

**EAST HAVEN TOWN COUNCIL
REGULAR MEETING MINUTES
TUESDAY, APRIL 5, 2016**

The East Haven Town Council held a regular meeting Tuesday, April 5, 2016, at 7:00PM at the East Haven Senior Center, 91 Taylor Avenue, East Haven, CT 06512.

Chairman Fred Parlato calls the meeting to order at 7:17PM.

He asks all to stand for the pledge of allegiance and announces that Councilwoman Judy Esposito had surgery and is home recovering and that Councilman Robert Sand had an accident at home and had to have surgery and is in the hospital. They will be sending a card to them as they are active members who usually attend all the meetings.

Item #1

Roll Call-11 present- 4 absent (Sand, Esposito, Richardson, Butler III).
A quorum is present.

Item #2

Approval of minutes from the March 8, 2016 Special Meeting.

Councilman Nicholas Palladino makes a motion.

Councilman Joseph Santino seconds the motion.

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

Item #3

Approval of minutes from the March 28, 2016 Special Meeting (State of the Town).

Councilman Ken Mckay makes a motion.

Councilwoman Linda Hennessey seconds the motion.

Voice vote: all in favor-none oppose-1 abstention (Palladino). Motion carries.

Item #4

Correspondence-Chairman Parlato received a letter from the Board of Education inviting the Council members to be part of an assessment panel for the 2015-2016 capstone project presentation. It involves going to the school for 2 hours to evaluate students. Councilman Parente has volunteered and if anyone else is interested in joining they can see him.

Item #5

Subcommittee Reports:

- Board of Education- Councilman Parente reports that they went before the Board of Finance regarding their budget; they recommended that the figures given to them by the Mayor be kept in place. They were asking for a lot more than that and will be going before them in the next couple of weeks. He urges everyone on the Council to do some homework and come up with questions that are important to the people in the districts they represent. It may be worthwhile to ask some of the residents so they are prepared to be their voice and address their concerns. They want to be able to find out where they are headed in terms of closing of the schools, test scores, etc.
- Public Safety- no report.
- Housing-no report
- Recreation-no report they haven't had a meeting
- Finance-no report
 - Councilman Parente asks Councilman Santino with respect to public safety and the Beach opening up; they will be putting the speed bumps back in place. Are there any concerns that still need to be addressed in terms of parking or anything else?
 - Councilman Santino says the curbing for the handicap parking. Councilman Parente says that is a priority to be done shortly. They are going to put that out to bid.
 - Councilman Santino says he met with the Police Chief and discussed the parking issues and they pretty much have that solved, there is always more that can be done and they will work on it.
 - Councilman Parente says they have had some tough storms and a lot of times towns in the area will lose some of their beach, we actually pushed ours up prior to the storm and when Guilford lost their beach, it is now on Cosey Beach Ave.

Item #6

Presentation of Proclamation to the family of the late Dr. Vasant Patel.

Councilman Parente reads the proclamation from Mayor Joseph Maturo Jr. and Chairman Parlato presents it to Dr. Patel's family.

Item #7

To consider and act upon an "Ordinance approving a transfer of \$60,000.00 for Public Services" as follows:

Public Services**To:**

01-224-0190	Overtime	\$60,000.00
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TOTAL		\$60,000.00
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From:

01-224-0110	Regular Salaries	\$60,000.00
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TOTAL		\$60,000.00
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Reason: Funds needed to offset overtime shortage.

Councilman Mckay makes a motion.

Councilman Vincent Spaduzzi seconds the motion.

No public comment.

Council comment:

- Councilman Palladino states that the money was spent before the spending freeze was in place, this was overtime.

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

Item #8

To consider and act upon "An Ordinance Amending Chapter 16 of the East Haven Code regarding Peddlars, Solicitors, and Itinerant Vendors."

Councilman Santino makes a motion.

Councilman Palladino seconds the motion.

No public comment.

No Council comment.

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

Item #9

To consider and act upon "An Ordinance Approving and Authorizing the Conveyance of a Portion of 280 Proto Drive to Anthony Augliera Moving and Storage."

