

EAST HAVEN TOWN COUNCIL  
REGULAR MEETING MINUTES  
TUESDAY, JUNE 6, 2017

*Stacy Grawns, CTC*  
TOWN CLERK

The East Haven Town Council held a regular meeting Tuesday, June 6, 2017, 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 7:08PM.

**Item #1**

Roll Call-13 members present – 1 absent (Anania).  
(Councilman DePalma arrived late)

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

**Item #2**

Approval of minutes from the May 9, 2017 Public Hearing.

Councilman Joseph Santino makes a motion.

Councilwoman Linda Hennessey seconds the motion.

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

**Item #3**

Approval of minutes from the May 9, 2017 Special Meeting.

Councilman Santino makes a motion.

Councilman William Richardson seconds the motion.

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

**Item #4**

Correspondence-

- A letter to Mayor Maturo and Town Council members from Charles Lang of 74 Bradley Street, East Haven regarding appointment to the Town Council vacancy in District 4. Mr. Lang indicates he is interesting in filling the vacancy, he is a lifelong resident of East Haven with a wife of 52 years, two children and two grandchildren all of East Haven. He has served six years in the United States Navy and is a 25-year retired member of the IBEW Local 90. He has served five

terms on the Zoning Board of Appeals during two different Administrations and also served six years on the Town Council in District 4 in the past. He asks the Council to consider his appointment to fill the vacancy.

- A Letter to Town Council members from Mayor Maturo recommending Charles Lang is appointed to the Council in District 4. Mayor Maturo recommends him to fill the vacancy originally vacated by Vincent Spaduzzi who resigned and William Gormley who moved out of District. He indicates Mr. Lang is a former Councilman and present Zoning Board of Appeals and his credentials speak for themselves. He indicates he knows Mr. Lang will bring a wealth of knowledge and experience to the Council and provide vital leadership to the residents of District 4.

Chairman Parlato says he thanks Mr. Gormley for his brief but dedicated service.

## Item #5

### Subcommittee Reports:

- a. Subcommittee on Education, Library, and School Building;
    - a. Councilman Parente says it is the end of the year; the Board of Education is wrapping up and closing their books.
  - b. Subcommittee on Public Safety, Health, & Welfare; Councilman
    - a. Santino says they have a few transfers coming tonight and the Chief is there to discuss getting some equipment.
  - c. Subcommittee on Finance;
    - a. Councilman Richardson says they have had a lot of year end transfers recently and the biggest were for Police and Fire which they will see this evening.
  - d. Subcommittee on Public Services, Parks, & Recreation; no report.
  - e. Subcommittee on Urban Renewal/Housing; no report.
- Chairman Parlato says there was discussion in the past regarding concerns over stipends that are given out which total \$80,000 or so and he was asked to appoint a subcommittee. Councilman McKay, Councilman Palladino and Councilman Richardson have volunteered to be on that committee. They received some instruction from the Town Attorney regarding when the committee can meet and such and basically what he wants is to be brought up to date about the people who receive the stipends. We don't want to oversee it to the point that we monitor it, we want to be sure whatever they are doing is in compliance with the stipend they receive and a general rundown of what is happening. Council



members have asked where the money is being spent and the subcommittee can answer the questions that come up.

- Councilman Richardson says they met and have a list of questions they want to present to the groups that receive a stipend. He asked the Chairman if he wants those to come before the Council.
- Chairman Parlato says no, they are the subcommittee and can get the information any way they wish and they have to keep minutes of the meeting and work with the Recreation Director. Then they can come back before the Council.
- Councilman Palladino says he has 6 questions written down directly, he says he can read them now.
- Chairman Parlato says they can discuss them in their subcommittee meeting and then form a report to bring back to the Council.

Chairman Parlato says Mr. Lang is present tonight and he would like to have him appointed tonight. He solicits a motion to add to the Agenda the appointment of Mr. Lang.

Councilman Parente makes a motion to add to the Agenda Item #6A to consider the appointment of Charles Lang to fill the vacancy on the Town Council in District 4.

Councilman Ken McKay seconds the motion.

Roll call vote: 11 in favor- 1 oppose (Lettieri-Morales)-none abstain. Motion carries.

#### **Item #6A**

A resolution appointing Charles Lang to fill the vacancy for the unexpired term in District 4 pursuant to the Town Council's appointment powers under Section 3 in the Town Charter.

Councilman McKay seconds the motion.

Councilwoman Hennessey seconds the motion.

No public comment.

Council comment:

- Councilwoman Letizia Lettieri-Morales says she is going to argue the same thing she did when the Council appointed Mr. Gormley. When there were two Democrats in September 2015 who came off the Council, two Council members who are present tonight made the argument that they are in an election year it is close to the election and they will come on and run as an incumbent and it is not fair. There may be other people that would like to be on the Council in the 4<sup>th</sup> District. She thinks what's good for the goose should be good for the gander.

Roll call vote: 11 in favor- 1 oppose (Lettieri-Morales)-none abstain. Motion carries.

Town Attorney Joseph Zullo presents the oath of office to Charles Lang.

