

**EAST HAVEN TOWN COUNCIL
REGULAR MEETING MINUTES
TUESDAY, JUNE 11, 2013**

The East Haven Town Council held a regular meeting Tuesday, June 11, 2013, at 7:00PM at the East Haven Senior Center, 91 Taylor Avenue, East Haven, CT 06512.

Chairman Richard Anania calls the meeting to order at 7:23PM.

Item #1

Roll Call: 10 present – 5 absent (Parlato, Santino, Badamo, Cubellotti and Carbo).
A quorum is present.

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

Item #2

Approval of minutes from May 13, 2013 Special Meeting

Councilman Robert Parente makes a motion.

Councilman Purificato seconds the motion.

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

Item #3

Approval of minutes from June 4, 2013 Special Meeting

Councilman William Richardson makes a motion.

Councilman Michael Riolino seconds the motion.

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

Item #4

Correspondence:

- A letter from Michael Enders stating his resignation from the Zoning Board of Appeals where he serves as an alternate, due to his position as a member of the Hagaman Memorial Library Board which meets on the same evening each month.
- A letter from Mayor Joseph Maturo Jr. recommending that Chairman Anania form two subcommittees of the Town Council. After receiving feedback from several residents over the past year, the first committee will be exploring the possibility of a Splash Pad/Skate Park in the north end of Town. The second committee would be discussing the recent changes passed by the General Assembly giving municipalities more ability to regulate ATV's in their Town ordinances. He asks

that these subcommittees please report back to him on preliminary discussions and plans that they have come up with by August 11, 2013 so that, if appropriate, we can plot out any steps necessary to move forward.

Item #5

Subcommittee Reports:

- Parks/Rec- Councilwoman Judy Esposito states that they discussed the Fireworks will be taking place on Saturday, June 29th. Also there was discussion about payment for the use of Town facilities which will be brought to the Town Council to discuss at a future date.
- Finance- Councilman Richardson states that there was a Special Meeting on June 3rd. They discussed the two transfers being brought before the Council tonight, one transfer for Legal and one for Insurance.
- Board of Education- Councilman Parente states that Graduation is coming up on June 26th. Also, the committee set to discuss the 5 year plan for the Board of Education has concluded, and reports will be following soon. They will likely sit in on a Council meeting to discuss the reports and see what ways the Council can help with the plan.

Item #6

Budget Report by Finance Director Paul Rizza:

- Mr. Rizza states that he is providing a summary of Revenue and Expenditures as of May 31, 2013. Looking at the revenues, we are doing very well in taxes and there is still time to collect more in the fiscal year. He got a report this morning that they are past the budgeted number of 97.75%. He is hoping to eclipse the number budgeted for the upcoming year of 98% and he will keep them informed as they get through to July. He is hoping in the next month or so to give proof that this can be reached. We are very close on the budget numbers for State grants and our PILOT monies. We are 100% on State grants and 90% on PILOT. There are a few outstanding payments included in June in the 'other grants' area. That specific category does have one of the biggest contributors, OTB, and last Saturday was a big day for them so hopefully money comes in early July to we will get closer than the 79%. We are at 74% right now for investments. We will get a little closer, we were expecting rates to go up a little but it did not happen. We may be a little under there but not by much. We are close on our own generated revenues such as licenses and permits, it is 92%. Miscellaneous is doing quite well and will hopefully be in the high 80%. When looking overall at revenue, we are at 99% and we are still pushing, we should get a little closer and possibly exceed the number we budgeted.

On the expense side, all of our numbers are basically in the high 80% or mid 90% with the exception of debt services; we did pay all of our bond and interest payments so that is at 100%. Our general services account is at 75% which is good. We have also been in a freeze for a number of months and the freeze is going to continue through June 30, the end of the year. No matter how hard we try, there are always bills that come in at the end of July and early August that we feel obligated to pay. Education, he is expecting them to pay out the \$44,310,133.

Looking at revenue and total expenditures, we are in a comfortable spot. There will be a lot of transfers, there are some tonight and they will continue through July and August. There are still, within these numbers, some FEMA reimbursement items that will be pulled out as we go through this month and into July. This will slightly reduce expenditures from what they currently are. The Finance Department is still working on that and the auditors already gave a list of information that they want because of super storm Sandy and the Blizzard.

