

**EAST HAVEN TOWN COUNCIL
PUBLIC HEARING MINUTES
TUESDAY, FEBRUARY 3, 2015**

In accordance with Chapter III, Section 6 of the East Haven Town Charter, the East Haven Town Council Hearing Committee held a public hearing meeting Tuesday, February 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 7:05PM.

Item #1

Roll Call for Hearing Committee - 10 present – 5 absent (Palladino, Sand, Esposito, Badamo and Riolino).

A quorum is present.

Councilman Joseph Santino makes a motion to waive the reading of the ordinances.

Councilman Vincent Spaduzzi seconds the motion.

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

Item #2

To conduct Public Hearing #1 regarding "An Ordinance Amending Chapter 11, Article II, Division 1 of the East Haven Code regarding Stopping, Standing, and Parking."

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

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

AND WHEREAS, the Town wishes to update and amend all of the regulations contained therein

NOW THEREFORE, BE IT ORDAINED that Chapter 11, Article II, Division 1 and all sections contained therein, including the respective titles of said sections, are hereby repealed in their entirety and the following shall be deemed to replace the same:

Sec. 11-16. Stopping, standing and parking prohibited in certain places.

No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or traffic-control device, in any of the following places and/or manners:

(a) Class A

(i) Within any area designated as handicapped parking without the proper permit or sticker displayed and visible on the vehicle.

(ii) Within any area designated as handicapped parking through the misuse or misappropriation of a lawfully obtained handicapped parking sticker or permit.

(b) Class B

(i) Within ten (10) feet of a fire hydrant.

(ii) Within, on, in, or so as to obstruct or interfere with a designated fire zone.

(iii) Within twenty-five (25) feet of a crosswalk.

(iv) Within twenty-five (25) feet of an intersection or corner.

(v) Within twenty-five (25) feet of a stop sign or traffic signal.

(vi) Within twenty-five (25) feet of corner.

(vii) Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic.

(c) Class C

(i) At any place where signs prohibit stopping, standing or parking.

(ii) On a sidewalk.

(iii) In front of a public or private driveway or such a manner as to obstruct a private driveway.

(iv) Within an intersection.

(v) On or in a crosswalk.

(vi) Within the limits of a bus stop or taxi stand.

(vii) Alongside or parallel with another vehicle such that the offending vehicle is double-parked.

(viii) On the wrong side of the street, as designated by signs.

(ix) In such a fashion as to occupy two parking spaces.

(x) At any place beyond the time limits allowed, as may be posted by appropriate signage.

(d) Class D

(i) In any area designated as "no parking" by proclamation, signed by the Mayor.

(ii) In violation of orders to remove a vehicle during a declared snow emergency.

(e) Class E

(i) Upon any street or highway longer than is reasonable so as to obstruct or interfere with the general use by the public of all parts of such a street.

(ii) Wherever there is an established curb bordering the travelway of any street or highway, on any portion of property owned or controlled by the city between such curbing and walk area or designated tree border.

Sec. 11-17. Penalties for parking violations.

(a) Fines shall be levied as follows against the owners of motor vehicles found in violation of parking regulations:

(i) For a violation of a penalty specified in Class A of Sec. 11-16 herein, the penalty shall be \$150.00 per offense.

(ii) For a violation of a penalty specified in Class B of Sec. 11-16 herein, the penalty shall be \$125.00 per offense.

(iii) For a violation of a penalty specified in Class C of Sec. 11-16 herein, the penalty shall be \$100.00 per offense.

(iv) For a violation of a penalty specified in Class D of Sec. 11-16 herein, the penalty shall be \$100.00 per offense.

(v) For a violation of a penalty specified in Class E of Sec. 11-16 herein, the penalty shall be \$85.00 per offense.

(b) Payments; late penalty.

(i) All payments shall be made within ten (10) business days to the police department. Payments may be made in person or by mail. Payments may be made in person only during the hours between 8:30 AM and 3:30 PM.

(ii) In the event the penalties set forth herein are not paid within ten (10) business days following the date of violation, said penalty shall double.