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

**An Ordinance Approving and Authorizing the Conveyance of a Portion of 280
Proto Drive to Anthony Augliera Moving and Storage**

WHEREAS, the Town of East Haven is desirous of selling a portion of the real property located at 280 Proto Drive in East Haven, Connecticut, better known by the following Map, Block, and Lot Number: "090-0909-001" and bounded as follows:

**"BOUNDARY DESCRIPTION
A Portion of 280 Proto Drive
East Haven, Connecticut**

Commencing at a concrete monument along the westerly streetline of "Commerce Street", so-called, a corner of land of n/f East Haven Properties, Incorporated and land of n/f Town of East Haven (landfill); thence running the following two (2) courses and distances along land of n/f East Haven Properties, Incorporated and land of n/f Town of East Haven: N69°-57'-32"W 197.54 feet, more or less, to a point; thence S84°-17'-22"W 201.00 feet, more or less, to a point marking a corner of land of n/f East Haven Properties, Incorporated and land of n/f Town of East Haven (landfill); thence running along land of n/f East Haven Properties, Incorporated and Carper Realty, LLC, each in-part, and land of n/f Town of East Haven (landfill) S20°-12'-13"W 266.39 feet, more or less, to a point marking a corner of land of n/f Carper Realty, LLC, land of n/f Town of East Haven (landfill) and land of n/f Electric Services, Incorporated; thence running along land of n/f Town of East Haven (landfill) and land of n/f Electric Services, Incorporated S44°-19'-25"W 95.69 feet, more or less, to a point marking a corner of land of n/f Electric Services, Incorporated, land of n/f Town of East Haven (landfill) and land of n/f Masu Realty, LLC, being also a point marking a corner and the beginning of land herein described; thence running along land of n/f Masu Realty, LLC and land herein described S44°-19'-25"W 323.65 feet, more or less, to a point marking a corner of land of n/f Masu Realty, LLC and along land of n/f Stephen J. Viglione, being also a point marking a corner of land herein described; thence running the following two (2) courses and distances along land of n/f Stephen J. Viglione and land herein described: N45°-26"-56"W 170.00 feet, more or less, to a point; thence S16°-38'-58"W 132.13 feet, more or less, to a point along land of n/f Stephen J. Viglione and a corner of land of n/f TEK Motive, Incorporated, being also a point marking a corner of land herein described; thence running along land of n/f TEK Motive, Incorporated and land herein described N73°-21'-02"W 400.00 feet, more or less, to a point marking a corner of land of n/f TEK Motive, Incorporated and along land of n/f Town of East Haven; being also a point marking a corner of land herein described; thence running along land of n/f Town of East Haven and land herein described N16°-38'-58"E 550.01 feet, more or less, to a point along land of n/f Town of East Haven and a corner of land of n/f Town of East Haven (landfill), being also a point

marking a corner of land herein described; thence running the following two (2) courses and distances along land of n/f Town of East Haven (landfill) and land herein described: S73°-21'-02"E 302.44 feet, more or less, to a point; thence S45°-26'-56"E 450.49 feet, more or less, to the point and place of beginning.

AND WHEREAS, the Town’s Planning and Zoning Commission, at its regular meeting on March 2, 2016, issued a favorable 8-24 referral approving such a conveyance;

AND WHEREAS, the Town Council intends, concurrently with the approval of this ordinance, to waive the competitive bidding requirements with respect to the proposed conveyance of the subject property;

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 the portion of 280 Proto Drive described herein to Anthony Augliera Moving and Storage is hereby approved for a sales price of \$1.00 (One Dollar);

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 documents in order to effectuate said 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 Santino makes a motion.
Councilman Spaduzzi seconds the motion.

No public comment.
No Council comment.
Roll call vote: all in favor-none oppose-none abstain. Motion carries.

Item #10

To consider and act upon a Resolution Waiving the Town Charter’s Competitive Bidding Requirements in Connection with the Sale of Town Property located at 280 Proto Drive, East Haven, Connecticut.

A Resolution Waiving the Town Charter's Competitive Bidding Requirements in Connection with the Sale of Town Property located at 280 Proto Drive, East Haven, Connecticut.

WHEREAS, the Town of East Haven is the present owner of real property located at 280 Proto Drive in East Haven, Connecticut, better known by the following Map, Block, and Lot Number: "090-0909-001;"

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, Anthony Augliera Moving and Storage is proposing to purchase 158 Commerce Street, a property which abuts a portion of 280 Proto Drive which the company proposes to purchase in connection with its private purchase of 158 Commerce Drive to facilitate the relocation of its company and expansion in East Haven;

AND WHEREAS, the Town deems the sale of a portion of 280 Proto Drive to Augliera Moving and Storage as the highest and best use for the property;

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

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 certain portion of real property located at 280 Proto Drive, East Haven, Connecticut are hereby waived;

BE IT FURTHER RESOLVED that this bid waiver shall expire on December 31, 2016.