Council comment:

- Councilman Riolino asks if Mr. Rizza assumes that most of these accounts will be close to the 100% by the end of the year.
- Mr. Rizza says not the full 100% of expenditures, there will be an under expenditure in probably most of them. His areas of concern are public services, public safety and possibly employee benefits because of the same problem due to storms and additional wages; we will have to pay additional benefits. They will be reimbursed and hopefully in a timely manner.
- Councilman Riolino asks if he thinks the fund balance contribution will be \$1.2 million.
- Mr. Rizza says no, but the Board of Finance discussed transfers from Departments that have overspent. Instead of going to contingency or fund balance, they are looking to utilize all the money within the Department before we go outside of the Department. This would lead to some of the lengthy transfers. We have to generate all the revenue to get to the \$1.2 million. He would like to add more than has been added in the past.

Item #7

Councilman Richardson makes a motion that for item #7 the Vice Chairman refrains from reading the long list of accounts.

Councilman Riolino seconds the motion.

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

To consider and act upon an Ordinance approving the following transfer at the recommendation of the Board of Finance:

Police Department

To:	01-332-0190	Overtime Wages	\$150,000.00
	Total:		\$150,000.00
From:	01-332-0130	Temp. Wages	\$8,000.00
	01-332-0132	Shift Differential	\$10,000.00
	01-332-0563	Tires	\$2,000.00
	01-332-0592	Traffic Signs	\$5,000.00
	01-332-0662	Vehicle Repairs	\$3,000.00
	01-332-0658	Equipment Maint.	\$5,000.00
	01-332-0192	Vacation Days	\$2,100.00
	01-332-0350	Prof. Training Develop.	\$4,000.00
	01-332-0430	Mech./Equip.	\$1,000.00
	01-332-0110	Wages	\$107,000.00
	01-332-0561	Vehicle Supplies	\$2,900.00
	Total		\$150,000.00

Reason: Transfer needed for shortage in overtime account.

Councilman Parente makes a motion.

Councilman Purificato seconds the motion.

No public comment.

Council comment:

- Councilman Riolino asks why we take it from regular wages and move it to the overtime account.
- Brent Larrabee, Police Chief, states that these are unused wages. We have 3 vacancies in the Department. During the first part of the fiscal year there were periods of time when regular positions were not filled. So this would be moving unused wages to the overtime account.
- Councilman Riolino asks why those positions were not filled if they were budgeted for.
- Chief Larrabee states that it is a complex matter. Currently, three people are out on injury, 2 are long term and 1 could return soon. There are three people in the Police Academy. All of these positions cannot be offset for shortages in the Department. 1 person is in field training, and cannot be used to offset. There are about 7 or 8 vacancies of the 52/53 funded. He explains that they have just

exhausted the list, the list expired and an exam was given in April. At some point he will be doing the backgrounds and having a discussion with the Board of Police Commissioners and the Mayor. Most of the officers are working 16 hour days 5 or 6 days a week with no time off.

Roll call vote: 9 in favor- none oppose- 1 abstention (Depalma). Motion carries.

Item #8

To consider and act upon an Ordinance approving the following transfer at the recommendation of the Board of Finance:

General Services - DOJ

To:	01-885-0694	Other Contractual – DOJ	\$100,000.00
	Total:		\$100,000.00
From:	01-885-0689	Contingency	\$62,810.00
	01-332-0440	Motor Vehicles	\$27,615.00
	01-885-0699	School Transportation	\$9,575.00
	Total		\$100,000.00

Reason: Transfer needed to continue compliance with DOJ agreement.

Councilman Purificato makes a motion.

Councilman Anthony Mansi seconds the motion.

No public comment.

Council comment:

- Councilman Riolino states that at the Public Hearing it was asked exactly what expenses the \$100,000 will cover?
- Attorney Lawrence Sgrignari passes out information to the Council that provides a timeline of the compliance items and the training requirements that the agreement imposes upon us. As a result of the obligations of the agreement, a significant portion of the compliance requires training of officers in areas. As a result of the training that needs to take place, because of the amount of training and the size of the Department, there are significant expenses related to coverage. This handout gives an idea of the time limits that need to be complied with and the amount of training that will be required initially to the end of this fiscal year, but subsequently, through to the implementation of the balance of the agreement. The current amount estimated to get us through to the end of the

year is \$100,000 to cover everything through June 30, including the costs of the consultant being paid to write policies as well as the trainings that are scheduled to take place, are currently taking place, and have already taken place before the 180 day compliance date which is June 19th. The 180 day compliance items include a significant number of provisions that need to have every officer in the Department trained on; trainings are scheduled and are actively on going. We are confident we will be able to meet the 180 day deadline. We have met the initial 30, 60 and 90 day compliance and we are on schedule to submit our report due on June 19th under the 180 day compliance window. This will get us through to the end of the year and the next step will be to get us through to the time period. Thus far, we have had expenses for the compliance officer, training and equipment purchases. All of these are being processed through the single account so that a record of this is available to the public at any time in the Finance Department.