(iii) Acceptance of the payment of the fine set forth herein by the town shall constitute waiver of the right to further prosecution for each such violation. Nothing in this section shall prevent the town from prosecuting and levying fines up to the

maximum provided by Connecticut General Statutes for violation of traffic regulations or pursuing civil remedies whenever the requirements of this section are not fully complied with.

(c) Towing

In addition to the monetary penalties contained herein, an officer, in his or her discretion, may effectuate the towing of any vehicle found in violation of Sec. 11-16 herein if he or he determines that the offending vehicle is a substantial public safety hazard. Nothing in this section shall be deemed to limit any other provisions contained in the Code that address the topic of towing of vehicles. This section shall be deemed cumulative and in addition to any other remedies that officers or the Town may seek.

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: _____

- Town Attorney Joseph Zullo states that he will briefly explain this and a few members of the Police Commission are here tonight as well as Deputy Chief Ed Lennon. A number of months ago the Council and the Board of Police Commissioners entertained the issue of beach parking. The first step in alleviating that problem was to put up no parking signs and/or move other signs. This was completed after the police commissioners along with Councilman Santino went down and surveyed the area. Step 2 of the parking issue was to revisit the parking fines. When a public hearing was held it was noted that the fines didn't have any teeth and as a result the Board of Police Commissioners looked at it and completely revised the parking fine schedule. In addition it revised a lot of the stopping, standing and parking prohibitions across town. It will certainly make a difference at the beach but it was a good general overhaul of the entire ordinance, which was quite dated. The classes of offences were changed to include 6 classes versus only having 3 before; a couple classes were expanded including the offences regarding handicap parking. He welcomes any of the Board of Police Commissioners to speak at the Chairman's approval.
- William Illingworth- Chairman, Board of Police Commissioners- explains that Commissioner Eduardo Torrealba who is with him was a member of the traffic/park committee, which is not a full time standing committee. Attorney Zullo, Chief Larrabee, Deputy Chief Ed Lennon and their staff as well as Commissioner Torrealba did all of the work.

Council comment:

- Chairman Anania asks if the fees were raised, has it been set yet.
- Attorney Zullo explains that parking in a no parking zone is a Class C violation with a \$100 fine.
- Chairman Anania asks about the e-tickets that were talked about in the past, is that being looked into?
- Chairman Illingworth says it is, but Deputy Chief Lennon can probably speak more on it, to his understanding all of the other tickets are on the e-ticket system but parking tickets are not yet.
- Deputy Chief Ed Lennon says the tickets come from the State of Connecticut, it is a preset form and we can't change it. He doesn't see parking tickets being high priority for the State right now. Long term there may be another solution.
- Chairman Anania says his concern was that the parking tickets were such minimal amounts so people were letting them build up and weren't paying them. If there was a way to log and keep track of them and build them up and when they go to renew registration, they have to pay the parking tickets.
- Deputy Lennon says they are logged in now into their computer system. There are certain levels with the State as to how much money the fines have to be before you can attach it to the motor vehicle as a title 14, the state motor vehicle code.
- Chairman Anania says hopefully if the fine is raised to \$100 they won't continue parking where they aren't supposed to.
- Attorney Zullo adds that the new ordinance calls for a doubling of any of the penalties if the fine is not paid within 10 business days.
- Councilman Santino asks if these fines are paid directly to the Town, not the State, which the answer is yes.
- Attorney Zullo mentions that Commissioner Torrealba had some input at the Board of Police Commissioner's meeting regarding the amount of the fines, he would be remiss to say that there was 100% agreement on the fines, there was some discussion as to whether or not the fines were too high. He explained to the Board of Police Commissioners that tonight would be the forum to discuss that.
- Commissioner Torrealba explains that the first thing he did when beginning to review the fines was look at the fines in surrounding Towns such as West Haven, Madison, etc. He realized that many towns, like our Town, have minimal fines such as \$10, \$15, \$25, New Haven has fines of \$35, \$50, \$100 and the highest which is \$150 for parking in a handicap spot. He then used a calculator that the government provides online which you can use to account for inflation. He checked with the Town Clerk and the last time they were updated was in the 1980's so he put that number in and it gave the amount that would account for inflation which would bring them up from \$10, \$15 and \$25 to about \$30, \$50 and \$150. When this proposal was presented, his concerns were that first of all it is a short period of time for the fines to double, 10 business days/two weeks. Not