**Item #6**

To consider and act upon a Resolution accepting the Suspense List for Tax Collection for the 2016-2017 fiscal year in the total amount of \$358,755.84 and authorizing the Tax Collector to place said accounts on suspense.

**A Resolution accepting the Suspense List for Tax Collection for the 2016-2017 fiscal year in the total amount of \$358,755.84 and authorizing the Tax Collector to place said accounts on suspense.**

**BE IT RESOLVED** that the Town Council hereby accepts the Suspense List for Tax Collection for the 2016-2017 fiscal year in the total amount of \$358,755.84 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:

2015 Motor Vehicle	\$4,122.72
2014 Motor Vehicle	\$176,231.40
2011 Motor Vehicle	\$43.02
2009 Motor Vehicle	\$582.97
2007 Motor Vehicle	\$493.96
2006 Motor Vehicle	\$466.59
2005 Motor Vehicle	\$144.58
2002 Motor Vehicle	\$185.77
2004 Motor Vehicle Supp.	\$37.00
2012 Motor Vehicle Supp.	\$246.36
2014 Moro Vehicle Supp.	\$43,584.56
2002 Personal Property	\$423.75
2003 Personal Property	\$35,178.49
2004 Personal Property	\$40,979.16
2005 Personal Property	\$38,619.84
2006 Personal Property	\$17,415.67
<b>Total FY 2016-2017</b>	<b>\$358,755.84</b>

Councilman Santino makes a motion.

Councilman McKay seconds the motion.



- Lucille Huelin, Tax Collector, Town of East Haven addresses the Council and explains that all of the personal property is from businesses that no longer exist and haven't in quite some time. They have done everything they possibly can to collect but in some cases the owners are deceased or there is no longer a business. The smaller ones may be in bankruptcy and they have been discharged so they can't collect from them and they are put on suspense. They have given them over to our collection agency Rossi Law Firm in Rhode Island and they are now clearing them off the books.

No public comment.

Council comment:

- Councilman Palladino says he read the list and there are a dozen names on the list who are people he personally knows and knows they live in the Town or close to the Town; some of them worked for the Town, retired and are collecting State pensions and benefits from the Town. He reads it and it says cannot locate and he finds that disturbing. He asks if they can publish the names in the East Haven newspaper that they owe back taxes, with the exception of the deceased, as he knows some of them are. Can we do this to shake them up? He pays his taxes on his 4 vehicles religiously and he's sure everyone else there does too; he can't see people who we know and see walking around owing taxes. Will the Courier do it without charging us?
- Attorney Zullo say he doesn't know if the Courier will do it for free, we still pay with the Courier at a reduced rate. He would have to check the fair debt collections act because acts intended to annoy or embarrass are generally not allowed as far as collections go; there as laws regarding what they can and can't do in trying to collect debt. He says he can review it and see if it is possible if it is published in a way so as to not intend to "shake them up" or embarrass, but as a notice to inform and locate them he would have to check the Act, he can do that and let them know. He doesn't want the Town to find itself in violation of that act because there are severe penalties.
- Councilman Santino says as far as it saying they tried to locate, they just make phone calls up to this point, they haven't had someone actually looking for them have they?
- Mrs. Huelin says some of the larger ones can be turned over to Marshals but they turn most of them over to Rossi Law Firm and they do searches. The Town does more than just phone calls, they use the DMV system, we pay a fee to be allowed in the records as a member and they get stuff back that says wrong address and they use the computer, white pages, etc. whatever they can to try and locate them.
- Councilman Santino asks if these people still have cars registered.

- Mrs. Huelin says the problem is some of them are not registered, but they are still collectable for 15 years even though they are on the suspense list. They catch people when they try to register a new vehicle or an old one. There are people who moved out of State for years and come back and try to register and they catch them then and they have a large bill with interest.
- Councilman Santino asks the percentage we pay the Law Firm to collect.
- Mrs. Huelin says she doesn't believe we pay them they get 15% on top of what we are owed.
- Chairman Parlato says that Councilman Palladino said he knows some of the people, is it possible if he gave them the names they can see if they are reachable. Chairman Parlato says he noticed someone who lives down the street from him; he changed his address to a few houses down from where he used to live.
- Mrs. Huelin says some people don't have addresses because they use P.O. boxes because DMV was taking them. But if they give her an address she will definitely go after it.
- Councilman Palladino says he can give names and addresses and even where some of them are employed.
- Mrs. Huelin says she will pursue it and if they have been turned over to Rossi Law Firm she will give the information to them.
- Councilman Palladino says he doesn't know the company they are probably good but when he sees names that jump right out as former Town employees but they can't find them, we are paying benefits for them and if we are paying their doctor bills they can pay their taxes. He says maybe they can withhold their benefits, there has to be some kind of recourse.
- Councilman Parente comments that this is nothing new what we are doing, this has been done for a long time in this Town and it has been very successful.
- Councilman Santino says for the taxes they owe, does it give us a right to do executions on accounts?
- Attorney Zullo says a Marshal has broader executions powers as far as seizure or things like that, if we wanted to sue on the debt we could because they owe it. Essentially they would have to sue and file for executions. If they know them, the first step is to find out where they are and what their assets are then Rossi Law Firm can file suit and get an execution to try and collect.
- Mrs. Huelin says they do that, she has four of them on her desk now that they filed suit on.
- Attorney Zullo says the collection rate on personal property is about 97%, so they got the bulk of it, this represents the rarities.
- Mrs. Huelin says a lot of these are old; they have tried for a while.



