

**EAST HAVEN TOWN COUNCIL
SPECIAL MEETING #1 MINUTES
WEDNESDAY, JUNE 25, 2014**

The East Haven Town Council held a special meeting Wednesday, June 25, 2014, at 7:00PM in the Mario Giaimo Room, located at East Haven Town Hall, 250 Main Street, East Haven, CT 06512.

Chairman Richard Anania calls the meeting to order at 7:00PM.
He asks all to stand for the pledge of allegiance.

Item #1

Roll Call- 12 present - 3 absent (Mckay, Gravino and Butler III).
A quorum is present.

Item #2

To consider and act upon a Resolution accepting the Motor Vehicle Suspense List for Tax Collection for the 2013-2014 fiscal year in the total amount of \$261,899.44 and authorizing the Tax Collector to place said accounts on suspense.

A resolution accepting the Motor Vehicle Suspense List for Tax Collection for the 2013-2014 fiscal year in the total amount of \$262,899.44 and authorizing the Tax Collector to place said accounts on suspense.

BE IT RESOLVED that the Town Council hereby accepts the Motor Vehicle Suspense List for Tax Collection for the 2013-2014 fiscal year in the total amount of \$261,899.44 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:

2011 MV Grand List	\$203,475.96
2011 Supplemental MV List	\$54,072.92
2011 Personal Property	\$941.82
2012 Motor Vehicle	\$2,606.82
2012 Personal Property	\$801.92

Councilman Fred Parlato makes a motion.
Councilman Joseph Santino seconds the motion.

Council comment:

- Councilman Robert Sand asks if the \$200,000 is a carryover. Each year the suspense list is brought forward, so is this all from 2011 or accumulative from other years?
- Tax Collector Lisa Basilicato says that this is new from 2011 and it will be transferred at the end of the year. She explains that she actively collects two years in her office so at the end of this year 2011 will expire; it will be transferred to suspense, turned over to collections and they pursue it with different tools.
- Councilman Sand asks if anyone in her Department goes through Google or any other type of technology.
- Mrs. Basilicato says yes they do, they handle every piece of mail themselves and use Google, DMV websites, etc. to try and get new addresses. These are people who are clearly ignoring the bill or have moved out of Town.

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

Item #3

To consider and act upon a Resolution authorizing and approving a tax abatement with regard to property located at 51 Elliott Street, East Haven, Connecticut as follows:

East Haven Land Trust
c/o Charles Schlegel

Unique ID: G0001000
Acct./List: 2011-01-8068
Reason: Land conveyed to the land trust

TOTAL: \$811.98

Councilman Santino makes a motion.
Councilman Vincent Spaduzzi seconds the motion.

Council comment:

- Councilman Michael Riolino asks who initiates this transfer, is it something where the property owner had an option to give it to the land trust, does the land trust want this piece of property.
- Town Attorney Joseph Zullo explains that the land trust will take any land that they deem to be appropriate. Essentially it doesn't require a determination by the Town. Once they effectuate it, the land trust just asks that we abate the taxes. They are actually exempt from taxation.
- Councilman Sand asks about Elliot Street, is it abutting D.C.Moore School?
- Councilman Santino explains that he thinks if you are looking at the school, it is the piece on the right hand side that goes between where the State park is and the school. It is not on the side with the homes, he believes it's on the school side on the right hand side facing Elliot Street.
- Councilman Nicholas Palladino says it is all wetlands back there.

- Councilman Fred Parlato says he believes it is incorporated in the Greenway Trail.

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

Item #4

To consider and act upon a Resolution authorizing and approving a tax abatement with regard to property located at 147 Hemingway Avenue, East Haven, Connecticut as follows:

Town of East Haven

c/o – not applicable

Unique ID: Z0061910
 Acct./List: 1998-2012 grand lists
 Reason: Land acquired by foreclosure

TOTAL: \$18,646.86

Councilman Santino makes a motion.

Councilman Palladino seconds the motion.

