

**EAST HAVEN TOWN COUNCIL
REGULAR MEETING MINUTES
TUESDAY, JULY 7, 2015**

The East Haven Town Council held a regular meeting Tuesday, July 7, 2015, 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 7:13PM. He asks all to stand for the pledge of allegiance.

Item #1

Roll Call- 10 present – 5 absent (Mckay, Gravino, Thompson Jr., Spaduzzi, Riolino). A quorum is present.

Item #2

Approval of minutes from June 2, 2015 Regular Meeting.

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

Item #3

Correspondence-letter from Mayor Joseph Maturo Jr. to Town Attorney Joseph Zullo regarding implementation of chromebooks, e-mail and electronic agenda delivery for the Town Council. (see attached).

Item #4

Subcommittee Reports-

- Public Safety-Councilman Robert Sand says at the last Council meeting there were issues with painting not being done along the Shore, he was down there and saw some done.
 - Councilman Santino says painting is pretty much done; they did a great job with it. He adds that he requested the minutes from the meeting about what was supposed to be done, what sides were supposed to be posted and what sides weren't. He gave the Council members copies from that meeting when Commissioner Illingworth told the Council what would be done, but they posted the opposite side. They still have parking in front of

residences on First and Second Avenue. He recommends the Council send a letter to the Police Commission in regards to the minutes of the meeting where they stated what was supposed to be done versus what was actually done.

- Vice Chairman Robert Parente asks about the functionality of the lines. Councilman Santino says they are just trying to get cars from parking in front of the residences and put them on the back side of the condos. People are having problems backing out of their driveways. So they want to put them across the street like they discussed and what was told to the Council.
- Councilman Badamo asks if that was what was originally requested.
- Councilman Santino says this is from the formed committee that he was a part of and then Commissioner Illingworth told the Council what was going to be done. It was supposed to be done and didn't get done.
- Board of Education-Vice Chairman Parente says they have a meeting tonight with a lot of items including the extension of the Superintendent's contract and going over the reorganization of districts/schools, next month he will report on the results of tonight's meeting.
- Parks/Recreation-Councilwoman Judy Esposito says there was a resident who had a lot to say about the things going on- she was happy that the lifeguards no longer have cell phones because they were using them and texting, she is also concerned that the lifeguards don't have megaphones because the whistles are not heard when in the water. Vice Chairman Anastasio suggested getting air horns for the lifeguards. She was also concerned that the signs from the old fence were not put back on the new fence. She is sort of the beach monitor who tells people what they are and are not supposed to do.
 - Councilman Santino says the signs are up now; there is a new sign with the beach rules up.
 - Councilwoman Esposito adds that the resident said there is people drinking alcohol on the beach and the people who work down there don't go around and see if people are in compliance with the rules.
 - Councilman Santino says they check a lot when he is down there, the lot, the beach; handicap parking etc. and they have shirts that say Town of East Haven supervisor.
 - Councilwoman Esposito says there was also discussion about the splash pad; they suggested the water only being on from 10-5 to save the cost of the water. Vice Chairman Anastasio reported that the lane markers at the pool have been fixed and he is looking for prices to fix a broken water fountain. There was no Director's report.

- Councilman Sand asks about the fee schedule that was introduced for the pool, was it adopted by the Director? Was it instituted for the people using the pool or rescinded? He understands the fees are not being followed. Councilwoman Esposito will look into this and report back.
- Councilman Santino asks if she heard anything about them charging the Girls High School Soccer team for use of the field. He heard it came from the Board of Education. Councilwoman Esposito says she didn't hear that. Councilman Santino says the Town maintains all of these fields, he hopes they aren't charging people to use it and the Town is paying to maintain it.
- Councilman Fred Parlato says he doesn't think it would be legally possible to charge one team and not all of the teams, especially if one is female but they aren't charging the male teams.
- Councilman Santino asks about the summer camp at the old High School, they usually use the concession stand for the kids, and he was told that there were padlocks and Bidy Basketball told them they couldn't use them. Someone should send a letter to Bidy explaining the building is the Town's not theirs. Vice Chairman Parente was unaware of that but said if there are padlocks they would be removed tomorrow.
- Councilman Badamo asks when the camp started, how many kids and is it at the same rate.
- Vice Chairman Parente says they started yesterday, they have about 300 kids, he doesn't know the rate.
- Urban Renewal-no report
- Finance-no report