- Vice Chairman Sand says he doesn't keep track of the suspense lists from year to year but some of these may have been collected and it doesn't show that from year to year. If they were looking at it and it is \$14,000 and they collected \$7,000 and then are moving the rest over, so it shows the Council they got as much as they could and now it is time to send the rest over to the attorney to clean up. He asks if that is something that is available.
- Mrs. Huelin says absolutely, she has the record of what they collect every month, she will make a note of that for next time.
- Councilman Richardson says once it is at this point, what is our success rate for getting the monies through the attorney?
- Mrs. Huelin says she doesn't have that figure but the attorneys work hard, she gets a check every month from Rossi, they collect and they make arrangements with people to make payments. They are still collecting on 2010, 2011 and so on.

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

#### **Item #7**

To consider and act upon "An Ordinance Approving and Authorizing the Conveyance of 620 Coe Avenue to Mellen East Haven Associates, LLP, or its designee, for \$195,000.00."

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

#### **An Ordinance Approving and Authorizing the Conveyance of 620 Coe Avenue to Mellen East Haven Associates, LLP, or its designee, for \$195,000.00**

**WHEREAS**, the Town of East Haven is desirous of selling the real property located at 620 Coe Avenue in East Haven, Connecticut, better known by the following Map, Block, and Lot Number: "0160/1615/002;"

**AND WHEREAS**, the Town's Planning and Zoning Commission, at its regular meeting on November 5, 2014, issued a favorable 8-24 referral the sale of the property;

**AND WHEREAS**, the Town Council, on May 9, 2017, approved 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 620 Coe Avenue, East Haven, CT 06512 to Mellen East

Haven Associates, LLP, or its designee, is hereby approved for a sales price of \$195,000.00 (One Hundred and Ninety-Five Thousand Dollars and Zero Cents 00/100);

**BE IT FURTHER ORDAINED** that the Land Disposition Agreement memorializing said sale is hereby approved in the form substantially as presented to this Council;

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

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

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

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

Councilman Parente 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 #8**

To consider and act upon a Resolution approving and authorizing Mayor Joseph Maturo, Jr., or his designee, to sign a "Memorandum of Agreement Regarding Use of Federal Fiscal Year 2016 State Homeland Security Grant Funding and Custodial Ownership of Regional Assets in DEMHS Region 2."

**A Resolution approving and authorizing Mayor Joseph Maturo, Jr., or his designee, to sign a "Memorandum of Agreement Regarding Use of Federal Fiscal Year 2016 State Homeland Security Grant Funding and Custodial Ownership of Regional Assets in DEMHS Region 2."**

**BE IT RESOLVED** that a "Memorandum of Agreement Regarding Use of Federal Fiscal Year 2016 State Homeland Security Grant Funding and Custodial Ownership of Regional Assets in DEMHS Region 2" is hereby approved in the form substantially as presented to this Council in connection with the FFY 2016 Homeland Security Grant Program.



**BE IT FURTHER RESOLVED** that Mayor Joseph Maturo, Jr., or his designee, is authorized to sign the aforementioned Memorandum of Agreement, to obligate the Town's participation in the FFY 2016 Homeland Security Grant Program, and to execute any and all related documents in order to give effect to the same.

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.

- East Haven Fire Chief Matthew Marcarelli addresses the Council and explains that the Memorandum of Understanding allows them to accept equipment grants from the Department of Homeland Security. It is federal trickle down money that finds its way through the State which administers the funds and they don't give us actual dollars; they provide us with equipment on an as needed basis dependent upon how much funding they have. There are opportunities for us to get equipment that can be used for the Fire Department and Police Department, so the agreement allows them to accept that.

No public comment.

Council comment:

- Councilman Santino asks if by them accepting this federal grant, does it open the door for other things that the federal government can come in and say we have to do something because we accepted federal money?
- Chief Marcarelli says the money comes from the State but there are some circumstances that, because we are taking a certain piece of equipment, if we have it and another Town doesn't they could request us to assist them with it. But, the types of equipment we would be getting would not be anything unusual whereas the City of New Haven for example has some high tech equipment they use and they could be called on for it but he doesn't anticipate us being called to another Town to assist.
- Vice Chairman Sand says he was reading into the document and there were numbers and one was \$1,668,969 and there was a breakdown of other numbers and it gave categories. He says it's being indicated that it is for equipment but did he misinterpret what he read because there were categories to expand regional collaboration, citizens report program, medical prep and response, etc.
- Chief Marcarelli says there are a lot of opportunities included in the MOU, but based on our assessment we would probably only take advantage of the equipment grants and opportunities to use training funds. There are opportunities

for if they had to send a firefighter to training or a law enforcement official or emergency manager for the town, there are opportunities to get money to back-fill their job for up to \$200/day while they are away.

