

**EAST HAVEN TOWN COUNCIL  
REGULAR MEETING MINUTES  
TUESDAY, AUGUST 5, 2014**

The East Haven Town Council held a regular meeting Tuesday, August 5, 2014, 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 8:51PM.

He asks all to stand for the pledge of allegiance followed by a moment of silence for the passing of Director of Administration and Management Arthur DeSorbo.

**Item #1**

Roll Call- 14 present – 1 absent (Riolino).

A quorum is present.

**Item #2**

Approval of minutes from the June 25, 2014 Special Meeting

Councilman Joseph Santino makes a motion.

Councilman Nicholas Palladino seconds the motion.

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

**Item #3**

Approval of minutes from the July 8, 2014 Public Hearing

Councilman Ken Mckay makes a motion.

Councilman Butler III seconds the motion.

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

**Item #4**

Approval of minutes from the July 8, 2014 Special Meeting

Councilman Palladino makes a motion.

Councilman Mckay seconds the motion.

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

Councilman Badamo requests a Democratic Caucus.

Democratic caucus begins 8:53PM.

Democratic caucus ends 8:56PM

## Item #5

### Subcommittee Reports

5a. Beach Parking Liaison Report- Police Commission Chairman Illingworth states that the bipartisan committee that was formed for parking and traffic issues along Cosey Beach Avenue met on July 28<sup>th</sup> in the area. He chairs the committee along with co-chairman/commissioner Eduardo Torrealba, Chief Larrabee, public safety liaison for the Council Joseph Santino and second district president Richard Poulton. Their main objective was the safety concerns relayed to them by the citizens in the area, specifically cars parking in and in front of driveways with children and people going to the swim area making a dangerous situation. The committee came up with several proposals that need to be adopted by the full Police Commission at their meeting. At this time what they have agreed to so far is in the area of Cosey Beach Avenue to Phillips Street on the beach side/residence side there will be no parking. Again, this has to be adopted by the full commission. Also they will make the north side of that same area adjacent to the parking lot all public parking. Obviously not the fire hydrant or driveway area but all the way up to and including the area behind the ball park, stopping in front of where residents houses are which is a net gain of several parking spaces. For the residents of that area who used to park in front of their house, they have the ability to either park on the other side of the street now or in the parking lot, which is free for residents. What this does is allow the area to be free of obstructed views, everyone has a clear view of everyone going in and out of the driveways and people going up and down the sidewalks going to the beach and swim area. On the other side of Cosey Beach Avenue in the area between 1<sup>st</sup> Avenue and 2<sup>nd</sup> Avenue on the south side of the street they are going to allow public parking in the area where there are no residences to alleviate parking on the side streets and in front of driveways. Again a net gain, but only on the side where people would have to cross to get to the Beach, the other side will still be no parking. The other area was 2<sup>nd</sup> avenue, and Councilman Santino is going to do a survey of the residents in that area to see if they would require one side of the street parking because they saw many residential cars on both sides which makes it difficult to get through but not impossible. They also talked about the parking fine- a recommendation of this committee is to raise it to \$50.00, they will review other fines and will have to meet at least one more time before they notify the residents through mail/publication/flyers. They will not do this overnight, they will give residents time to adjust and get used to it and they will also see how it is implemented next season. Everything was done to help the people concerned about safety of their families and also it was important in their discussions that the businesses were included because they need people from other areas to come as well.

- Councilman Vincent Spaduzzi states that the Chief told the Council they are not allowed to tow because of the DOJ, will they tow now?
- Mr. Illingworth said that the Chief said there has to be a clear reason to tow and each case will be viewed on an individual basis. He didn't say they wouldn't tow. There may be times where he can and cannot but he will leave that decision up to the Chief.