everyone is paid weekly; some people get paid bi-weekly so they may not have the money. He is concerned that perhaps we are going from one extreme to another, from a \$10 fine to \$100 fine for parking seems to be, in his opinion, excessive. He believes it creates two issues; the first is that \$100 for someone can be their grocery bill; he knows that \$100 can have an impact on you. It may come as a bit of a surprise for people. Second, it can create strike between the public and the Town. People may not say that Chairman Anania gave him this \$100 ticket, but that the cops gave them the ticket. When reviewing further, he looked into Towns that have high amounts for fines and he noticed a relationship between the Towns with very high fines and the poor relationship between the people of the Town and the Police Department. There may need to be a study done to see if he is correct but looking at the Towns with high fines, people have problems with the Police. One town was Ferguson which has been in the news for a few months now as well as some other Towns near Detroit.

- Chairman Anania thanks the commissioner for all of the time he has put into this, he knows it is a lot of work. In his opinion, the higher fine is more of a deterrent once the word is out that East Haven is charging \$100 for parking where you are not supposed to. There were a lot of complaints and it will help the quality of life for the residents with all the work the committee did finding out where to put the signs. It will make people think twice, people were parking where ever and blocking people in. He feels with this amount for a fine people will think twice about where they are parking and the residents will feel better about it also.
- Councilman Santino asks what Branford gets for a fine. He knows New Haven has a \$65 standard parking fee.
- Commissioner Torrealba says New Haven it is \$35.
- Councilman Santino says ok so they are \$35 and we want to go to \$100, he agrees with the Commissioner that it is too high. This is a small Town, a lot of people have their kids driving their cars, \$35 or \$50 is good for a kid. If we charge \$100 people will be knocking down the doors at Town Hall. It's a small Town everyone knows everyone and he thinks we are looking for trouble raising the prices this high.
- Chairman Anania says that is a good point but remember a lot of the people who park down there are not residents, that is a big issue too.
- Councilman Fred Parlato says he can appreciate being considerate about the amount of the fine but this is a problem that seems to be mushrooming every season. The feedback he gets from people associated with that area is that most of the people violating the parking laws there are not from East Haven, they choose to come there because it is an attractive place to be. If we don't stop it now, we are going to wind up having more and more problems. This is the time of year to pass this type of ordinance. It may seem excessive but most of the

people down there probably spend very little money, they use the beach for free which we pay for, they park and upset all of the resident's quality of life. Once the word is out that East Haven is going to fine \$100, which has to be paid within the 10 days, it will be a deterrent for people coming from all other areas and they will start obeying the rules. The people who live in that area pay a tremendous amount of tax money to live near the shore. We are almost condoning breaking our laws because it doesn't cost much money. We can always rescind it if there is an issue for the residents themselves, but we issue passes for people within the Town because they pay for the maintenance of the beach. We should welcome people to come in as long as they follow the rules and the law. He doesn't think this is excessive, he thinks it is going to prohibit people from breaking the law and that's what most laws do. This is probably the biggest problem they have in the summer since he has been here, he doesn't doubt that if we don't do something the people in that area are going to do something that doesn't result in the best interest of the Town. These are rules; they have to be abided by.

- Councilman Henry Butler III thanks the Police Department and the Commission for all of their hard work. He brought this up a couple months ago and they jumped right on it and did a fantastic job. He enforces the laws of the State and the fines range from \$75-\$90, he thinks it is great that we are right in line with the State fines. The \$10 fine wouldn't even be an entrance fee to get into some of the other places.
- Councilman Santino says the fines are only good if they are enforced and we have to remember whether it is an out of Town car or an East Haven car parked right behind it, we better tag both cars and not start picking and choosing because it will come back and bite us. Be careful what we are getting into.
- Chairman Anania says he is sure that whatever the car is, if it is parked where it shouldn't be, it will get tagged.
- Commissioner Illingworth says on behalf of the Police Department, they do not pick and choose. The reason that the Department ran out of tickets is because they wrote so many in the last year, which was more than in the previous five years.
- Councilman Santino says he didn't say that they pick and choose, he said they can't start.
- Councilman Anthony Mansi asks if it was said that the State not going to be sending the tickets anymore?
- Deputy Lennon says we print our own books. The e-tickets are only for state infractions, these are Town imposed.
- Chairman Anania says so that parking fee would go right to the Town.

