

**EAST HAVEN TOWN COUNCIL
REGULAR MEETING MINUTES
TUESDAY, MARCH 3, 2015**

The East Haven Town Council held a regular meeting Tuesday, March 3, 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
He asks all to stand for the pledge of allegiance.

Item #1

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

Councilman Robert Sand makes a motion to move agenda item #7 ahead of item #6.
Councilman Paul Thompson Jr. seconds the motion.
Voice vote: 11 in favor- 1 opposition (Palladino)- none abstain. Motion carries.

Item #2

Approval of minutes from the February 3, 2015 Public Hearing.

Councilman Henry Butler III makes a motion.
Councilman Anthony Mansi seconds the motion.
Voice vote: all in favor-none oppose-none abstain. Motion carries.

Item #3

Approval of minutes from the February 3, 2015 Special Meeting.

Councilman Ken Mckay makes a motion.
Councilwoman Beverly Gravino seconds the motion.
Voice vote: all in favor-none oppose-none abstain. Motion carries.

Item #4

Correspondence-

- Letter from Angelo Santomassimo of 11 Mallard Lane to Chairman Anania on February 17, 2015. Mr. Santomassimo writes that he feels the mailbox policy put in place this January is unfair. During the snowstorm the first week of February

his mailbox was hit by a plow and damaged. Mr. Longley of public works told him that he hit the mailbox. He followed the guidelines of the policy he received from Town Hall and received a letter from the Town Attorney who said it was being reviewed, two days later a second letter from the Town Attorney which said they found it was damaged by the weight of the snow being thrown by the plow therefore his claim was denied. He asked if he could be put on the docket and come to the next Council meeting to speak during public session and he was then told the Council had nothing to do with it, the policy was put in place by the Town Attorney so he could not come before the Council to speak. He feels he is being shut out because of who he is.

- Chairman Anania states for the record that the mailbox policy is not new; it was just revised by the Legal Department. It is really nothing to do with the Council; we don't handle any kind of legal claims.
- Councilman Nicholas Palladino says he doesn't know the average cost of a new mailbox, but what does it cost us to have our Legal Department review the claims, are these all billable hours or is this part of what we pay? Is it costing us \$500 to say we are not going to replace a \$25 mailbox?
- Town Attorney Joseph Zullo says no, it costs nothing; it is all part of the general retainer.

Item #5

Subcommittee Reports-

- Public Service- Councilman Sand says he did not attend the Commissioner's meeting so he doesn't have anything specific other than the promotions we recently saw in the paper and he asks if the Deputy Chief can elaborate on anything else he has. As far as public service, Bob Parente would be able to update on the status of the equipment.
 - Deputy Police Chief Ed Lennon says they had the promotions of one Sargent to Lieutenant, one Officer to Sargent and we have since hired two Certified Officers who we did not have to pay to have trained. One is currently on field training and one starts April 1st.
 - Councilman Fred Parlato says he noticed there are 4 Police cruisers covered with snow in the parking lot, are they out of service?
 - Deputy Chief Lennon says he doesn't believe all of them are; they are mostly used for traffic duty. One of them he knows is out of service.
 - Councilman Palladino asks if we lost an Officer due to a training situation.
 - Deputy Chief Lennon says that is a personnel matter he doesn't believe he should discuss in public.

- Board of Education- Vice Chairman Robert Parente says the Board of Ed finalized their budget for the upcoming year and they are well on their way for the reorganization of the school system.
- Parks and Rec- no report.
- Urban Renewal- there is an agenda item tonight set a public hearing for the Small Cities Grant.
- Board of Finance- Chairman Anania says they are starting their budget workshops tonight.

Item #7

To consider and act upon an "Ordinance approving a transfer of \$100,000.00 for the Police Department" as follows:

Police Department

To:

01-332-0190	Overtime Wages	\$100,000.00
TOTAL		\$100,000.00

From:

01-332-0110	Unused Salaries	\$100,000.00
TOTAL		\$100,000.00

Reason: Funds needed for overtime.