- Vice Chairman Sand says is this State wide, are we becoming something as part of the State because it says region II, what is region II?
- Chief Marcarelli says the State is divided into a number of regions and region II is essentially New Haven County, it encompasses a little more of that. There is a pot of money available for region II and when it becomes available they let us know and if there is equipment we want as part of the regional entity we belong to we can apply for it. East Haven is part of the New Haven Special Hazards Team and that gives us the opportunity to get equipment as one example. Another example is what they are doing in Law Enforcement like their regional investigations team, which also gets funding from the same resource. The MOU is not just being signed for the Fire Department, it is being signed for all of the public safety entities in Town.
- Vice Chairman Sand asks about Connecticut Intel Center that is being housed in New Haven from Cheshire, something was housed there for data. They had information and we were accessing their database, he asks if that is what he is talking about.
- Chief Marcarelli asks if he is talking about the infusion center, he believes there may be funding for that from here but he is not too familiar with that because that is for the law enforcement agency.
- Chairman Parlato asks if this will be applied on a competitive basis like grant writing.
- Chief Marcarelli says no it is more simplified so there will be opportunities coming for when there is equipment available he can tell the rep. we don't have it and would like it and he submits an analysis, it's voted on and then they would get the equipment and they pay for it.
- Councilman Richardson says it shows a due date of January 11, 2017
- Chief Marcarelli says he can go back retroactively and re-apply.
- Councilman Richardson says so the one they are applying for now was the one due January 2017?
- Chief Marcarelli says yes, we can apply for it again.

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 Reallocating \$49,500.00 of Capital Funds within Capital Account #94-3 (DOJ) as follows:

**Acct. #94-3 (DOJ)**

<b>To:</b>	<b>For:</b>	
94-3-600-01	DOJ Overtime	\$49,500.00
<b>TOTAL</b>		<b>\$49,500.00</b>

<b>From:</b>		
94-3-700-03	DOJ Contingency	\$49,500.00
<b>TOTAL</b>		<b>\$49,500.00</b>

**Reason:** Reallocation of prior, unspent bond funds for overtime due to DOJ reporting and additional consent decree requirements.

The public hearing shall take place on July 11, 2017, at 7:00PM, at the East Haven Senior Center, 91 Taylor Avenue, East Haven, Connecticut.

### AUTHORIZING ORDINANCE OF THE East Haven Town Council

**"An Ordinance Reallocating \$49,500.00 of Capital Funds within Capital Account #94-3 (DOJ)"**

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

**AND WHEREAS**, the Board of Finance, on March 23, 2017, approved and recommended the following transfers/bond reauthorizations to the Town Council:

**Acct. #94-3 (DOJ)**

<b>To:</b>	<b>For:</b>	
94-3-600-01	DOJ Overtime	\$49,500.00
<b>TOTAL</b>		<b>\$49,500.00</b>

<b>From:</b>		
94-3-700-03	DOJ Contingency	\$49,500.00
<b>TOTAL</b>		<b>\$49,500.00</b>

**Reason:** Reallocation of prior, unspent bond funds for overtime due to DOJ reporting and additional consent decree requirements.

**NOW THEREFORE**, be it **ORDAINED** by the Town Council of the Town of East Haven that said transfers/bond reauthorizations are 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 Santino makes a motion.  
 Councilman Butler III 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 authorizing a Transfer of \$41,999.00 for the Fire Department as follows:

#### **Fire Department**

##### **To:**

01-334-0482	Comm. Equipment	\$24,999.00
01-334-0594	Protective Safety	\$17,000.00
<b>TOTAL</b>		<b>\$41,999.00</b>

##### **From:**

01-334-0563	Tires and Tubes	\$2,999.00
01-334-0887	CMed Annual	\$22,000.00
01-334-0681	Phys. and Med	\$4,000.00
01-334-0665	Auto Body	\$3,000.00
01-334-0350	Professional Dev.	\$10,000.00
<b>TOTAL</b>		<b>\$41,999.00</b>



**Reason:** Funds needed for the acquisition of additional radio equipment and safety gear.

Councilman Santino makes a motion.

Councilman Palladino seconds the motion.

No public comment.

Council comment:

- Councilman Parente asks if this will close out the year for transfers.
- Chief Marcarelli says there may be one more for overtime.