- Deputy Lennon said it would be the same as it is now; it goes to the records division of the police department.
- Commissioner Torrealba adds that the third point he wanted to make is that looking at this like a bell curve; for a \$10 fine, you are actually spending more for what it costs for the officer to write the ticket and you are losing resources, at the top of the bell curve you have a fine that is sufficient enough to be a deterrent for the people and cover the cost for the officer and then at the other side of the curve, you have a fine that is so large that you will get more strikes from the issuing and people fighting the tickets that it will be a waste of time. If we have a \$10 ticket and we go to \$50 that is still not worth it for most people to fight it, they will simply pay it and learn their lesson and the word will spread. If it's \$100, people may be encouraged to fight it and that will create another workload for the Town. We should try to find a sweet spot in the bell curve to save ourselves aggravation and expense.
- Chairman Anania says that it a point well taken but again, his feeling along with Councilman Parlato is that we have to have a deterrent for the sake of the people who live down there for better quality of life because as Councilman Parlato said, year after year it is just getting worse. It became a joke that you can come to East Haven, park wherever you want and you get a \$10 ticket. If you are parking where you are not supposed to be, you can fight it all you want but you are wrong. It should be a help to the residents here.
- Councilman McKay says he knows we have a problem with towing because of the DOJ but as a former Firefighter, some of the streets down in that area are very tight. People use those streets to park on and you can't get a fire truck down with one side parking never mind both sides. If we were able to tow them it would help too, there would be a lot of unhappy people but we need to warn people that they can't just come to East Haven and park on these streets and take advantage. When he had a handicap sticker when he was unable to walk he could never get a spot because people park there who shouldn't. We also need to enforce that aspect.
- Councilman Santino says he agrees with the Commissioner on his recommendation that it is too much, half of the people who live in Momauguin park in the street. If a neighbor is having a party, they park in the street. His opinion is it is way too high and it is going to cause chaos for residents, not the people from out of Town.
- Councilwoman Beverly Gravino asks if the commissioner has his recommendation written down what he recommends for these fines.
- Commissioner Torrealba says previously it was a 3-tier structure of \$10, \$35 and \$50 and he recommended \$35, \$50 and \$100 with the exception of handicap parking being \$150. He asks Attorney Zullo for the numbers as they are now.

- Attorney Zullo explains that it is a 5-tier with \$150 for handicap parking. \$125 for Class B offences- specific public safety hazards such as obstructing a fire hydrant, crosswalk, stop sign, etc. Class C is \$100 pertaining to parking on a sidewalk and anywhere where signs prohibit it. Class D is \$100 pertaining to violating parking bans during a snow emergency. Class E offences are \$85.
- Councilwoman Gravino says she was looking for the numbers that Commissioner Torrealba recommends.
- Commissioner Torrealba says the original was a 3-tier now this is more specific. He would say perhaps the \$150 for handicap and \$125 for hydrants are reasonable but in his opinion the \$100 tier in his opinion is excessive, maybe it could be amended to be a \$75 fine.
- Councilman Santino says that is a great idea with the \$75; his opinion is if we make it \$100 and someone wants to fight the Town in court, do we have to send Town workers to fight it. Who fights it if the State has nothing to do with it?
- Attorney Zullo says this is actually phase 2(a) of this project; a person can technically appeal the ticket. However, right now the Town does not have an appeal mechanism for its penal offences, it is an antiquated Code of Ordinances. The next step is to have an ordinance, which provides for an appeals process, which would probably also go before the Board of Police Commissioners.
- Councilman Santino says we need to make sure that everything is posted. If there aren't signs, for \$100 they are going to fight it.
- Attorney Zullo explains that if the Council wishes to amend this ordinance, when it comes to item #6 to report to the full Council you would report on each ordinance separately and your report would be a recommendation of action subject to an amendment. This is just an explanation if the Council decides to do that since they haven't in the years he has been here.
- Chairman Anania says as Commissioner Illingworth has said in the past, they did a lot of research as far as where to put the signs and where to move them. They did a study and he is sure there are going to be plenty of signs posted.
- Councilman Santino says as of now it is not done yet. The problem when they put the signs up instead of saying no parking this side, we just put no parking. We didn't actually tell them it is for this whole side.
- Commissioner Torrealba says that he assumed that all of the signs have been put up. They will review to make sure that they are all up.
- Commissioner Illingworth says they did order the appropriate amount of signs and it was clear where they needed to be. The changes made have increased the number of free parking spaces in that area. It precludes parking in driveways and eliminates the dangers of people walking between cars. It is a lot safer.
- Councilman Santino says on Cosey Beach Ave he knows they were supposed to move the parking from the South side to the North side, which hasn't been done.