Item #5

To consider and act upon "An Ordinance Amending Chapter 11, Article II, Division 1 of the East Haven Code regarding Stopping, Standing, and Parking."

An Ordinance Amending Chapter 11, Article II, Division 1 of the East Haven Code regarding Stopping, Standing, and Parking

WHEREAS, Chapter 11, Article II, Division 1 of the East Haven Code presently addresses the topic of "Stopping, Standing, and Parking"

AND WHEREAS, the Town wishes to update and amend said regulation and wishes to include a contestment process;

NOW THEREFORE, BE IT ORDAINED that Chapter 11, Article II, Division 1 is amended to include the following section:

"Sec. 11-18. Procedure for Contesting parking violations.

- (a) Any person wishing to contest any violation of Sec. 11-16 or any fine levied pursuant to Sec. 11-17 may request and file an application for contestment at the East Haven Police Department during the hours of 9:00 a.m. to 3:00 p.m., Monday through Friday, within ten (10) business days of the time indicated on the notice of violation.
- (b) Upon receipt of an application of contestment, the application will be assigned to a hearing officer and scheduled for a contestment hearing before a contestment hearing officer within 60 days of receipt by the East Haven Police Department.
- (c) Members of the Board of Police Commissioners shall serve as contestment hearing officers and the apportionment of hearings and frequency of service by commissioners as hearing officers shall be set and determined by resolution of the Commission. At all times, the Commission shall cause to be published, on the department website, a list of all commission members presently serving as contestment hearing officers.
- (d) Contestment hearings shall be scheduled no earlier than 6:30 p.m., Monday through Thursday and held at the East Haven Police Department. At a contestment hearing, the contesting party may present any evidence in support of his or her application. The Police Department may, in its discretion, present evidence as well. At the conclusion of a contestment hearing, the contestment hearing officer shall weigh the evidence presented and render a decision, in writing, on a form prescribed by the Commission on the application for contestment. The decision of the contestment hearing officer shall be final. A copy of the final decision shall be mailed to the contesting party and shall serve as a record of the proceedings of the same.
- (e) The filing of an application of contestment shall toll the payment and penalty timelines provided for in Section 11-17(b) until a final decision is rendered regarding an application of contestment. In the event that an application for contestment is denied, the contesting party shall have ten (10) business days from the date of denial to remit any penalties due. In the event the penalties are not paid within ten (10) business days following the date of final decision, said penalty shall double."
- (f) Any written appeal of any violation of Sec. 11-16 or of any fine levied pursuant to Sec. 11-17 submitted prior to the enactment of this Section shall retroactively be addressed pursuant to the provisions of this Section as if it had been in place at the time said written appeal was submitted."

BE IT FURTHER ORDAINED that Chapter 11, Article II, Division 1, Sec. 11-16(c)(viii) is revoked and replaced with the following:

Sec. 11-16(c)(viii)
"On the wrong side of the street or facing traffic."

BE IT FURTHER ORDAINED that all other sections of Chapter 11, Article II, Division 1 shall remain in full force and effect, unchanged by this revision.

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 Nicholas Palladino makes a motion.
Councilman Henry Butler III seconds the motion.

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

Item #6

To consider and act upon an "Ordinance Authorizing the East Haven Public Schools to extend an existing Lease Agreement with GE Capital to fund technology projects for FY 2015-2016."