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

#### **Item #11**

To consider and act upon a Resolution setting a public hearing date and time to discuss an "Ordinance approving a transfer of \$120,045.00 for the Police Department" as follows:

#### **Police Department**

##### **To:**

01-332-0190	Overtime Wages	\$69,745.00
01-332-0190	Overtime Wages	\$300.00
01-332-0190	Overtime Wages	\$50,000.00
<b>TOTAL</b>		<b>\$120,045.00</b>

##### **From:**

01-332-0110	Regular Salaries	\$69,745.00
	No Smoking	
01-332-0178	Incentive	\$300.00
	Replacement Vac.	
01-332-0192	Days	\$50,000.00
<b>TOTAL</b>		<b>\$120,045.00</b>

**Reason:** To cover overtime wages within current fiscal year.

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

**An Ordinance approving a transfer of \$120,045.00 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 May 17, 2017, approved and recommended the following transfer to the Town Council:

**Police Department**

**To:**

01-332-0190	Overtime Wages	\$69,745.00
01-332-0190	Overtime Wages	\$300.00
01-332-0190	Overtime Wages	\$50,000.00
<b>TOTAL</b>		<b>\$120,045.00</b>

**From:**

01-332-0110	Regular Salaries	\$69,745.00
	No Smoking	
01-332-0178	Incentive	\$300.00
	Replacement Vac.	
01-332-0192	Days	\$50,000.00
<b>TOTAL</b>		<b>\$120,045.00</b>

**Reason:** To cover overtime wages within current fiscal year.

**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: _____

The public hearing shall take place on July 11, 2017, at 7:00PM, at the East Haven Senior Center, 91 Taylor Avenue, East Haven, Connecticut.

Councilman Mckay 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 #12**

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 to appoint the firm of "PKF O'Connor Davies" to audit the books and accounts of the Town for the fiscal year ending June 30, 2017.

**A Resolution, pursuant to Chapter III, Section 8, of the East Haven Town Charter, adopting the recommendation of the Mayor to appoint the firm of "PKF O'Connor Davies" to audit the books and accounts of the Town for the fiscal year ending June 30, 2017.**

**BE IT RESOLVED** that pursuant to Chapter III, Section 8, of the East Haven Town Charter, The Town Council hereby adopts the recommendation and appointment of the Mayor and designates the firm of "PKF O'Connor Davies" to audit the books and accounts of the Town for the fiscal year ending June 30, 2017.

Councilman Parente makes a motion.

Councilman Mckay seconds the motion.

No public comment.

Council comment:

- Councilman Palladino asks if we have used this firm before.
- Finance Director Paul Rizza says it is the same people with a different name.
- Councilman Palladino asks what they are charging us to do this.
- Mr. Rizza says the same price we paid for the '15-'16 audit, a total of about \$80,000 but it is shared between the Town and the Board of Education.
- Councilman Palladino says so there is no increase, did a partnership form?
- Mr. Rizza says the people moved because the other firm was moving away from municipal audit into the private sector. Our people who have been doing it for the last 12-13 years are municipal auditors.
- Councilman Palladino says okay so it's the same people, they just separated.

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

**Item #13**

To consider and act upon a Resolution Waiving the Town Charter's Competitive Bidding Requirements in Connection with the repair and replacement of the roof at Hayes School (6 Maple Street - East Haven, CT).

**A Resolution Waiving the Town Charter's Competitive Bidding Requirements in Connection with the repair and replacement of the roof at Hayes School (6 Maple Street - East Haven, CT)**

**WHEREAS**, the Town of East Haven is presently the owner of 6 Maple Street, East Haven, Connecticut, AKA the former Hayes School;

**AND WHEREAS**, the Town of East Haven maintains said building for use by the Foxon Recreation League, Inc., pursuant to a lease previously approved by the Legislative Town Council;

**AND WHEREAS**, the roof at the subject property is in need of immediate replacement and/or repair;

**AND WHEREAS**, the Town has obtained three (3) quotes for the replacement and repair of the roof at the former Hayes School;

**AND WHEREAS**, the Director of Administration and Management has exercised due diligence in interviewing potential contractors and vendors, such that soliciting contractors/vendors via the competitive bidding process would be financially wasteful and would delay the critically necessary roof repairs;

**AND WHEREAS**, the Finance Director recommends that the Council waive the competitive bidding requirement to allow the Town to contract for the repair and replacement of the roof at Hayes School;

**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 repair and replacement of the roof at the former Hayes School (6 Maple Street, East Haven) are hereby waived.

Councilman Parente makes a motion.  
Councilman Lang seconds the motion.

- Mr. Brancati explains that they have not done a specific bid but they solicited roofing contractors and engineering firms to do an evaluation of this roof. They had three proposals given to them and they did their due diligence in terms of materials being used, labor costs and the difference between using TPO as a cover for the roof or EPDM. He got familiar with these terms and learned there is not much difference between the EPDM and the TPO; they both have a 20-year warranty. Prices ranged from \$147,000 up to \$499,000 which was with a complete pitched roof versus doing the flat roof again. They did their due diligence by calling the Connecticut Roofing Agency to ask about the



specifications for materials being used and the Connecticut Building Trades about the materials and Firestone which is the supplier, to make sure we weren't missing something between the differentials in the prices. The two that it came down to were Quality Roofing and S&T Construction and there was a difference because of the EPDM and TPO was because the other company tried to convince him that the EPDM costs \$150,000 more but that was not true. The Connecticut Building Trades Company said the materials are almost identical and they are wasting their time going with EPDM because both have 20-year guarantee and the TPO is more than capable of lasting 20 years. It came down to Quality Roofing with the bid for \$147,000 and they also tested for asbestos and there is a report in his quote, which indicates there was no asbestos detected in the roof or flashings. There should be no surprises in that regard. They did their due diligence in checking on the thermal plastics and the materials being used, their recommendation to the Council is to go with Quality Roofing at the price and quality of the work they are going to do. They spoke with people who have used Quality in the past that said they have a great reputation and given their credentials and history in the business. He says Bobby Parente went on the roof with them every time they came and can attest to everything they did. If the Council approves this they can get started almost immediately. It is desperately needed because of all the rain we had the tar has leaked down the sides of the walls again. Mr. Parente has a cleaning solution that they went in with and cleaned with several times and they have covered materials in the Historical Society room with plastic to ensure nothing gets wet.