- Chairman Anania states that there is nothing carved in stone this is preliminary and all has to be approved.
- Councilman Robert Sand asks about the signage that is currently or was on telephone poles, did we move on that to have it removed and then put the signage on stand-alone poles.
- Chairman Illingworth says no because of the fact that we are going to be taking signs from areas where they are now and moving them across the street, there was no reason to make moves now because several of those areas are going to change. Once we move the plan forward and the Commission approves it we will then do the sign changes.
- Councilman Henry Butler III asks if they have thought about the stickers.
- Chairman Illingworth says that is part of the ongoing discussion along with a couple of other things he is not ready to discuss yet.
- Councilman Palladino asks if they were able to find out if we can send the unpaid tickets of Motor Vehicle to suspend registration.
- Chairman Illingworth says that is a matter for the Chief/Deputy Chief but he said they are also looking into funding for e-tickets. He is told by the Chief that this new equipment will accept e-tickets it will all be part of the same efficient system and It will be computerized and there will be no way to make mistakes.
- Public Safety-nothing else to report.
- Board of Education-nothing to report
- Park/Rec- Councilwoman Judy Esposito states that the residents expressed concerns about the beach problem and they were told about the committee formed. Also the East Haven umpires association donated \$500 to the food pantry following a tournament they had.
- Urban Renewal-nothing to report.
- Finance-nothing to report.

## Item #6

To consider and act upon "AN ORDINANCE MAKING AN APPROPRIATION OF \$1,225,000 FOR THE CONSTRUCTION AND EQUIPPING OF A PUBLIC SAFETY COMMUNICATIONS CENTER AND AUTHORIZING THE ISSUANCE OF \$1,225,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE."

Councilman Santino makes a motion.

Councilman Mckay seconds the motion.

Council comment:

- Vice Chairman Robert Parente thanks the comments made by the public and Council. As stated, this has been an ongoing situation that on a day-to-day basis is almost impossible to put a figure on in terms of figuring out what the center would cost. Things change daily as far as costs and it's evident with the recent need to cut trees down. This is obviously the right thing and it seems to be a consensus of everyone on the Council. It is certainly not a Democratic/Republican thing, this is for the people we represent as a Council to the Town of East Haven. It would be nice to make everyone aware and send an email out hour by hour but that is impossible and everyone from Mayor Maturo all the way down have been transparent, nothing was hidden and it is being done for the people of East Haven.
- Councilman Sand states that in regards to Frank Gentilesco's question in regards to why it wasn't asked as to how much it will cost, personally, he has a lot of faith in Paul through being on the Council and he has never steered them wrong. He is always professional and shows where the money is and where it is going to go. If we didn't have the money, he would be the first one to tell us that. He has confidence in the Finance Director. He conveys these things to the Mayor and he doesn't know who is tighter the Mayor, Paul or both. That is partly why that question wasn't publically asked because he has confidence in Paul. The other part of that is the discussion about the proposal to do this, it was discussed with the budget process and they did appropriate money to fill those seats. They knew that as a Council that the numbers were going to come in and some numbers were estimates rather than exact. As a Council, we expected it and it is here now and it's a great idea that the Mayor wants to run with and it is excellent for the Town. He commends the Mayor and his team for bringing this forward and now we will see the results of it tonight.

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

Mayor Maturo thanks the public for their comment because they listen to it and hopefully next time if there is a problem they can do it better. His door is always open and people can come in and ask. He says Joe Santino had a good suggestion of putting someone on the committee from the Council as he did with the problem down the shore. This is something good for the whole community and he wants the Council to feel they did the right thing tonight because we can probably all agree this was the best thing for our Police Department, for our Fire Department, 911 responders and all the tax payers for the Town of East Haven. He thinks the team helped but it is here because of the members of the Council, so thank you to them for doing a yeomen's job and doing due diligence tonight.

**Item #7**

To consider and act upon a Resolution Authorizing the Issuance of Refunding Bonds in the Maximum Amount of \$8,500,000 to Refund Certain of the Town's Outstanding Bonds and Authorizing the Appropriation of the Proceeds of Such Refunding Bonds.