An Ordinance Authorizing the East Haven Public Schools to extend an existing Lease Agreement with GE Capital to fund technology projects for FY 2015-2016 and waiving any bidding requirements associated therewith.

WHEREAS, the East Haven Board of Education and the Town of East Haven are parties to an existing Lease Agreement with GE Capital Corporation for computer technology;

AND WHEREAS, the East Haven Board of Education and the Town of East Haven wish to amend the current lease to provide for the leasing of new computer technology for an additional year through FY 2017-2018 for the Board of Education at a cost of \$262,000.00, net of applicable taxes;

AND WHEREAS, Chapter 6, Section 4(C) of the East Haven Town Charter contains bidding requirements for certain expenditures;

AND WHEREAS, the Town Charter's bidding requirements may be waived by two-thirds of the members present and voting;

NOW THEREFORE, be it **ORDAINED** by the Town Council of the Town of East Haven that the Town of East Haven and the Board of Education, acting by their duly authorized agents, are authorized to amend and extend an existing Lease Agreement with GE Capital Corporation to fund technology projects for FY 2015-2016 and to obligate the Town and Board of Education for the payment of \$262,000.00 (net of applicable taxes) in furtherance of this extension; and

BE IT FURTHER ORDAINED, that any bidding requirements associated with said transaction are hereby waived.

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 Palladino makes a motion.

Councilman Sand seconds the motion.

No public comment.

No Council comment.

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

Item #7

To consider and act upon a Resolution setting a public hearing date and time to discuss "An Ordinance Abandoning the Town's Interest in Hurley Road." The public hearing shall take place on August 4, 2015, at 7:00PM, at the East Haven Senior Center, 91 Taylor Avenue, East Haven, Connecticut.

Councilman Santino makes a motion.

Councilman Badamo 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 a Resolution setting a public hearing date and time to discuss "An Ordinance Abandoning the Town's Interest in Diana Road." The public hearing shall take place on August 4, 2015, at 7:00PM, at the East Haven Senior Center, 91 Taylor Avenue, East Haven, Connecticut.

Councilman Santino makes a motion.

Councilman Badamo 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 a Resolution setting a public hearing date and time to discuss "AN ORDINANCE MAKING APPROPRIATIONS FOR VARIOUS PUBLIC IMPROVEMENTS AGGREGATING \$1,575,700 FOR THE 2015-2016 CAPITAL BUDGET AND AUTHORIZING THE ISSUANCE OF \$1,575,700 BONDS OF THE TOWN TO MEET SAID APPROPRIATIONS AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE" The public hearing shall take place on August 4, 2015, at 7:00PM, at the East Haven Senior Center, 91 Taylor Avenue, East Haven, Connecticut.

Council comment:

- Councilman Sand states that the numbers that are a part of the packet do not tally up to the \$1.5, it tallies up to \$1.4, are we going to amend that number now or ?
- Attorney Zullo explains that as long as the Ordinance read at the public hearing is accurate and the one that is filed in the clerk's office once we publish notice, they are in the clear.

Councilman Santino makes a motion.

Councilman Palladino seconds the motion.

No public comment.

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

Item #10

To consider and act upon a Resolution setting a public hearing date and time to discuss "An Ordinance Reallocating \$800,000.00 dollars of Capital Funds from Fiscal Years 2011-2012, 2012-2013, and 2013-2014" as follows:

Reallocation of Authorized Funds of Capital Projects

To:	For:	
Assessor	Revaluation	\$200,000.00
Police Dept.	Four (4) Motor Vehicles	\$200,000.00
BOE	Financial Mgmt. System (State Mandated)	\$150,000.00
Finance	Financial Mgmt. System (State Mandated)	\$100,000.00
Legal	Ventura Litigation Costs	\$150,000.00
TOTAL		\$800,000.00
From:		
74-1-020 (13-14)	Land-Frontage Rd.	\$352,500.00
74-1-060 (13-14)	Sand - Town Beach Repairs	\$243,500.00
74-1-050 (13-14)	Senior Center - Bus	\$55,000.00
74-1-030 (13-14)	Police - CCTV	\$35,000.00
93-3-113-01 (12-13)	High School - HVAC Chiller	\$15,000.00
92-3-103-13 (11-12)	Town - Telephone System	\$49,000.00
92-3-103-02 (11-12)	Temp. Classrooms	\$37,000.00
92-3-103-11 (11-12)	Police - Plant Upgrade	\$13,000.00
TOTAL		\$800,000.00

Reason: Funds being reallocated for new capital improvements.

The public hearing shall take place on August 4, 2015, at 7:00PM, at the East Haven Senior Center, 91 Taylor Avenue, East Haven, Connecticut.

Councilman Santino makes a motion to waive the reading of the account numbers.
 Councilman Palladino seconds the motion.
 Voice vote: all in favor-none oppose-none abstain. Motion carries.

Councilman Palladino makes a motion on item #10.
 Councilman Santino 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 rejecting the bid results of an auction with respect to the sale of 77 Borrman Road.

A Resolution Rejecting the Bid Results of an Auction with Respect to 77 Borrman Road

WHEREAS, the Town, in accordance with a prior resolution of this Council, conducted a public auction for the sale of 77 Borrman Road in East Haven;

AND WHEREAS, the results of said auction and said sale, as specified in the resolution authorizing said sale, are subject to the approval of this Council;

AND WHEREAS, the sole bid on the property was \$5,000.00;

AND WHEREAS, said bid is far below the Town's desired selling price;

NOW THEREFORE, BE IT RESOLVED that the results of said auction are hereby rejected and the resulting bid and proposed sale are hereby rejected.

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

No public comment.
 Council comment:

- Councilman Palladino asks what it costs us to have the auction, what does it cost every time we have an auction.

- Attorney Zullo says the legal costs are minimal, he thinks the total cost was around \$300. It is actually more costly to publish the notice, same as the ones we publish for the Council. He says he wouldn't be surprised if it was \$300-\$400 per notice.

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

Councilman Santino makes a motion to add the following item to tonight's agenda as **Item #11A**: A Resolution Authorizing Mayor Joseph Maturo, Jr. to execute a Listing Agreement for the sale of real property located at 77 Borrmann Road, East Haven, Connecticut.

Councilman Butler III seconds the motion.

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

Vice Chairman Parente makes a motion to add the following item to tonight's agenda as **Item #11B**: A Resolution Waiving the Town Charter's Competitive Bidding Requirements for the Limited Purpose of Listing 77 Borrmann Road with "Realty World Clayton"

Councilman Santino seconds the motion.

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

Item #11A

A Resolution Authorizing Mayor Joseph Maturo, Jr. to execute a Listing Agreement for the sale of real property located at 77 Borrmann Road, East Haven, Connecticut.

WHEREAS, the Town of East Haven is desirous of selling the real property located at 77 Borrmann Road in East Haven, Connecticut, better known by the following Map, Block, and Lot Number: "340/4326/016;"

AND WHEREAS, the Town's Planning and Zoning Commission, at its regular meeting on January 7, 2015, issued a favorable 8-24 referral approving such a sale;

AND WHEREAS, this Council has previously authorized the Mayor to execute a contingent real estate contract for the sale of said property;

AND WHEREAS, it was previously represented to this Council that said sale would be undertaken through the competitive bidding process;

AND WHEREAS, on May 2, 2015, the Town held a competitive bid auction with a reserve price of \$85,000.00 at which no bids were placed;

AND WHEREAS, on June 27, 2015, the Town held a competitive-bid auction, with no reserve, at which the property sold for \$5,000.00;

AND WHEREAS, since the Town has been unable to sell property at an acceptable price through the competitive bidding process, the Town now wishes to list the property with a real estate broker;