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

Councilman Santino makes a motion.

Councilman Spaduzzi seconds the motion.

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 a Resolution Appointing Anthony Naclerio to the Board of Ethics.

A Resolution Appointing Anthony Naclerio to the Board of Ethics

WHEREAS, a vacancy exists on the Board of Ethics;

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

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

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

Councilman Santino makes a motion.

Councilman Spaduzzi seconds the motion.

No public comment.

Council comment:

- Councilman Santino asks what the other resume they have is for, Alicia Heaney, is it for the same position or is there two openings?
- Town Attorney Joseph Zullo explains that under the standing rules, the administrative services committee makes a recommendation and that is what goes on the agenda. In order to make sure the process is transparent they get a copy of every resume that comes in.
- Councilwoman Letizia Lettieri-Morales says that she was at the admin. meeting and she thought Mr. Naclerio had a better resume. She asks about the other positions that were open which at the time they didn't have resumes for as far as they knew. She did receive an email from two individuals who would like to be on the ZBA, can she make a motion to do that?
- Chairman Fred Parlato says he has their resumes and would like to talk to each individual and check their party affiliation so they don't stack a board illegally. He would like to talk to them as he did with Mr. Naclerio since he didn't know him personally so he met with him and explained the position and he explained why he wanted to be on it. He thinks he needs to do that and then at the next meeting they will likely present them at the administrative meeting to decide who they will appoint and who they will not.
- Councilwoman Lettieri-Morales says she knows he does not want to stack it with any party, can we find out how many are on ZBA now.

- Chairman Parlato says yes, at the administrative meeting they can discuss it to determine if this is an issue or not. They have had 1 individual on a board that has missed 27 meetings. Especially with ZBA, if there isn't a quorum they are unable to discuss actions during the given time frame. There are people who want to be on the board and then don't show up which is one of the problems they have.
- Councilwoman Lettieri-Morales says the two resumes she has look excellent and they can discuss it at the meeting.
- Councilman Palladino says if they are having a problem with people they are putting on boards and commissions not showing up, as he reads the Charter, by 2/3 majority they can remove them and need to start doing that.
- Chairman Parlato says there is a process to go through on that, he thinks the Chairman has to notify them or send them a letter.
- Councilman Palladino says he is not too sure about that, they removed someone from a board because it was a 2/3 majority and he got a letter saying he was off. Maybe they should do that for everyone. They took someone off the ADA with no explanation. Someone else was put on before they finally decided to start taking resumes and his understanding is that now that person isn't even showing up for meetings, so maybe they need to be more careful about this.
- Attorney Zullo explains just to be clear that there are two processes. When somebody has an indefinite term, they can be removed at any point in time by the Council. When somebody has a specific term there is actually a Town Ordinance that directs the procedure of how to remove them. Again, the difference is the type of terms they have, the Chairman was right that they have to send a letter and give them time to respond, perhaps hold a hearing and it is all spelled out in the Ordinance.

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

Item #12

To consider and act upon a Resolution to provide the following tax refund:

Forbes Transport, Inc.
119 Commerce Street
East Haven, CT 06512-4146

Acct./List:

1.	2014-03-57936 E/S 27671	\$3327.26
2.	2014-03-57937 E/S 27672	3577.78
3.	2014-03-57945 E/S 27670	1906.58
4.	2014-04-81539 E/S 27673	1542.70

Reason: Applied trucks' depreciation.
Depreciation not applied in error.

TOTAL \$ 10,354.32

A Resolution to provide a tax refund of \$10,354.32 to Forbes Transport, Inc.

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:

Forbes Transport, Inc.
119 Commerce Street
East Haven, CT 06512-4146

Acct./List:

5.	2014-03-57936 E/S 27671	\$3327.26
6.	2014-03-57937 E/S 27672	3577.78
7.	2014-03-57945 E/S 27670	1906.58
8.	2014-04-81539 E/S 27673	1542.70

Reason: Applied trucks' depreciation.
Depreciation not applied in error.

TOTAL \$ 10,354.32

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

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

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

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

No public comment.
Council comment:

- Councilwoman Hennessey says due to her personal involvement with Forbes Transport she will be abstaining from voting.

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

Item #13

Adjournment of Regular Meeting.

Councilman Santino makes a motion.

Councilman Mckay seconds the motion.

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

Meeting is adjourned at 7:41PM.

Respectfully Submitted,

Danelle Feeley, Clerk, East Haven Legislative Town Council