**TOWN OF EAST HAVEN  
TOWN COUNCIL  
RESOLUTION**

**Resolution Authorizing the Issuance of Refunding Bonds in the Maximum Amount of \$8,500,000 to Refund Certain of the Town's Outstanding Bonds and Authorizing the Appropriation of the Proceeds of Such Refunding Bonds.**

**RESOLVED**, that the Town Council of the Town of East Haven (the "Town") hereby approves the following Resolution:

(i) that the Town is hereby authorized to issue its refunding bonds, in an amount not to exceed EIGHT MILLION FIVE HUNDRED THOUSAND DOLLARS (\$8,500,000) (the "Refunding Bonds"), to fund the appropriation authorized by section (ii) of this resolution. The Refunding Bonds shall be issued pursuant to Section 7-370c of the Connecticut General Statutes, as amended, and any other enabling acts. The Refunding Bonds shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town; and

(ii) that the Town appropriate the proceeds of the Refunding Bonds to fund the redemption and the payment, in whole or in part, as determined by the Mayor and the Director of Finance of the Town, of the outstanding principal, accrued interest and any call premium on all or any portion of any issue of the Town's General Obligation Bonds including, but not limited to, the Town's General Obligation Bonds issued in 2005 (the "Prior Bonds"), together with the costs of issuance including but not limited to, any applicable consultants' fees, legal fees, trustee's and escrow agent fees, investment fees, verification fees, credit enhancement fees, underwriters' fees, bond insurance premiums, net temporary interest and other financing or transactional costs, and other expenses related to the payment or redemption of such bonds for the purposes of refunding them; and

(iii) that the Mayor and the Treasurer shall sign the Refunding Bonds by either manual or facsimile signatures and that the law firm of Pullman & Comley, LLC is designated as bond counsel to approve the legality of the Refunding Bonds; and

(iv) that the Mayor and the Director of Finance are authorized to determine which of the Prior Bonds are to be redeemed and the amount, date, interest rates and interest mode maturities, redemption provisions, form and other details of the Refunding Bonds; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the Refunding Bonds and escrow agent with respect to the refunding escrow or escrows to be funded with proceeds of the Refunding Bonds; to provide for the keeping of a record of the Refunding Bonds; to sell the Refunding

Bonds at public or private sale; to deliver the Refunding Bonds; and to perform all other acts which are necessary or appropriate to issue the Refunding Bonds; and

(v) that the Mayor and the Director of Finance are authorized to call irrevocably for redemption such of the maturities of the Prior Bonds, as they shall determine to refund from the proceeds of the Refunding Bonds and other moneys as they may determine to make available for this purpose and to defease such Prior Bonds by executing and delivering an escrow agreement in such form and upon such terms as they shall approve, such approval to be conclusively evidenced by their execution thereof; and

(vi) that the Mayor, the Director of Finance and the Treasurer are authorized to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the Refunding Bonds authorized by this resolution, including covenants to pay rebates of investment earnings to the United States in future years; and

(vii) that the Mayor and the Director of Finance, or either of them, are authorized to make representations and enter into written agreements for the benefit of holders of the Refunding Bonds to provide secondary market disclosure information, which agreements may include such terms as he deems advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such Refunding Bonds; and

(viii) that the Mayor, the Treasurer and the Director of Finance, or any one of them, are authorized to take all other action which is necessary or desirable to enable the Town to effectuate the refunding of all or a portion of the Prior Bonds and to issue Refunding Bonds authorized hereby for such purposes, including, but not limited to, the entrance into agreements on behalf of the Town with underwriters, trustees, escrow agents, bond insurers, and others to facilitate the issuance of the Refunding Bonds, the escrow of the proceeds thereof and investment earnings thereon and the payment of the Prior Bonds in whole or in part; and