AND WHEREAS, the Town believes that listing the property with a real estate broker will attract greater attention to the property and different buyers, potentially increasing the proceeds to the Town from the sale of the property;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of East Haven that, the Mayor is authorized to execute a six-month Listing Agreement for 77 Borrmann Road with "Realty World Clayton" for the purpose of listing and selling said property;

BE IT FURTHER RESOLVED that the sale of said property, and any real estate contract memorializing the same, shall be contingent upon the passage, by the Town Council, of an ordinance authorizing the Mayor to execute a "Land Disposition Agreement" with the eventual and proposed buyer of said property.

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

Councilman Santino makes a motion.

Councilman Sand seconds the motion.

No public comment.

Council comment:

- Councilman Palladino says looking at this exclusive right to sell, we are showing a sale listing price of \$49,900 is that the listing price?
- Attorney Zullo says this is the listing price that was proposed by Realty World Clayton. The property is subject to about \$16,000 in water and sewer liens so that the actual price that someone would be paying to acquire the property is about \$65,000 plus their closing/loan costs.
- Councilman Palladino asks how Realty World Clayton came to be the person who wants to do this for us.
- Attorney Zullo says the same way that they were chosen by the prior administration to list 620 Coe Ave, they have listed properties for the Town in the past, and they are an East Haven business.
- Councilman Palladino asks if no other local realtors had an interest in it.
- Attorney Zullo says the Town goes out and finds contractors to do things based on who is found. He knows someone from Weichert was contacted, he doesn't

know if they got back to the Town but they did contact more than just one realtor to list it.

- Councilman Palladino asks if the 6% is the going rate that realtors get.
- Attorney Zullo says the standard is 6%, you will see some who discount it that are trying to attract more work, but for a property like this which is going to require significant advertising and work, 6% is more than fair.
- Councilman Parlato says that he has a hard time accepting the \$49,900, this is the cheapest he has seen in East Haven, even with a \$16,000 charge for the sewers, it's still below the \$85,000 it can sell for. The lot and foundation alone are worth \$70,000. Nobody is going to offer more than the asking price. He thinks it is much too conservative with everything the residents went through over there. He doesn't see someone coming in, flipping it and there being any improvement to the quality of life over there. He would like to sit down with Clayton and see how they came up with the number, the cheapest one he has seen so far is on Dodge Avenue and it sold for \$66,000 and is up for sale now at \$130,000.
- Vice Chairman Parente asks if the house on Dodge Ave is livable.
- Councilman Parlato says yes, even without all the work that was done in it, you could live in it.
- Vice Chairman Parente says with this house on Borrmann, you cannot possibly live in it under any circumstances in the world.
- Councilman Parlato asks if it has been checked out environmentally. He was told it was checked out.
- Attorney Zullo says they have no knowledge at this point of any official environmental issues, if someone was interested in the property they would get an environmental study done before obtaining a mortgage, and he doesn't necessarily know what would turn up.
- Councilman Parlato says the real estate agent has to serve you with a certificate if someone is interested in the building saying it is environmentally safe.
- Attorney Zullo says no, they have to give you a certificate certifying their knowledge as to any environmental issues; we don't have the knowledge of that. But if someone goes to get a mortgage and their mortgage company wants them to do a phase 1 or phase 2, something may turn up, we don't know.
- Councilman Parlato asks what our liability is.
- Attorney Zullo says we would have to see where it goes; it could be as simple as removing some dirt or it could be larger. The problem with this property is that it has been looked at by a number of realtors/investors/flippers and a number of them showed up and declined to bid. It says something about the property when the only bid was \$5,000. If you list at \$49,900, in his experience with real estate and real estate law, if you get multiple offers you can always ask for someone's highest and best in which case it may go above the \$49,900. But, given the state