No public comment.

Roll call vote: 9 in favor- none oppose- 1 abstention (Depalma). Motion carries.

Item #9

Councilman Richardson makes a motion for the Vice Chairman to only read the first paragraph of the Ordinance.

Councilman Parente seconds the motion.

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

To Consider and Act upon an Ordinance making an Appropriation of \$2,500,000.00 for costs associated with the Settlement Agreement for Effective and Constitutional Policing and Order of the United States District Court for the District of Connecticut and authorizing the issuance of \$2,500,000.00 bonds of the Town to meet said appropriation and pending the issuance thereof, the making of temporary borrowings for such purpose.

Councilman Parente makes a motion.

Councilman Richardson seconds the motion.

No public comment.

Council comment:

- Councilman Riolino says to Mr. Rizza that he has been involved within the past 4 administrations and dealt with a lot of politics over the years. Here we are bonding this amount of money when a refrain is always about our bonding

policies and how we don't bond for a building. We are bonding for something we don't have anything tangible for, why would you want to bond this amount.

- Mr. Rizza explains that if the Ordinance passes, the Finance office would set up a bond fund with specific line items for each one. They will be able to give the Council monthly reports as to what has been spent. There will be individual line items for training, personnel, equip, etc. It will show what specifically is being done with the bond. He adds there was a lot of discussion concerning where this money was going to come from. We are moving close to the first 6 months of what is approximately a four year project. With the \$100,000 we just moved, we are looking at spending about \$350,000 which is just the beginning of the process we will be going through. He says while he is not an advocate of bonding, this is an extraordinary settlement agreement and cost to the Town. Usually bonding projects in the past rose taxes and everything else to afford it. Here, this is something that happened to the Town and we are making a good faith effort to comply and so far we are in compliance through bringing in experts and training our people and it is an extensive endeavor. He thinks it would be an unfair burden to tax payers if this got lumped into their costs. Hopefully interest rates will stay favorable to us; we may be bonding quicker so we can start paying it off. The \$2.5 million is estimated to be paid in full in 10-12 years.
- Councilman Riolino asks if Mr. Rizza would say the rate of the agencies moved our status up.
- Mr. Rizza says no, we will be selling some bonds and they will likely leave us alone, but give us a positive response. Our fund balance should be \$4.5 million, we are about 10% there, and there are also some issues in the self-insurance funds. We are certainly making incremental improvements.
- Councilman Anania asks if we bond for legal settlements.
- Town Attorney Joseph Zullo explains that this is how it should be looked at. This is a legal settlement in response to litigation. You regularly bonded for things similar to this, not necessarily for the DOJ. He states they bonded approximately \$900,000 to settle a chase lawsuit a few years ago. We have done it in the past, and that is what is being seen here tonight. With a lawsuit of this magnitude the Town typically bonds because it is unfair to put it all on the taxpayers. And again, this is a settlement on a lawsuit.
- Chairman Anania states that the bonding should not be a surprise to anyone. In the beginning of all of this it was mentioned that we would have to bond to settle the agreement. There was no way it could come out of the operating budget, it is just too much.
- Councilman Gary Depalma asks how much we are paying off in bonds this fiscal year.

- Mr. Rizza says this year we are paying off roughly \$7.1 million for principal and interest. If this bond were paid off over a 10 year period, the principal would be \$250,000 per year plus interest.
- Councilman Riolino asks if the level of debt that we owe this year, compared to last year and the year before is trending downward.
- Mr. Rizza says that in 2011-2012 we paid \$6.9 million in principal and interest, in 2012-2013 it went up to \$7.1 million and in 2013-2014 we are budgeted to go down again to \$6.9 again. Then it starts to do the gradual drop off.
- Councilman Riolino asks what about new debt we are putting on compared to what we are retiring. Are we taking on more debt?
- Mr. Rizza says we are reducing debt, not increasing the total debt. We are paying off more than we are taking on.

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

Item #10

To consider and act upon a Resolution authorizing the following transfer at the recommendation of the Board of Finance:

Legal

To:	01-113-0694	Other Contractual Svcs.	\$36,945.18
	01-113-0668	Legal and Lawyer Fees	\$12,000.00
	Total:		\$48,945.18
From:	01-881-0950	Self Insurance	\$48,945.18
	Total		\$48,945.18

Reason: Funds needed to close out fiscal year.