No public comment.

Council comment:

- Councilman Richardson says he sees that the original quote was from October 7, 2016.
- Mr. Brancati says that is when they wanted to do it and it had to be put in capital budget. He spoke with Dan Young a few weeks ago and asked if the price of \$147,000 was still good and he said it was, nothing was being changed, his commitment still holds.
- Councilman Richardson says they don't need that in writing?
- Mr. Brancati says he has the contract that he signed and he will still honor that contract.
- Councilman Parente says when we say we are replacing the roof, they are going down to the decking, when this is taken off they will be able to see sunshine; it will be completely refurbished and brand new. It is not only in need of it, but it is going to be done to all of our specifications and concerns.
- Councilman Santino says as long as there are no surprises and they don't change the work orders and it comes to \$200,000 like what happened with the other building.
- Chairman Parlato asks if there are any contingencies with removing the tar that is leaking in once they strip the roof.
- Mr. Brancati says they will see this in the capital budget, what he did in his request for the replacement/repairs for the roof was put \$200,000 in the request.

The quote is \$147,000 and he anticipated any surprise if there were, he didn't want to go in with the exact dollar amount because there is some interior work to be done; there is a bathroom in one of the rooms with a severe leak and they closed and locked it so that nobody would go in it. The public bathrooms were fine; this is one bathroom in one bathroom with 1 inch thick tar on the walls and floors. He anticipates that they may use some of the money in his request for the tar there now and possibly more by the time it's done

- Councilman Santino asks if they foresee any mold problems.
- Mr. Brancati says they have not seen any mold.

Public comment:

- Joan Adamczyk indicates there is tar coming down in the equipment room used by the Foxon Rec league. It is coming down in the columns behind the walls. They are going to have to rip that off because it is leaking behind the walls like lava.

Council comment:

- Councilman Santino asks if it's rotted and that's why the tar is coming down. Are they going down to the decking or replacing the decking?
- Mr. Brancati says they are replacing the deck too.
- Councilman Parente says there have been so many patch jobs over the years and there are now gallons of tar on the roof so it is seeping down.
- Mr. Brancati says this property was transferred to us by the Board of Education last July, knowing that the roof was bad. It wasn't a surprise it was leaking and the tar was coming down on the walls.
- Chairman Parlato says so we do have the funds to do the roof and any cosmetic repairs inside the building once it is done.
- Mr. Brancati says that is why he did request \$53,000 more in his capital request for this project.
- Councilman Santino says every time the Board of Education gives us something it costs us something. We should do an inspection on whatever they try to give us the next time.
- Councilman Parente says these are all Town buildings, we give them to the Board to use and they give them back.
- Vice Chairman Sand says he was wondering if the specs were the same when they went to the bidders and now he is reading the one from Quality and it mentions removing and disposing of the insulation and flashings to the decking. It does not say they are removing the decking, so he wants to be clear that with this quote it includes the decking. Bob said they are going to see sunlight, so are we putting new decking down or are we taking material off to the decking?
- Mr. Brancati says we are putting new decking down.



- Councilman Santino says it will only take 5 minutes to ask the guy if it includes it, they can vote on it right now and if it's good it doesn't have to go back to them.
- Attorney Zullo says in the event it's not good it may require an emergency meeting.
- Councilman McKay asks what the second bid is for.
- Mr. Brancati says \$290,000.
- Councilman McKay says what does the second bid say?
- Mr. Brancati says it is the same specs.
- Attorney Zullo says the right way to do it would be for someone to amend the resolution that the bid waiver is approved subject to the replacement.
- Councilman Richardson says if we have to replace the entire deck at their cost, it's another \$200,000 it's 22,000 sq. ft. at \$10/ sq. ft.
- Mr. Brancati says they may not need to replace the entire deck, he mentioned that if there were areas of the deck that could not be repaired, those sections would get changed.
- Councilman Parente says 2/3 of that building including the principal's office nurse's area and 5 classes don't have any tar dripping at all. Some rooms he was in with him they were saying the decking needed replacement.
- Councilwoman Archambault says it leaks behind the principal's office too.
- Chairman Parlato asks if any of the quotes he has state replacement of the deck.
- Mr. Brancati says it is as needed.
- Chairman Parlato says that is usually what they do, they usually conform to the same unit price as needed. Because of the difference in the price, even if they had to replace 30% of it, it would still be the lowest bid. In his opinion he doesn't think they are going to need to replace that much of it, they will focus on areas that collect water because those would be more likely to leak than anywhere else.
- Mr. Brancati says there are only four drains on the roof, which is a bad design. The far end on the left hand side is where it is worst, that is where the drainage is not done properly according to the specs. It may not be all of the decking that comes out; it may be a small portion on the end where they have the small tarp. Any part of the decking that needs to be replaced will be. It has to be sealed so nothing leaks down.
- Councilman Richardson says they have to keep in mind that if they have to replace 25%-30%, which is still another \$50,000.
- Councilman Henry Butler III asks if when they are up there they can add drains.
- Mr. Brancati says yes, they had a discussion about adding sufficient drains, which was the problem in the first place when the water collected and had nowhere to go.