Council comment:

- Councilman Palladino says that it indicates this land was acquired by foreclosure, so in other words the Town foreclosed on this because of property taxes is that correct? He also asks if there is a house on the property.
- Mrs. Basilicato states that she doesn't know, she can't tell through the tax bill.
- Attorney Zullo says by way of complete disclosure, this is property owned by a relative of his so to the extent that he can give advice will be limited. He states that there is no building on the lot, there is nothing buildable about it, and it is all wetlands. It's all land behind Fucci.
- Councilman Palladino asks who the owner of this property was.
- Attorney Zullo say Anthony Zullo and Pamela Joyce.
- Councilman Palladino says he assumes they owned this property for some time and now the Town is going to take it and build on it?
- Councilman Santino says he thinks it was pretty much land locked, they were paying taxes on it and finally let us take it because there was no access to it.
- Councilman Anthony Mansi asks what the liability to the Town is when they acquire a piece of property like this.
- Attorney Zullo says there is always liability for Town owned property, someone can walk on it and get hurt; we have that with sidewalks, roads, etc. If nothing else it actually cleans up the grand list it and it makes budget calculations more

accurate. We are assessing the property and it is counting towards the number we are planning to collect in taxes every year. As we clean all these properties up, the income projections and grand list become more accurate.

- Councilman Mansi says he understands why we are doing it but once we acquire it there's liability for if someone gets hurt or killed and then sues the Town. At that point do we really make out or did we lose.
- Attorney Zullo says we always have the risk but thankfully the legislature gives us broad immunity especially for slip and falls and public trust land. There's always a chance but the liability is minimum.
- Councilman Mansi explains that when he was young where the existing golf course is there were ponds where they were building another course and a kid had drown in one of the ponds which is why it was vacant.
- Councilman Parlato states that with the Hemingway Ave area in the late 60s it was all deemed as wetland. If that wasn't changed to wetlands it would have been filled in and houses would have been there. The people who owned this held onto it and then just decided to get rid of it because they are paying taxes on it and hold the liability. If the Town takes it, they have more control over it for instance if someone dumps over there the Town can go after it but if it's private property it becomes a civil matter and they cant. It's better that the Town acquires it and maybe 50-60 years from now someone will want to do something with it on an ecological basis.
- Councilman Palladino asks if the Town can recoup anything by owning it, can we sell it can we do anything with it, does it have any value that it's worth taking it.
- Attorney Zullo explains that as with all foreclosures, rather than collecting the debt you get the property. The property is in satisfaction of the debt.
- Councilman Santino says he believes there is an adjoining property owner over there that may be interested in it down the road. They may use it just for square footage and to do something with their piece. It's basically in the middle of the marsh.
- Councilman Sand asks about the 1.6 acres that encompasses this, do we have a specific map we are utilizing? He says this because for 155 Hemingway, the site map and the lines used in the transaction came into question and it was being researched. The property line from what he sees so far has one interpretation that the property line takes an angle where other aspects show a straight line. The question that he has relates to the dimensions of the property and what maps are being used to convey this. If we take it, do we actually know our property lines and if we were to transfer it, will anything cost us money in order to clarify these property lines.
- Councilman Santino says in a worse case scenario our Town Engineer is a surveyor, if we had to have him come in he doesn't think there would be a problem with it.

- Attorney Zullo says it looks like they used the legal description, which is contained in the deeds. It certainly conveys whatever legal interests the debtors had and as a result if there needs to be an update in regards to the maps if and when something is ever done with it, we can likely use our own resources. Or it can be placed on the buyer, if they want it then the cost to determine this would be on them.
- Councilman Sand asks about the address being 147 Hemingway even though it does not have any frontage not even a walk or something that links it.
- Councilman Santino says when he looked at it, it almost looked like a rear lot. This one is way back in the marsh.