Councilman Purificato makes a motion.

Councilman Richardson seconds the motion.

No public comment.

No Council comment.

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

Item #11

To consider and act upon an Ordinance approving the following transfer at the recommendation of the Board of Finance:

Insurance

To:	01-885-0689	Contingency	\$151,054.82
	Total:		\$151,054.82
From:	01-881-0950	Self-Insurance	\$151,054.82
	Total		\$151,054.82

Reason: To replenish contingency account from surplus self-insurance funds.

Councilman Purificato makes a motion.

Councilman Mansi seconds the motion.

No public comment.

Council comment:

- Councilman Riolino asks if self-insurance had a surplus of \$200,000 and if there is something it could be accredited to.
- Mr. Rizza says yes it is and he credits it to very aggressive legal work by our Town Attorney.
- Town Attorney Joseph Zullo states that the surplus was almost \$400,000. We have two funds; a permanent fund and a rainy day fund. We budget an amount of money we hope to use to settle claims and lawsuits. This year, the budget was about \$515,000. Because of the aggressive stance we took in settling cases which we won, we did not have to pay those claims. We ended up with a substantial surplus. We will likely end up putting \$190,000 in the permanent fund as opposed to the planned \$175,000 so we will be up to about \$500,000 in the account and the rest can be distributed throughout the budget.

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

Item #12

To consider and act upon a resolution accepting the Motor Vehicle Suspense List for Tax Collection for the 2012-2013 fiscal year in the total amount of \$377,010.10 and authorizing the Tax Collector to place said accounts on suspense.

A resolution accepting the Motor Vehicle Suspense List for Tax Collection for the 2012-2013 fiscal year in the total amount of \$377,010.10 and authorizing the Tax Collector to place said accounts on suspense.

BE IT RESOLVED that the Town Council hereby accepts the Motor Vehicle Suspense List for Tax Collection for the 2012-2013 fiscal year in the total amount of \$377,010.10 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:

2011 MV Grand List	\$2,967.50
2011 Supplemental MV List	\$117.30
2010 MV Grand List	\$154,399.84
2010 Supplemental MV List	\$37,986.09
2002 Personal Property	\$42,407.86
2001 Personal Property	\$25,643.32
2000 Personal Property	\$30,215.43
1999 Personal Property	\$27,489.17
1998 Personal Property	\$25,809.29
1997 Personal Property	\$29,974.30

Councilman Parente makes a motion.

Councilman Richardson seconds the motion.

No public comment.

Council comment:

- Councilman Riolino asks what the criteria are for putting these amounts on the suspense list, aside from them not being paid. What other factors go into this.
- Mr. Rizza says it is also inability to locate individuals. Then it goes out to a collection agency; we do pretty well with the suspense list typically.
- Vice Chairman Sand asks about the \$29,000 outstanding from 1997. We go after it after that many years?
- Mr. Rizza states that if it is not collected, there is no payment. Sometimes they get other leads and try to put it back on to continue the process of collecting.
- Attorney Joseph Zullo explains that recently the Tax Collector Lisa Basilicato started this; we didn't always send these to the same collection firms. It is a more recent phenomenon; they may not have done it in 1997. Since the Town was carrying all these uncollected amounts, the Tax Collector decided to send out the older ones without incurring any fees so that we may collect at least a small

amount. It is essentially bad debt, debt that is difficult to collect but it is worth a shot.

- Vice Chairman Sand asks if there is a statute of limitations.
- Attorney Zullo says he believes it is 15 years, but it only rolls off the last year.

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

Item #13

To consider and act upon a Resolution, pursuant to Chapter III, Section 8, of the East Haven Town Charter, adopting the recommendation of the Mayor and designating the firm of J.H. Cohn, LLP to audit the books and accounts of the Town for the fiscal year ending June 30, 2013.

A Resolution pursuant to Chapter III, Section 8, of the East Haven Town Charter adopting the recommendation of the Mayor and designating the firm of J.H. Cohn, LLP to audit the books and accounts of the Town for the fiscal year ending June 30, 2013.

BE IT RESOLVED that pursuant to Chapter III, Section 8, of the East Haven Town Charter, The Town Council hereby adopts the recommendation of the Mayor and designates the firm of J.H. Cohn, LLP to audit the books and accounts of the Town for the fiscal year ending June 30, 2013.