AUTHORIZING ORDINANCE OF THE East Haven Town Council

An Ordinance approving a transfer of \$100,000.00 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 January 21, 2015, approved and recommended the following transfer to the Town Council:

Police Department

To:

01-332-0190	Overtime Wages	\$100,000.00
TOTAL		\$100,000.00

From:

01-332-0110	Unused Salaries	\$100,000.00
TOTAL		\$100,000.00

Reason: Funds needed for overtime.

NOW THEREFORE, be it **ORDAINED** by the Town Council of the Town of East Haven that said transfer is approved.

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

Submitted by: Danelle Feeley, Council Clerk Date: _____

Approved by: Joseph Maturo, Jr., Mayor Date: _____

Received by: Stacy Gravino, Town Clerk Date: _____

Councilman Mckay makes a motion.

Councilman Butler III seconds the motion.

No public comment.

Council comment:

- Councilwoman Beverly Gravino thanks the Deputy Chief for answering all of their questions.
- Deputy Chief Lennon thanks the Council for moving this item ahead.

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

Item #6

To consider and act upon a Resolution ratifying and authorizing Mayor Joseph Maturo, Jr. and/or his Designee to sign a collective bargaining agreement between the Town of East Haven and the Local 159-Town Hall Union.

NOTE: To be considered in executive session pursuant to C.G.S. 1-210(b)(9) – “Records, reports and statements of strategy or negotiations with respect to collective bargaining.”

A Resolution ratifying a collective bargaining agreement between the Town of East Haven and the Local 159-Town Hall Union and authorizing Mayor Joseph Maturo, Jr. and/or his Designee to sign the same.

BE IT RESOLVED that the Town Council hereby ratifies a collective bargaining agreement between the Town of East Haven and Local 159-Town Hall Union for the time period spanning July 1, 2013 to June 30, 2018;

BE IT FURTHER RESOLVED that Mayor Joseph Maturo, Jr. and/or his Designee is authorized to execute the same.

Councilman Sand makes a motion to enter into executive session and include Frank Gentileco Jr., Sal Brancati and Attorney Zullo.

Councilman Butler seconds the motion.

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

Executive session begins at 7:22PM.

Councilman McKay makes a motion to end executive session.

Councilman Vincent Spaduzzi seconds the motion.

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

Executive session ends at 7:55PM.

Councilman Parlato makes a motion for item #7.

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 #8

To consider and act upon a Resolution setting a public hearing date and time to discuss an " ORDINANCE ADDING THE TOWN OF STRATFORD AS A CONSTITUENT MUNICIPALITY OF THE GREATER NEW HAVEN WATER POLLUTION CONTROL AUTHORITY." The public hearing shall take place on April 7, 2015, at 7:00PM, at the East Haven Senior Center, 91 Taylor Avenue, East Haven, Connecticut.

Councilman Spaduzzi makes a motion.

Councilman Butler III seconds the motion.

Chairman Anania requests that Gabe Varca come before them at the public hearing and the Council meeting in case there are any questions.

No public comment.

No Council comment.

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

Item #9

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

Honda Lease Trust

600 Kelly Way

Holyoke, MA 01040-9681

Acct./List: 2013-03-60227

Reason: Removed; Wrong Tax Town

TOTAL: \$634.92

Councilman Palladino makes a motion.

Councilman Thompson Jr. seconds the motion.

No public comment.

Council comment:

- Councilwoman Gravino asks what software we have that this can be processed with no question. Shouldn't it be a red flag that this isn't ours?
- Town Attorney Joseph Zullo says it is a matter of logistics because if any time in and around the time of October 1st when the grand list is set, the vehicle isn't utilized/registered/located in East Haven, we set the grand list as if it is part of the grant list because we don't know otherwise. By the time the paperwork catches up it may be a week to a month by the time the plates get turned in. That's why it is common to see vehicles taxed in the wrong Town. The only other time you see that is with business equipment, which we have had in the past, where it was unclear because of how close the business was to another Town and where it was being kept. In most cases it is a matter of logistics.
- Councilman Butler III says it happens a lot with leases, which are registered out of State.
- Attorney Zullo says that's another instance when you turn a lease in, by the time the leasing company notifies the Tow and turns in the plates, it takes that much longer.