(ix) that the Mayor and the Director of Finance, or either of them, are hereby authorized if they determine it is in the Town's best interest, to acquire, on behalf of the Town, bond insurance or other forms of credit enhancement guaranteeing the Refunding Bonds on such terms as the Mayor or the Director of Finance, as the case may be, determines to be appropriate, such terms to include, but not be limited to, those relating to fees, premiums and other costs and expenses incurred in connection with such credit enhancement, the terms of payment of such expenses and costs and such other undertakings as the issuer of the credit enhancement shall require; and the Mayor or the Director of Finance, as the case may be, are authorized, on the Town's behalf, to grant security to the issuer of the credit enhancement to secure the Town's obligations arising under the credit enhancement, including the establishment of a reserve from the proceeds of the Refunding Bonds; and

(x) that the Mayor and the Director of Finance are hereby authorized in connection with the issuance of the Refunding Bonds to execute and deliver on behalf of the Town such reimbursement agreements, remarketing agreements, standby bond purchase agreements, interest rate swap agreements, and any other appropriate agreements the Mayor and the Director of Finance deem necessary, appropriate or desirable and the Mayor and the Director of Finance are hereby authorized on behalf of the Town to secure the payment of such agreements with the full faith and credit of the Town, if they deem it necessary, appropriate or desirable.

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

- Chairman Anania says to explain it quickly it is for the reissuance of selling bonds and we are getting a cheaper rate.
- Mr. Rizza says that is as simple as it gets. The reason why we are using \$8.5 million is because right now we are targeting a number somewhat below that, approximately \$7.5 million but this is depending upon the rate that we get. August 19<sup>th</sup> we will be selling bonds so if the rate is favorable for the additional million, we will do the full \$8.5 million. The reason we are doing it this way is because of the enhancement to our bond rating that we received 2 weeks ago for a stronger financial position, which means the interest rate across the board should be a little lower for us. One additional thing, it's about \$60,000 per year for 20 years.

No public comment.

Council comment:

- Councilman Sand asks about the bond we are looking to refinance, they were issued in 2005?
- Mr. Rizza says they were issued in 2004/2005.
- Mr. Sand says so we have 10 or 11 years to pay on them. Mr. Rizza says yes, and when you refinance you don't go out 20 years at this point you just go out the difference so it will be 10 or 11 years depending on the issue date.
- Councilman Sand says that was going to be his point if it was going out 20 years he would like to know the interest rate just to justify it.
- Mr. Rizza says with the 10-11 year maturity, it becomes a smaller risk to the investor because you get a more attractive rate and rates have gone down.
- Councilman Sand says obviously we know the old rates, but we do not know the new rates correct?
- Mr. Rizza says yes and hopefully we will save a substantial amount of money.

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

## Item #8

To consider and act upon a Resolution authorizing a Transfer of \$40,000.00 for Building Maintenance as follows:

### Building Maintenance

To :

01-229-0203	Natural Gas	\$40,000.00
<b>TOTAL</b>		<b>\$40,000.00</b>

From:

01-885-0689	Contingency	\$40,000.00
<b>TOTAL</b>		<b>\$40,000.00</b>

**Reason:** Funds needed to close out 2013-2014 fiscal year

Councilman Santino makes a motion.

Councilman Palladino seconds the motion.

No public comment.

Council comment:

- Councilman Santino asks what building this is on.
- Mr. Rizza says that this is all of our bills for natural gas.

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

### Item #9

To consider and act upon a Resolution appointing Ann Dellacamera to the Americans with Disabilities Act Commission to fill the indefinite term of Robert Hoff.

Councilman Palladino makes a motion.

Councilman Sand seconds the motion.

No public comment.