They posted all new signs but didn't move it to the North side. They put the signs on the condo's side; they put new signs on the South side.

- Commissioner Illingworth said they will check that out then because the idea was to keep it uniform so that all of the parking would be on the South side.
- Councilman Parlato seeks clarification; the commission that Mr. Torrealba was a part of recommended to the Council these fines. That was contested within the committee and those are the numbers he was told to bring? He asks if it is his person opinion about the amount of the fines.
- Commissioner Torrealba says this is his personal opinion. The entire Board of Police Commissioners made this recommendation. He did his own research and formed this opinion.
- Commissioner Illingworth says that Commissioner Torrealba did the lion's share of the work and he wanted his opinion to be heard.
- Councilman Parlato says ok, but the majority ruled and they were all privy to this information.
- Chairman Illingworth says yes, and it was a vote of the majority.

No public comment.

Item #3

Adjournment of Public Hearing #1.

Councilman Ken Mckay makes a motion.

Councilman Spaduzzi seconds the motion.

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

Item #4

To conduct Public Hearing #2 regarding "An Ordinance Amending Chapter 12, Article III, of the East Haven Code regarding Alarm Systems."

An Ordinance Amending Chapter 12, Article III, of the East Haven Code regarding Alarm Systems

WHEREAS, Chapter 12, Article III, of the East Haven Code presently addresses the topic of "Alarm Systems;"

AND WHEREAS, the Town wishes to update and amend all of the regulations contained therein

NOW THEREFORE, BE IT ORDAINED that Chapter 12, Article III and all sections contained therein, including the respective titles of said sections, are hereby repealed in their entirety and the following shall be deemed to replace the same:

ARTICLE III: ALARM SYSTEMS

Sec. 12-41. Intent and Purpose.

It is the intent and purpose of this article to provide minimum standards and regulations applicable to users and installers of burglar, fire, hold-up and automatic telephone dialer alarms within the town; to provide penalties for noncompliance; and to encourage the installation of protective alarm systems in all dwelling and commercial structures.

Section 12-42. Definitions.

As used in this article:

Alarm system means an assembly of equipment and devices (or a single device, such as a solid state unit, which may operate from a 110-volt AC line) arranged to signal the presence of a hazard requiring urgent attention and to which police or fire department personnel are expected to respond. This includes all burglar alarms, fire alarms, hold-up alarms and automatic telephone dialer alarms, except this does not include smoke detectors which do not signal outside an alarmed premises or alarm systems on motor vehicles.

Alarm user means any person, firm or corporation on whose premises any alarm system is maintained within the town.

Automatic telephone dialing device refers to an alarm system which automatically sends, over regular telephone lines, by direct connection or otherwise, a prerecorded voice message indicating the existence of the emergency situation that the alarm system is designed to detect.

False alarm means the activation of an alarm system through mechanical failure, malfunctions, improper installation, or the negligence of the owner or lessee of an alarm system or of his employees or agents. Such terminology does not include, for example, alarms caused by hurricanes, tornadoes, earthquakes or other normally infrequent violent conditions or acts of God. Excluded from this section are false alarms which are transmitted with a criminal, malicious or mischievous intent. Such violations will be prosecuted under the applicable General Statutes of the State of Connecticut.