- Councilman McKay asks what town it was supposed to be taxed in?
- Attorney Zullo says he can ask Lisa to include that from now on.
- Councilwoman Gravino says every Department head who has something on the agenda appears before the Council, we see the Town Engineer, Fire Chief, Paul Rizza, etc. but Lisa doesn't come and she doesn't know the reason why. There are times when Mr. Rizza or Attorney Zullo doesn't have the complete answer because they haven't had the opportunity to look into it. Is there a reason the Tax Collector doesn't come when she has something on the agenda.
- Attorney Zullo says his only thought is two of the Department heads you won't see often are Mike Milici and Lisa Basilicato. They are Union employees where the Engineer, the Town Clerk, PD and FD Chiefs, etc. aren't union. It can be a grey area to ask someone to come in after hours. Lisa does come to the Finance meetings when a transfer is requested. If the Council would like her to come, he suggests speaking to Frank Gentilesco Jr. to make sure there aren't any labor issues.
- Councilman McKay says a lot of the questions have been answered in the last few years, it used to be much more vague. She has been good with the paperwork he just would like it to be added what Town it should go to.
- Chairman Anania says he did receive an email that she was unable to come tonight she had something at her daughter's school.

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

Item #10

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

Michael Esposito
158 Hemingway Ave
East Haven, CT 06512

Acct./List: 2013-01-600
Reason: 2nd Install Double Paid

TOTAL: \$2,488.69

Councilman Palladino makes a motion.

Councilman Thompson Jr. seconds the motion.

No public comment.

Council comment:

- Councilman Butler III says he brought this up another time when they talked about an issue with a double payment. Was there a possibility for a penalty for double payment? For having to do all the paperwork and giving them back the money.
- Attorney Zullo says it is rare that you get people who overpay usually the problem is underpayment. He says he doesn't know about an administration fee for a refund. We suffer no measurable harm; it doesn't cost the Town anything for his services or the Council or Lisa who is already being paid. If there is any detriment it is small, it's more of an inconvenience. In this case it is one of those real estate transactions where the closing Attorney paid it not knowing the client already has. We can look into it he doesn't know if it is a policy the Town wants to take. He doesn't make the policy he just advises of the legality of it. He would have to look into whether it is legal and then it is up to the Council as well as the Mayor's Office.
- Councilman Butler III says even if it is a \$25 fee that they have to pay back, if it is legal.

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 a "Resolution allowing the Town of East Haven to apply for a 2015 Small Cities Grant and Authorizing Mayor Joseph Maturo, Jr. to act as the municipality's Authorized Representative." The public hearing shall take place on March 23, 2015, at 7:00PM, at the East Haven Senior Center, 91 Taylor Avenue, East Haven, Connecticut.

Councilman Sand 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 #12

To consider and act upon a Resolution making various board and commission appointments.

A Resolution making various board and commission appointments as follows:

Board	Name(s)	Term
Americans with Disabilities Act Commission	Wendy Bellmore Jan Cianelli	Indefinite Indefinite
School Building Committee	Steve Delucia	2/1/2015-1/31/2018

WHEREAS, numerous board and commission appointments have expired;

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

NOW, THEREFORE, BE IT RESOLVED that the Town Council hereby appoints the above-described individuals to the respectively named boards for the terms as set out herein. Said appointments shall be effective in accordance with the East Haven Town Charter.

Councilman Spaduzzi makes a motion.

Councilman Sand seconds the motion.

No public comment.