- Councilman Parlato asks if everyone is in agreement now that they will waive the bid but have to clarify the replacement of the deck or repairing of the deck.
- Councilman Santino says if it's not then they have to come back to the Council.
- Councilman Richardson asks if they are saying it is not going to exceed \$147,000 or are we not specifying a dollar amount?
- Attorney Zullo says they wouldn't include a dollar amount, it's pretty clear that the contract is either going to include replacement or not.
- Mr. Brancati says if it ends up being more money they will come back before the Council.
- Attorney Zullo says he is looking at the contract and there is no way it can include it because it says repair or replace on a unit cost basis. We are going to be back here so why not make a decision on what they want; do they want to set a number higher than \$150,000?
- Councilman Parente says they have to keep in mind that before they strip everything down there is no way of knowing what the number will be.
- Councilman Santino says that is how they got in trouble with the other roof.
- Councilman Parente says it is impossible to know what is down there without taking it all out and seeing what it looks like once everything is removed.
- Chairman Parlato says he thinks all contractors include the repair or replace language because you can have a wood or a metal roof and it depends on the layers of insulations, how many times it was repaired, how much tar is on it, etc. There is no way anyone can see it ahead of time.
- Attorney Zullo says the quote from S&T for \$290,000 also says that any rotted or damaged deck will be replaced or repaired at the same rate of \$10.50/ sq. ft. and \$4.50 for repair. He says they want to look at apples to apples with bids and they are all saying if they are damaged, we will replace it at the same rate. He doesn't think they will do better rebidding it, he thinks Quality will see be the lowest.
- Councilman Santino says he is not saying they should go re-bid it. But Sal put away \$200,000 extra how does he know he won't need \$250,000?
- Attorney Zullo says tonight all they are doing is issuing a bid waiver, when they come for capital which hasn't come out yet, by the time the company is up there they will probably know what it will cost and if he needs another \$50,000-\$75,000 they can do that.
- Mr. Brancati says there's the possibility that they need to just replace it, it's something they don't know but metal decks don't usually go bad they are usually repaired. The levels above it cause the problem. The roof is 28 years old.
- Attorney Zullo says if the Council is comfortable voting on the bid waiver, they just need a vote. This is with the understanding that he doesn't believe it includes the replacement; he doesn't think we are jeopardizing any prejudices because none of the quotes include that. So it's still the lowest bid by far.



- Councilman Santino says so it will still come back to them if it's like \$300,000.
- Attorney Zullo says the bid waiver won't come back to them, it will come back for funding purposes with capital. It will happen in real time because of timing of everything.
- Mr. Brancati says if they approve and release this tonight he can get up there and have an understanding of the condition below all of the other levels.
- Councilman Palladino says he is ready to start this job immediately?
- Mr. Brancati says yes.

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

Councilman Santino makes a motion to waive the reading of all of the tax refunds with the exception of the item #, the person receiving the refund and the total amount for each one.

Councilwoman Archambault seconds the motion.

Voice 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:

**USB Leasing LT**  
1850 Osborn Ave.  
Oshkosh, WI 54902

**Acct./List:** 2015-03-73368 E/S 30916

**Reason:** Removed from GL

**Amount:** \$580.20

**TOTAL: \$580.20**

Councilman Santino 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 #15**

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



**CAB East, LLC - Ford Credit Personal Property Tax**

P.O. Box 67000, Dept. 231601

Detroit, MI 48627-2316

**Acct./List:** 2015-03-52660 E/S 31447**Reason:** Sold 8/21/15**Amount:** \$654.98**TOTAL:** \$654.98

Councilman Santino makes a motion.

Councilman Charles Lang seconds the motion.

No public comment.

No Council comment.

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

**Item #16**

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

**Corelogic/Norwood Recovery**

P.O. Box 9205

Coppell, TX 75019-9710

**Acct./List:** 2015-01-7257**Reason:** Extra payment made**Amount:** \$1,846.31**TOTAL:** \$1,846.31

Councilman Santino makes a motion.

Councilwoman Lettieri-Morales 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:

**Corelogical/Hall**

P.O. Box 9202

Coppell, TX 75019

**Acct./List:** 2015-01-2168

**Reason:** Extra payment made

**Amount:** \$1,395.93

**TOTAL: \$1,395.93**

Councilman Santino makes a motion.