of the property, everyone who looked at it is saying they would not pay more than \$40,000-\$60,000 for the property. The reason for listing it is also because listing it will bring in a different type of buyer; as an auction you only get people who put up the money to buy the property, you only get investors who are going to flip and sell. When you list with a broker, you are going to get families, people looking to start a home and put more equity into it. These buyers aren't worried about flipping it and making \$50,000-\$60,000, they are just worried about putting money into it and making it a home and if they happen to have equity in the end then it's even better for them. He thinks you will get a higher quality of life by listing it because they aren't focused on flipping it. The Town made a significant amount of its money back by selling the personal property that was left behind; the purpose of the Town acquiring it is to make a better quality of life for the neighborhood. By listing and selling it to anyone will dramatically improve the quality of life. As far as the amount that was recommended by Clayton, if the Council wants to recommend a higher amount it is their discretion. On the other hand, he knows Clayton's resume was included he certainly has more real estate experience than he does. The Council can either take his recommendation or make a recommendation of its own.

- Councilman Parlato says he was under the impression that someone was living in the house and it was environmentally equipped but now he is gathering that whoever buys it has to do a significant amount of work inside of it. He has never been inside of it.
- Councilman Santino says it is a mess, destroyed.
- Attorney Zullo says most of the subcontractors that have been spoken to say that they would have to remove the subfloor; it's not just taking it down to the studs and starting over. It needs significant structural work, the walls aren't going to fall down but it is not habitable.
- Councilman Palladino asks if the realtor has spoken to the Town Assessor, does he agree with this price. Is he on board with this being a fair price? If he is, along with Clayton's experience, he would have to agree.
- Attorney Zullo says he doesn't know if he has spoken to the Assessor but he knows in coming to that number he has looked at marketing conditions, the property, etc. He thinks the Assessor's field card was included with this property; he is willing to bet the assessment of this property is about \$89,000 assessed, but also keeping in mind the assessment company was never in the house. He says that it is on .3 acres.
- Councilman Butler III says according to the field card the total building value is \$86,215.
- Attorney Zullo says the assessed value is about $\frac{3}{4}$ of the actual. As of 2011 the market value was \$152,900, which was the last revaluation.

- Councilman Santino says the Council can come up with a number, vote on it and give it to the realtor.
- Councilman Palladino says he would be more comfortable if the Assessor was there to tell them what he feels it is worth, he tells us what we pay taxes on that's the person who should be telling us this number.
- Chairman Anania says they have the number from the field card, the \$86,215.
- Attorney Zullo says the problem is that it has already been marketed twice and nobody has even come close to \$86,000. This issue is less about making money as it is the quality of life.
- Councilman Santino says it should be put back on the tax rolls.
- Attorney Zullo says it is very rare that the Town makes money on a tax foreclosure; this is one of the instances where we pay all the costs of acquisition and get a significant portion of the tax dollars back. It's just a matter of how quickly we want to put it back on the tax rolls.
- Vice Chairman Parente says if anyone was able to look at this house, you can't even walk in the house. If he was in the business, he would tear it down.
- Councilman Santino says the property itself is worth \$50,000.
- Councilman Sand says so we are right on the money with the price.
- Attorney Zullo says he did forget one other aspect, one of the provisions of this requires that if we list it and someone makes an offer, that offer comes to this Council to either be accepted or rejected even before going forward with title search and closing. If we list it for \$49,900 and get a highest and best of \$55,000 and the Council is still not happy with that, they still have the right to reject it. So there is a failsafe built into it so they don't have to worry about anyone making a side offer, special deal, etc. no matter what it has to come back to the Council and they did that on purpose.
- Councilman Palladino asks how soon they feel it has to be done; if this was tabled for one month would it make a big difference.
- Attorney Zullo says the closer you get to fall or winter the less active the market is and rates are starting to climb.
- Councilman Palladino says so this is a good time to do it.
- Attorney Zullo says it is a better time, sooner rather than later.
- Councilman Palladino asks Councilman Parlato if they made a motion to list it at \$59,900 and go from there, would he be happier with that.
- Councilman Parlato says he is happy with the fact that it has to come back to the Council, he was under the impression the building wasn't in that bad of shape but apparently it is. As long as the Council has last say on it, they have more time to look at it. He was only looking at other houses on the market and that's why it seemed like a very low price.