In the event of any dispute as to the interpretation or applicability of any provision of this article, or as to the amount of any fee or fine payable hereunder, the determination of the chief of police shall be final.

Sec. 12-43. Registration Requirements; Penalties for Failure to Register

(a) Any person, firm or corporation installing an alarm system within the town shall register with the police department at least ten (10) days prior to the anticipated installation. All alarm systems in existence as of the passage of this ordinance shall be registered with the police department within 120 days of passage of this ordinance.

(b) Residential Properties

(i) With regard to any residential property for which an alarm system is registered, a one-time registration fee of twenty-five dollars (\$25.00) per location, payable to the town, shall be payable at the police department at the time of registration.

(ii) Any person, firm, or corporation that fails to register an alarm system installed at a residential property within the applicable time periods prescribed in Section 12-43(a) shall be fined one-hundred dollars (\$100.00) for each month the alarm remains unregistered.

(iii) In the event that an unregistered alarm system at a residential property becomes activated during the perpetration of an actual crime, no fine for failure to register the system will be charged provided that the person, firm, or corporation owning the property registers the system within five (5) business days. Any person, firm, or corporation that fails to register an alarm system following activation during the perpetration of an actual crime shall be fined one-hundred dollars (\$100.00) and an additional one-hundred dollars (\$100.00) for each month the alarm remains unregistered thereafter.

(c) Non-residential Properties

(i) With regard to any non-residential property for which an alarm system is registered, a one-time registration fee of fifty dollars (\$50.00) per location, payable to the town, shall be payable at the police department at the time of registration.

(ii) Any person, firm, or corporation that fails to register an alarm system installed at a non-residential property within the applicable time periods prescribed in Section 12-43(a) shall be fined one-hundred-fifty dollars (\$150.00) for each month the alarm remains unregistered.

(iii) In the event that an unregistered alarm system at a non-residential property becomes activated during the perpetration of an actual crime, no fine for failure to register the system will be charged provided that the person, firm, or corporation owning the property registers the system within five (5) business days. Any person, firm, or corporation that fails to register an alarm system following activation during the perpetration of an actual crime shall be fined two-hundred dollars (\$200.00) and an additional one-hundred dollars (\$100.00) for each month the alarm remains unregistered thereafter.

(d) No alarm system shall be installed by other than a licensed person or other person meeting the requirements set forth in the building and electrical codes of the State of Connecticut. No alarm system shall be installed unless an electrical permit to install an alarm system has been obtained from the town building official, or his designated representative, as is required by the building and electrical codes of the state.

(e) Alarm users having existing automatic dialing devices shall comply with C.G.S. § 7-282b.

(f) All alarm systems, as defined in this article, which sound an audible signal which may be heard outside of the protected premises, shall be equipped with a device which shall limit the duration of such audible signal to not more than thirty (30) minutes in accordance with section 22a-69-5.1 of the Administrative Regulations of the Department of Environmental Protection in the State of Connecticut.

Sec 12-44. False Alarms; Penalties for Excessive False Alarms

(a) No fee, fine, or penalty shall be assessed to any person, firm, or corporation for the activation of an alarm resulting from the perpetration of an actual crime, except for any applicable penalty for failure to register an alarm system pursuant to Sec. 12-43(b)(iii) or 12-43(c)(iii).

(b) No fee, fine, or penalty shall be assessed to any person, firm, or corporation, regardless of the classification of the property, for up to three (3) false alarms in any calendar year.

(c) Penalties with regard to Residential Properties

(i) In any calendar year, for each false alarm in excess of three (3), the owner of the property at which the alarm system is installed shall be fined as follows:

Fourth false alarm:	fifty dollars (\$50)
Fifth false alarm:	seventy-five dollars (\$75)
Sixth false alarm (and thereafter):	one-hundred dollars (\$100) each occurrence

(d) Penalties with regard to Non-Residential Properties

(i) In any calendar year, for each false alarm in excess of three (3), the owner of the property at which the alarm system is installed shall be fined as follows:

Fourth false alarm:	one-hundred dollars (\$100)
Fifth false alarm:	one-hundred-fifty dollars (\$150)
Sixth false alarm (and thereafter):	two-hundred dollars (\$200) each occurrence

Secs. 12-45—12-50. Reserved.