Councilman Parente makes a motion.

Councilman Richardson seconds the motion.

No public comment.

Council comment:

- Vice Chairman Sand addresses Mr. Rizza regarding page 3, the last paragraph. He asks what happens in the event they ran into trouble auditing the books and they don't get agreement with the Finance Department. How he interprets that paragraph, it is saying that they have the right to decline expressing an opinion or to issue a report or withdrawing from the engagement. But it does not say that they have to explain, is that language in there somewhere else?
- Mr. Rizza explains that what happens is in order for them not to issue an opinion, it means they don't have faith the information they are getting or they think we are withholding information. There is a 10 page agreement that Mr. Rizza signs off on that says he did not withhold any information, he is not hiding anything, and it gets into a bunch of ethics. They would have to report that to the State and then OPM would come into Town saying the auditors will not issue, there is a

problem, etc. OPM puts the Town on a watch list and starts investigating why they will not issue it.

- Councilman Sand says it comes off as they don't have to report anything to the Council; they just work with the Finance Department.
- Mr. Rizza explains that they draft a letter to the Town Council and the Mayor. The Council, at the Mayor's recommendation appoints them. So they would provide the Council with that information. The first page of the audit report is addressed to the Council.
- Councilman Sand explains he was just looking for the language in there and looking for the communication to know that there would be something that comes to the Council.
- Mr. Rizza says that the letter would go right to the Council.
- Councilman Purificato asks if this is all standard wording for any auditing company and Mr. Rizza say yes, it protects the firm if someone is lying or giving erroneous information.

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

Item #14

To consider and act upon a Resolution to waive competitive bidding for the purpose of purchasing radio equipment for the public services department.

A Resolution to waive competitive bidding for the purpose of purchasing radio equipment for the public services department

WHEREAS, the radio equipment utilized by the Public Services Department is need of replacing, reprogramming, and updating;

AND WHEREAS, the Town and the Department of Public Works desire to obtain new radio equipment;

AND WHEREAS, the Town and the Department of Public Works desire to obtain services to replace, reprogram, and update said radio equipment;

AND WHEREAS, only one commercial entity in the State is capable of both completing the present repairs and providing rapid emergency service and support for the goods proposing to be purchased;

AND WHEREAS, the Charter of the Town of East Haven permits the Town Council to waive competitive bidding by a two-thirds vote, upon the recommendation of the Director of Finance; and

AND WHEREAS, the Finance Director recommends that competitive bidding be waived in this instance;

NOW THEREFORE, BE IT RESOLVED by the Town Council of the Town of East Haven, that the Finance Director, acting on behalf of the Town and the Department of Public Works, is hereby permitted to waive competitive bidding for such purpose.

Councilman Parente makes a motion.

Councilman Richardson seconds the motion.

No public comment.

Council comment:

- Vice Chairman Sand references the letter from Kevin White that the Fire Department uses the same radios. He asks if the Police Department uses Motorola. He mentions that he knows Utility Communications out of Hamden, he has worked with them. He asks if Kenwood is only serviced by Tactical out of Guilford. Do they hold the contract that says this is our territory?
- Mr. Rizza says yes and parts in the radios themselves are on the State bid list. But parts of them are not. That is why we want the bid waiver.
- Councilman Riolino asks if no other company would submit a bid because they would not be able to handle it, and we wouldn't want to change.
- Mr. Rizza says we currently have two departments on one company and one on another.

Roll call vote: 9 in favor- none oppose- 1 abstention (Parente). Motion carries.

Item #15

To consider and act upon a Resolution authorizing matching contributions to a 457 deferred compensation plan for Police Chief Brent Larrabee.

Town Attorney Joseph Zullo requests that at Chairman Anania's discretion under the standing rules that he remove this item from the agenda, there is actually a new resolution.

Chairman Anania moves to remove item #15 from the agenda.

Attorney Zullo requests a motion to add to the agenda a resolution increasing the salary of the Chief of Police as item #15.

Councilman Richardson makes a motion.

Councilman Purificato seconds the motion.

Roll call vote: 9 in favor- none oppose- 1 abstention (Depalma). Motion carries.