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

Item #5

To consider and act upon a Resolution authorizing and approving a tax abatement with regard to property located at 22 Hurley Road, East Haven, Connecticut as follows:

Town of East Haven

c/o – not applicable

Unique ID: M0510000

Acct./List: 1998-2011 grand lists

Reason: Land acquired by foreclosure in 2010

TOTAL: \$13,116.30

Councilman Santino makes a motion.

Councilman Spaduzzi seconds the motion.

Council comment:

- Councilman Palladino says that it's to his understanding that Hurley Road is not an approved road; it is a paper road.
- Attorney Zullo says it is a paper road and this came with interest from a gentleman who owns almost all of the properties identified as being on Hurley Road. He states that he has already spoken to him and the Mayor is in favor of selling this piece to him on the terms that no living structure is built on it, that it is only used for residential excess acreage. If anything, the only permissible structure the Town would allow is a one car garage, not commercial use. The approximate price would be around \$8,000-\$10,000 so this would be one instance where we would recoup some of the money. He states that this will be looked into and it would have to come back to the Council for the approval as well as planning and zoning.

- Councilman Sand says the value that is currently on it which is the assessed value of \$26,900, even if sold at \$8,000-\$10,000 what kind of value does the Town then attach to his property, is it \$26,900 based on this?
- Councilman Santino says fair market value, which the assessor will do.
- Attorney Zullo says the assessor would probably do it as excess acreage.
- Councilman Santino says he still will get assessed based on square footage by the assessor not for what he buys it for.
- Councilman Sand says he wanted to verify that.
- Attorney Zullo states that the \$9,000 or so is just a recommended number, if the tax assessor comes back and says it is worth more than \$10,000 it will go out for a bidding procedure anyway. If he thinks it is worth more than \$10,000 we will get an appraisal and it will go out to bid, if it is less than \$10,000 the Council can still authorize the sale and it does not have to go out to bid.
- Councilman Sand says he agrees, when he looked at it on Google he couldn't even tell it existed. Whatever negotiated deal can be made is in the best interest of the Town.

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

Item #6

To consider and act upon a Resolution authorizing and approving a tax abatement with regard to property located at 200 Meadow Street, East Haven, Connecticut as follows:

KEWL Land Trust

c/o – Luckey, Kit & Walker, Co-Trustees

Unique ID: L0330950

Acct./List: 2013-01-5340

Reason: Portion of land deeded to the land trust – 10/7/2013

TOTAL: \$5,449.14

Councilman Santino makes a motion.

Councilman Spaduzzi seconds the motion.

Council comment:

- Councilman Riolino states that he read the letter which states that the Grand List was as of October 21, 2013 and they did this transaction on October 7th. So they are basically asking us to cut them some slack on that.
- Attorney Zullo says yes and no; it is actually very strange because they are asking for the abatement before the tax bill came out. In other words let's say they were to ask for this next year, what you would actually be getting is rather than the KEWL and trust asking for it, it would be the East Haven land trust

asking for the portion of the tax bill that they inherited. Essentially, they were late with the transfer and are now early with the request. It is perfectly acceptable to do it. Because of protections given to municipal land trusts they are allowed to do it.

- Councilman Riolino says so these are taxes the land trust inherited because of the first part of the grand list year because it was not payable until January 1.
- Attorney Zullo says correct. If they weren't to pay the taxes, eventually Mike Milicie would create a land card or may have already and next year when it went to Lisa's office to generate a bill, there would be a balance forward on it for taxes that were unpaid.
- Mrs. Bascilicatio said then she would be asking for it next year but this way the homeowner can pay the correct amount on July 1 and there won't be any interest accruing on it.
- Councilman Riolino says for some reasons the Connecticut Assessors decided that October 1 is the end date for the grand list.
- Attorney Zullo says they made it a little bit harder with the grand list ending in October, paying taxes in January and July and paying them in the rears.

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

Item #7

Adjournment of Special Meeting.

Councilman Santino makes a motion.

Vice Chairman Robert Parente seconds the motion.

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

Meeting is adjourned at 7:25PM.

Respectfully Submitted,

Danelle Feeley, Clerk, East Haven Legislative Town Council