Councilman McKay 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:

**Ally Bank - Louisville PPC**

P.O. Box 9001951

Louisville, KY 40290-1951

**Acct./List:** 2015-03-71288 E/S 31580

**Reason:** Sold 10/19/2015

**Amount:** \$348.92

**Acct./List:** 2015-03-71285 E/S 31583

**Reason:** Sold 2/29/2016

**Amount:** \$424.35

**Acct./List:** 2015-03-71294 E/S 31589

**Reason:** Cancelled 4/18/2016

**Amount:** \$167.64

**Acct./List:** 2015-03-71281 E/S 31574

**Reason:** Sold 7/20/2016

**Amount:** \$63.55

**Acct./List:** 2015-03-71295 E/S 31592

**Reason:** Sold 6/27/2016

**Amount:** \$170.75

**Acct./List:** 2015-03-71266 E/S 31588

**Reason:** Cancelled plates 5/28/2016

**Amount:** \$142.14

**Acct./List:** 2015-03-71260 E/S 31590

**Reason:** Sold 10/19/15

**Amount:** \$431.95

**Acct./List:** 2015-03-71232 E/S 31577

**Reason:** Sold 4/15/2016

**Amount:** \$232.34

**Acct./List:** 2015-03-71242 E/S 31586

**Reason:** Sold 4/12/2016

**Amount:** \$204.73

**Acct./List:** 2015-03-71222 E/S 31578

**Reason:** Sold 10/22/2015

**Amount:** \$346.30

**Acct./List:** 2015-03-71385 E/S 31579

**Reason:** Cancelled Plates 1/6/2016

**Amount:** \$196.98

**Acct./List:** 2015-03-71261 E/S 31585

**Reason:** Sold 2/23/2016

**Amount:** \$330.36

**Acct./List:** 2015-03-71278 E/S 31575

**Reason:** Sold 2/23/2016

**Amount:** \$361.25

**Acct./List:** 2015-03-71273 E/S 31576

**Reason:** Sold 5/3/2016



**Amount:** \$106.42

**TOTAL:** \$3,527.68

Councilman Santino makes a motion.

Councilwoman Lettieri-Morales seconds the motion.

No public comment.

No Council comment.

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

#### **Item #19**

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

**Ally Bank - Louisville PPC**

P.O. Box 9001951

Louisville, KY 40290-1951

**Acct./List:** 2015-03-71315 E/S 31591

**Reason:** Sold 11/25/2015

**Amount:** \$566.61

**Acct./List:** 2015-03-71297 E/S 29726

**Reason:** Traded 9/23/2015

**Amount:** \$511.74

**Acct./List:** 2015-03-71234 E/S 31582

**Reason:** Sold 12/18/2015

**Amount:** \$424.98

**TOTAL:** \$1,503.33

Councilman Butler makes a motion.

Councilwoman Lettieri-Morales seconds the motion.

No public comment.

No Council comment.

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

#### **Item #20**

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

**Corelogic/Rutolo**

P.O. Box 9202

Coppell, TX 75019-9978

**Acct./List:** 2014-01-8760

**Reason:** Extra payment made

**Amount:** \$1,838.11

**TOTAL:** \$1,838.11

Councilwoman Lettieri-Morales makes a motion.

Councilwoman Archambault seconds the motion.

No public comment.

No Council comment.

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

#### **Item #21**

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

**Cartier Hildegard L/U Wnek, Linda Tomasiello, Janet Donnelly**

1 James Street

East Haven, CT 06512

**Acct./List:** 2010-01-1609 E/S 31511

**Reason:** Veterans correction

**Amount:** \$425.44

**Acct./List:** 2011-01-1631 E/S 31510

**Reason:** Veterans correction

**Amount:** \$495.20

**Acct./List:** 2012-01-1638 E/S 31509

**Reason:** Veterans correction

**Amount:** \$495.20

**Acct./List:** 2013-01-1617 E/S 31508

**Reason:** Veterans correction



**Amount:** \$512.80

**Acct./List:** 2014-01-1636 E/S 31507

**Reason:** Veterans correction

**Amount:** \$504.80

**TOTAL:** \$2,433.44

Councilwoman Lettieri-Morales makes a motion.  
Councilwoman Archambault seconds the motion.

No public comment.

Council comment:

- Vice Chairman Sand says these are veteran corrections for 2010-2014, is that for the veteran exemption? Is someone picking up on something here?
- Attorney Zullo says yes, it looks like someone came in to apply for the exemption and found out they were entitled to it on the current grand list and Mike is allowed to go back and reapply and that is what he did. This is for the entire prior grand list.
- 

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

## **Item #22**

Adjournment of Regular Meeting.

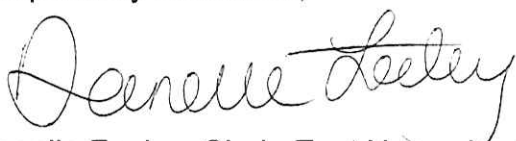
Councilman Santino makes a motion.

Councilman Palladino seconds the motion.

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

Meeting is adjourned at 8:25PM.

Respectfully Submitted,



Danelle Feeley, Clerk, East Haven Legislative Town Council