A Resolution Increasing the Salary of the Chief of Police

WHEREAS, in the 2013-2014 FY budget, the salary of the Chief of Police is set at \$98,000.00;

AND WHEREAS, the Town Council wishes to raise said salary from \$98,000.00 to \$101,000.00 because the present Chief does not qualify, as of right, to participate in the Municipal Employees Retirement System;

AND WHEREAS, Chapter 3, Section 5 of the East Haven Town Charter provides that "said Council may by resolution... fix the compensation of the officers and employees not in the classified service;"

AND WHEREAS, Chapter 3, Section 4 of the East Haven Town Charter further provides that "the Council shall either by resolution or by inclusion in the annual budget, approve... the salary for any position which is not governed by a collective bargaining agreement;"

NOW, THEREFORE, BE IT RESOLVED that the salary of the Chief for the 2013-2014 FY shall be set at \$101,000.00.

Councilman Richardson makes a motion.

Councilman Purificato seconds the motion.

No public comment.

Council comment:

- Councilman Parente says that a month or so ago there was a discussion about a pairing situation between the Fire Chief and the Police Chief, he asks for an explanation as to how this trickled down.
- Attorney Zullo requests a motion to amend the resolution where the fourth paragraph reads Chapter 3, Section 5 to be changed to Chapter 3, Section 4.

Councilman Parente makes a motion.

Councilman Richardson seconds the motion.

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

Attorney Zullo explains that yes, the goal was to create parity between the two chiefs; Public safety and Fire. We ran into difficulty with Chief Larrabee because as of right he does not qualify to participate in the Municipals Employee Retirement Plan because anybody over 65 cannot make contributions. So in essence, there really isn't parity. One person is qualified to make contributions and can receive certain tax deferred benefits and there is one who cannot. Because of the relative short term nature of the Chief's contract we felt the best way to create the parity would be to increase the Chief of Police's pay by about \$3,000. The reason for the \$3,000 is because originally we explored a matching 457 deferred plan, which the positions of Mayor and Town Clerk have the option of contributing to where the Town will match contributions. We wanted to set up something similar with the Town's matching contribution at 3%; in this case it

would be approximately \$3,000. Our philosophy was rather than tinker with that plan, we figured it would be easier and more fiscally responsible to award the Chief the \$3,000 to do whatever he would like with it whether it be investing it on his own or not. In the short term it is the far more fiscally responsible solution.

- Councilman Riolino asks what the agreement was with the previous Chief. Did he qualify for the plan because he was under 65. Was something set up that when he was over 65 he couldn't.
- Attorney Zullo says not the 457 plan; he did qualify to contribute to MERS. He explains that it is not the Town; it would have been the State that would notify someone if they were not eligible. He adds that Chief Gallo came from New Haven and they are not in MERS. He does not know the details of what Chief Gallo did but he knows he did not contribute to the 457 deferred plan, as a result, it was most likely MERS.

Roll call vote: 9 in favor- none oppose- 1 abstention (Depalma). Motion carries.

Item #16

To consider and act upon a Resolution appointing Ted Musco to the Zoning Board of Appeals as an alternate to fill the vacated and unexpired term of Michael Enders beginning 2/1/2011 and ending 2/1/2014.

A Resolution appointing Ted Musco to the Zoning Board of Appeals as an alternate to fill the vacated and unexpired term of Michael Enders beginning 2/1/2011 and ending 2/1/2014.

WHEREAS, by letter to the Town of East Haven, Michael Enders have given notice of his resignation from his position as an alternate on the Zoning Board of Appeals;

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

NOW, THEREFORE, BE IT RESOLVED that the Town Council hereby appoints Ted Musco as an alternate on the Zoning Board of Appeals to fill the unexpired term of Michael Enders beginning 2/1/2011 and ending 2/1/2014.

Councilman Parente makes a motion.
Councilman Mansi 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 to provide the following tax refund:

John Giordano Jr

71 High St
East Haven CT 06512

List No.: 2011-01-4314

Reason: Duplicate Payment made on 2nd Installment

Amount: \$3,493.48

TOTAL: \$3,493.48

Councilman Riolino makes a motion.

Councilman Mansi 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 to provide the following tax refund:

Angel Properties LLC

92 Edward St
East Haven CT 06512

List No.: 2011-01-317

Reason: Duplicate payment made for 2nd Installment

Amount: \$2,434.68

List No.: 2011-01-318

Reason: Duplicate payment made for 2nd Installment

Amount: \$1,672.08

TOTAL: \$4,106.76

Councilman Purificato makes a motion.

Councilman Richardson seconds the motion.

No public comment.

No council comment.

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

Item #19

Councilman Riolino makes a motion to adjourn.

Councilman Richardson seconds the motion.

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

Meeting is adjourned at 8:31PM.

Respectfully Submitted,

Danelle Feeley, Clerk, East Haven Legislative Town Council