Senior Center, 91 Taylor Avenue, East Haven, Connecticut.

A Resolution setting a public hearing date and time to discuss "An Ordinance Conveying the property located at 200 Tyler Street to 200 Tyler, LLC, or its Designee."

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 December 4, 2018, at 7:00PM, at the East Haven Senior Center, 91 Taylor Avenue, East Haven, Connecticut to discuss "An Ordinance Conveying the property located at 200 Tyler Street to 200 Tyler, LLC, or its Designee."

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.

No public comment.

No Council comment.

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

Item #17

To consider and act upon a Resolution setting the Regular Meeting Schedule of the Town Council from January 2019 to December 2019.

**A Resolution setting the Regular Meeting Schedule of the Town Council from
January 2019 to December 2019**

WHEREAS, C.G.S. Section 1-225 requires that the Town Council file with the Town Clerk, not later than January thirty-first of each year, its schedule of regular meetings for the ensuing year;

AND WHEREAS, pursuant to statute, no regular meeting of any such public agency shall be held sooner than thirty days after such schedule has been filed;

NOW, THEREFORE BE IT RESOLVED that the following shall be the dates for regular Town Council meetings, generally to be held on the first Tuesday of each month (except as denoted below) at 7:00PM at the East Haven Senior Center, 91 Taylor Avenue, East Haven, Connecticut, from January, 2019 through December, 2019:

January 8, 2019*
February 5, 2019
March 5, 2019
April 9, 2019
May 7, 2019
June 4, 2019
July 2, 2019
August 6, 2019
September 3, 2019
October 1, 2019
November 12, 2019*
December 3, 2019

**Denotes date not falling on the first Tuesday of a given month.*

Councilman Robert Parente 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 #18

To consider and act upon a Resolution setting the Regular Meeting Schedule of the Administrative Services Committee to the Town Council from January 2019 to December 2019.

**A Resolution setting the Regular Meeting Schedule of the Administrative Services
Committee to the Town Council from January 2019 to December 2019**

WHEREAS, C.G.S. Section 1-225 requires that the Administrative Services Committee to the Town Council file with the Town Clerk, not later than January thirty-first of each year, its schedule of regular meetings for the ensuing year;

AND WHEREAS, pursuant to statute, no regular meeting of any such public agency shall be held sooner than thirty days after such schedule has been filed;

NOW, THEREFORE BE IT RESOLVED that the following shall be the dates for regular Administrative Services meetings, generally to be held on the last Monday of each month (except as denoted below) at 6:00PM at the Mayor's Office, East Haven Town Hall, 250 Main Street, East Haven, Connecticut, from January, 2019 through December, 2019:

January 28, 2019
 February 25, 2019
 March 25, 2019
 April 29, 2019
 May 23, 2019*
 June 24, 2019
 July 29, 2019
 August 26, 2019
 September 30, 2019
 October 28, 2019
 November 25, 2019
 December 23, 2019

**Denotes date not falling on the last Monday of a given month.*

Councilman Robert Parente makes a motion.
 Councilman Louis Pacelli seconds the motion.

No public comment.

No Council comment.

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

Councilman Joseph Deko makes a motion to add item 18a to the Agenda.
 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 #18a

**A Resolution setting a public hearing date and time to discuss " An Ordinance
Reallocating \$105,000.00 of Capital Funds between Capital Accounts #99-3-
01(Fire) and 99-3-03 (Fire)"**

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 November 20, 2018, at 7:00PM, at the East Haven Senior Center, 91 Taylor Avenue, East Haven, Connecticut to discuss " An Ordinance Reallocating \$105,000.00 of Capital Funds between Capital Accounts #99-3-01(Fire) and 99-3-03 (Fire)" as follows:

Accts. #99-3-01 and 99-3-03

To:	For:	
99-3-01	Lifepak Defib.	\$75,000.00
99-3-03	AFG Cost Share	\$30,000.00
TOTAL		\$105,000.00

From:		
99-3-01	Diesel Exhaust Removal	\$60,000.00
99-3-03	Station Repair	\$45,000.00
TOTAL		\$105,000.00

Reason: Funds need to cover assistance to firefighters grant cost share for breathing apparatus and compressor. Also funds to replace defibrillators that are no longer supported by the manufacturer.

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.

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

No public comment.

No Council comment.

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

Item #19

Adjournment of Regular Meeting.

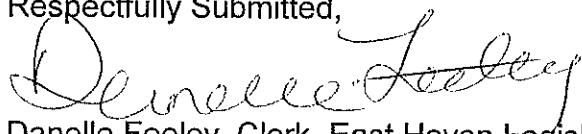
Councilwoman Loria Jaffe makes a motion.

Councilman Joseph Carfora seconds the motion.

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

Meeting is adjourned at 8:36PM.

Respectfully Submitted,

A handwritten signature in cursive script, reading "Danelle Feeley". The signature is written in dark ink and is positioned above the printed name.

Danelle Feeley, Clerk, East Haven Legislative Town Council