Council comment:

- Councilman Palladino asks if Mr. Hoff resigned from his position to which Chairman Anania says no.
- Mr. Palladino says going back to the first meeting, he did all the research in Town Hall and we appoint them for an indefinite situation so why are we removing one person and putting on another person who he or anyone here may not know, they see no resume are there complaints about this person, is there a reason the person is being removed? Or is this just another name that is coming out of somewhere, where did it come from, where did item #9 come from to be on this agenda.
- Attorney Zullo explains that items are added on the agenda at administrative services.
- Councilman Palladino asks who specifically added this to the agenda.
- Attorney Zullo says no specific person adds things, they are added collaboratively as a group effort. He says the administration is trying to give people a universal opportunity to serve on these commissions and Ms. Dellacamera expressed an interest and apparently the administration clearly approved to appoint her in Mr. Hoff's place. He says it is the Council's ultimate decision.
- Councilman Palladino says the charter says these people are appointed by us so if Ann Dellacamera had an interest should she not have come to the Council and asked to be put on and explain why she wanted to be put on, instead of us just getting the



name put in front of us and saying okay. We are opening up a problem here when we tell someone who has served on this since 1987 that we are throwing him off and replacing him for no rhyme or reasons. He says he is dead set against doing something like this, let's follow the charter and do as the charter says. If someone wants to do something like this, let him or her come to the Council and say to the Council that they recommend a person and this is why. He cannot accept a name on a piece of paper with no reason why.

- Attorney Zullo says he is entitled to that opinion but it is on the agenda at the recommendation of the administration.
- Councilman Palladino asks who asked for this, was it the Mayor's office who asked for this?
- Attorney Zullo says that this is in full compliance with the charter.
- Councilman Palladino says he feels there has to be a reason to replace someone, we can't just say we are tired of them they are out and this is the replacement. He thinks we are making fools of ourselves by doing something like that.
- Councilman Parlato asks when this agenda was sent to the members and says that Councilman Palladino had plenty of time to call Mr. Hoff or the person being appointed to get the information.
- Councilman Palladino says he did call to see if he resigned and he got no call back.
- Mr. Parlato said if he did some research he believes one of the problems is lack of meetings with the commission as far as he was told. Mr. Hoff was left during a change of administrations, usually there is a clean house and that didn't happen. He thinks Ms. Dellacamera was approached by Mr. DeSorbo to see if she wished to serve and she said yes. He is not involved in the agenda making but that's the information he has and a little research would have helped out.
- Mr. Palladino says if someone wants to recommend someone they should be here to explain it, this should not come without some kind of background of why it is being done. Mr. Parlato said it came from complaints that meetings were not done, why was that not brought to the Council to address.
- Attorney Zullo says it was brought to this Council's attention, this Council did pass a resolution ordering that Commission to have a reorganizational meeting and with Mr. Hoff as Chairman he refused to do so. Again, he will note that it has never been a policy of the Town of any past administration to provide formal resumes or recommendations. He is not saying that it is a bad idea and this comes completely in line with every past practice from this administration to as far back as he was born.
- Councilman Palladino says as he has mentioned, the Police Department did things the same way forever, and how did that work out. Maybe we can be the first Town Council in the history of East Haven to actually do things the best way we can. By asking for resumes of someone who wants to serve on a board, he doesn't think it would be so hard for them to give us a little bit about them and why they want to serve on it. In his opinion only, this is nothing more than a political situation and this is not what we should do with these commissions. We should be putting people on who would do the

best for the people of this Town and if we have a problem with someone we should call them in and address it.

- Councilman Mckay says he was on a couple commissions years ago and was removed by the Democratic administration. This has been done for 40 years for board of education subcommittees and others. The administration has the obligation to the people within the party that want to be involved.
- Councilwoman Beverly Gravino says this was discussed and the meetings were not held. She assumes he was spoken to by Art and she thinks Mr. Palladino's thoughts are proper but you need to trust the people in the administration.

Roll call vote: 10 yes – 4 opposed (Santino, Palladino, Thompson Jr, Badamo) - none abstain. Motion carries.

### **Item #10**

Adjournment of Regular Meeting.

Councilman Mckay makes a motion.

Councilman Parlato seconds the motion.

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

Meeting is adjourned at 9:35PM.

Respectfully Submitted,

Danelle Feeley, Clerk, East Haven Legislative Town Council