- Vice Chairman Parente says he bets they will get an offer less than the asking price.
- Attorney Zullo says the Council will have two last says; it will have a say when the offer comes back and it will have a say in the Land Disposition. So when they get an offer of \$49,900 then they can go back to the Assessor and ask him if it is fair. This way, we don't have to hold it up and can still get his opinion. He encourages all people to look at this property and buy it.

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

Item #11B

A Resolution Waiving the Town Charter's Competitive Bidding Requirements for the Limited Purpose of Listing 77 Borrman Road with "Realty World Clayton"

WHEREAS, the Town of East Haven is desirous of selling the real property located at 77 Borrman Road in East Haven, Connecticut, better known by the following Map, Block, and Lot Number: "340/4326/016;"

AND WHEREAS, prior attempts to sell said property through the competitive bidding process have been unsuccessful;

AND WHEREAS, this Council, by resolution passed concurrently herewith, has authorized the Mayor to list said property for sale with "Realty World Clayton;"

AND WHEREAS, the Town Charter requires that all sales of real property be undertaken through the competitive bidding process;

AND WHEREAS, the Town Charter's bidding requirements may be waived by two-thirds of the members present and voting;

AND WHEREAS, the Finance Director recommends that the Council waive the competitive bidding requirements with respect to the sale of 77 Borrman Road and as explained herein in order to facilitate the sale of this property;

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 listing and sale of 77 Borrman Road are hereby waived;

BE IT FURTHER RESOLVED that this bid waiver is for the limited purpose of listing and selling said property pursuant to a listing agreement to be executed with "Realty World Clayton;"

BE IT FURTHER RESOLVED that sale by any other means, including by private offer or offer made after the expiration of said listing agreement, shall require an additional bid waiver along with all other approvals required of this Council;

BE IT FURTHER RESOLVED that this bid waiver shall expire on November 2, 2015.

Councilman Santino makes a motion.

Councilman Parlato seconds the motion.

No public comment.

No Council comment.

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

Item #12

A Resolution Appointing Marlene Asid to the Ethics Commission.

Chairman Anania apologizes; he did not realize this was on the agenda because he was on vacation. He does have another name, he has nothing against Marlene he knows her very well and thinks she would be very good for this Commission. He did get another name and a resume will be submitted to him from someone who is interested. She works in New Haven, lives in East Haven and does not have a political affiliation.

Councilman Santino makes and withdraws a motion to table it until the next meeting. Chairman Anania withdraws the item from the agenda pursuant to his powers as Chairman.

Item #13

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

William Ginnetti
62 Hemingway Ave
East Haven CT 06512-3404

Acct./List: 2011-03-59148 E/S 26128
Reason: Bill Removed. Housed in New Haven.

TOTAL: \$537.92

Councilman Santino makes a motion.

Councilman Palladino seconds the motion.

No public comment.

Council comment:

- Councilman Santino says he looked into it and its all there and taxes are paid in New Haven.
- Attorney Zullo says this is the first refund with the form that the Council put into place and they should be like this all the time now.

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

Item #14

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

TD Bank
Attn: Escrow, Phil
 32 Chestnut St
 Lewiston ME 04240

Acct./List: 2013-01-7713
 Reason: Duplicate payment made for 2nd Install

TOTAL: \$1,123.19

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 #15

Adjournment of Regular Meeting.

Councilman Santino makes a motion.

Vice Chairman Parente seconds the motion.

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

Meeting is adjourned at 8:05PM.

Respectfully Submitted,

Danelle Feeley, Clerk, East Haven Legislative Town Council