Council comment:

- Councilman Palladino says he is going to ask the same question he asks every time we do this. The Town Charter says we appoint these people yet he doesn't know these people he knows nothing about them and is being asked to appoint them. How can he say that this person should be on this board that the Town Council is appointing when they see nothing on them; no resume, what they do for a living or even that they live in Town. Can we eventually come up with a resolution, like other Towns have because he did research, so we have something for when someone wants to be on a Board that the Council appoints they present something to us. It should not just be names that are given to us by Town Hall, no matter who the Mayor is. The prerequisite shouldn't be that the Mayor gave this name; the Mayor has their appointments to do however he/she wants, ours should be done the way other Towns do it by presenting a resume, coming before the Board and asking to be on the commission.
- Chairman Anania says the names did not come from Town Hall. People came to him about the openings. Steve Delucia called him and he submitted a resume which he does not have with him but he does electrical contracting work with a company that does school buildings and things to that nature.

- Councilman Palladino says that may be a conflict of interest if he contracts with the Town.
- Chairman Anania says he does not have a contract with the Town of East Haven; he works for a contractor that does these types of repairs. Jan Cianelli for the Americans with Disabilities Commissions, she has a handicap grandson and was very interested in that and they need people on that board.
- Attorney Zullo says if a Councilperson would like to draft a resolution he would be happy to review it. The Council is the policy maker and they are always welcome to submit Ordinances or resolutions for consideration at Administrative Services to be presented to the Council. It's part of the job actually.
- Councilman Butler III says he does think we should look into something with this because the last person we appointed for ADA never showed up after we voted on them. Maybe we should just have a letter or something saying they would like to be on a board because of whatever reason so we have something to look at.
- Councilman Palladino says there are 15 members of the Council, the Chairman received a resume but nobody else saw it. Nothing against him personally but if he has it, why doesn't everyone else have it? The Chairman isn't being asked to vote on it exclusively, they all are. He will put something together to present so we don't have this problem again.
- Councilman McKay asks if Administrative Services is the place to bring that up, to which Chairman Anania says yes it is.
- Councilman Mansi asks if a lot of people applied.
- Chairman Anania says that was it, some of the positions we get a few people but these were the only names.

Roll call vote: 11 in favor- 1 opposition (Palladino)- none abstain. Motion carries.

Item #13

A Resolution to authorizing Mayor Joseph Maturo, Jr. to enter into a contract with the Connecticut State Library for a Historic Documents Preservation Grant.

A Resolution to authorizing Mayor Joseph Maturo, Jr. to enter into a contract with the Connecticut State Library for a Historic Documents Preservation Grant.

BE IT RESOLVED that Joseph Maturo, Jr., Mayor of East Haven, is empowered to execute and deliver, in the name and on behalf of the Town of East Haven, a contract with the Connecticut State Library for a Historic Documents Preservation Grant.

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

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

No public comment.

Council comment:

- Councilman Spaduzzi asks if this is the same thing they do every year.
- Town Clerk Stacy Gravino says yes, this is year 5 of a multi-year grant. This year they received less money from the State; the number of deeds each Town takes in drives it. Because there is less purchasing of homes, we had less money so it decreased from \$7,500 last year to \$4,000. This means she kicks in a little more from her \$1 fund without asking the Town for any money.
- Councilman Sand says he asked Stacy if there was a light at the end of the tunnel and she said there was.
- Ms. Gravino says it is in 1970, she is now at 1954.

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

Item #14

A Resolution Setting a Public Hearing for April 15, 2015 to discuss an "Ordinance adopting the Town and Board of Education Budgets and fixing the tax rate in mills for the 2015-2016 fiscal year of the Town of East Haven." - Board of Education Side of the Budget.

Councilman Palladino 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 #15

A Resolution Setting a Public Hearing for April 21, 2015 to discuss an "Ordinance adopting the Town and Board of Education Budgets and fixing the tax rate in mills for the 2015-2016 fiscal year of the Town of East Haven." - Town Side of the Budget.

Councilman Palladino makes a motion.
Councilman Thompson Jr. seconds the motion.

No public comment.

No Council comment.

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

Item #16

Adjournment of Regular Meeting.

Vice Chairman Robert Parente makes a motion.

Councilman Butler III seconds the motion.

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

Meeting is adjourned at 8:22PM.

Respectfully Submitted,

Danelle Feeley, Clerk, East Haven Legislative Town Council