This Ordinance shall become effective beginning July 1, 2015 so long as all normal publication requirements as contained in the East Haven Town Charter are satisfied.

Submitted by: Danelle Feeley, Council Clerk

Date: _____

Approved by: Joseph Maturo, Jr., Mayor

Date: _____

Received by: Stacy Gravino, Town Clerk

Date: _____

- Attorney Zullo explains that this is a second Ordinance, which was revised by the Police Commission; commissioners Constantinople and Flynn did a tremendous amount of work researching and looking into our current fine structure for false alarms and what it should be at. This is an issue that the Chief of Police feels

very strongly about because he feels we are providing official town police services for private alarm companies. Especially in the instances where there are false alarms and it costs the Town significant time and money resources to respond. What you have before you tonight is a revised alarm system ordinance; it does not particularly change the definitions of what alarm systems are, false alarms, etc. What it does do is set up a requirement to register your alarm system if you have one, it slightly increases the fine for failing to register an alarm system and it sets out a number of false alarms that will be tolerated by the Department before a residence is fined for a false alarm. For residential properties fines would begin at the 4th false alarm; you would be allowed 3 false alarms in a calendar year and you would then be charged \$50 for the 4th, \$75 for the 5th and thereafter \$100. For non-residential properties it would be \$100 for the 4th, \$150 for the 5th and \$200 thereafter, that is primarily for businesses. This ordinance does not in any way say we are not going to respond to alarms, whether they are false or not the Town evaluates the risk and allocates resources accordingly. What it does say is that we are going to fine for failure to register or exceeding the number of false alarms. The Commissioners also evaluated this and are here to answer questions if there are any as well as Deputy Chief Lennon.

- Chairman Illingworth states that the two people who did most of the work aside from Deputy Lennon and his staff are unable to be here; Vice Chairman Paul Constantinople is currently hospitalized and he mistakenly gave Dawn Flynn the wrong information about the time of this meeting so she was unable to attend.
- Councilman McKay asks who keeps track of the alarms. He heard two in a short period of time just today they were home owners coming home and putting in the codes wrong. Do they track those alarms?
- Deputy Lennon says all of the alarms are tracked by initial dispatch and then it depends how it is coded out in the end. If it is cancelled by the alarm company before the officer arrives then based on the new ordinance it is a no harm/no foul, same as it is now. If anything else initiates police response and hasn't been cancelled that's when they start to count.
- Chairman Anania asks what if there are different instances of false alarms. Say one time it's the wrong code and the next time it is a malfunction.
- Deputy Lennon says they keep track within a 12-month period, how many times there are false alarms. If they are subject to legit burglary it doesn't count that.
- Chairman Anania says if they have two different malfunctions that they get taken care of, does it still count towards the 4?
- Attorney Zullo says that is right, the ordinance doesn't discriminate against the types of false alarms. If you got a false alarm in January for getting your code

wrong and you have one in March due to a malfunction that is still two. It is the total number of calls.

- Councilman Santino asks if we include the Fire Department in these false alarms also because those cost us 10x the amount it does to send a squad car there.
- Attorney Zullo says the ordinance does not specifically exclude the Fire Department. It is the activation of alarm systems through mechanical error, malfunction or negligence; it can be Fire or Police.
- Councilman Santino asks if there is a way of keeping track for the Fire Department too.
- Deputy Lennon says yes, now that it is a combined center everything is tracked.

No public comment.

Item #5

Adjournment of Public Hearing #2.

Councilman Butler III makes a motion.

Councilman Santino seconds the motion.

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

Item #6

Hearing Committee report to the full Town Council and recommendation of action on Public Hearings #1 and #2.

Councilman McKay makes a motion.

Councilman Parlato seconds the motion.

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

Item #7

Adjournment of Hearing Committee.

Councilman Santino makes a motion.

Councilman Spaduzzi seconds the motion.

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

Meeting is adjourned at 7:47PM.

Respectfully Submitted,

Danelle Feeley, Clerk, East Haven Legislative Town Council