

## MINUTES OF THE BOARD OF SELECTMEN'S MEETING

JULY 1, 2010

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The regular meeting of the Board of Selectmen was called to order at 7:03 pm in the Community Room of the North Haven Memorial Library, 17 Elm Street, North Haven, CT.

### **Members Present**

First Selectman, Michael J. Freda  
Second Selectman, Timothy M. Doheny  
Third Selectman, Stephen A. Fontana

Mr. Freda introduced himself and Selectmen Doheny and Fontana, recording secretary, Valerie Goodkin and welcomed everyone to the meeting and wished everyone a happy holiday weekend.

### **Public Comments Relative To The Agenda**

Mrs. Ann Ruocco, 23 Ansonia Drive, stated that she submitted a letter under correspondence regarding signs. She wanted to note that if passed, we could ask the Board of Finance for the funds, and the funds could be taken from the fund balance because it would not be that much and well under the amount required to go to a Town Meeting.

Mr. Freda thanked Mrs. Ruocco.

Mr. Doheny motioned to approve the minutes of the Regular Board of Selectmen's Meeting of June 3, 2010.

Voted: Freda – yes, Doheny – yes, Fontana – yes

Mr. Doheny motioned to approve the minutes of the Special Board of Selectmen's Meeting June 17, 2010.

Voted: Freda – yes, Doheny – yes, Fontana – yes

### **Selectman's Overview**

#### Updates

- Sackett Point Road Bridge
  - Construction to start in 2013. Still in design stage. The top deck is rated 2 out of 10, fortunately the sub deck is rated an 8 out of 10. The combination of the two allows us at least 2 or three more years, and we need to plan for the future. This project will be about 12.8 million dollars - most of which will be funded by state and federal agencies.
- Universal Drive Situation
  - Paving Universal Drive from fly bridge up to railroad tracks. Roughly \$675,000 project. Fortunate to have obtained funding, with our costs

amounting to about \$35,000.

- Town Roadways

- Spending a lot of time analyzing the roads in North Haven. Estimated 68 to 72 miles that need to be paved. Need to think about how to handle this in the future. His priority over the course of the next several years is to put together a plan to map out the priority roads in North Haven. Mr. Freda noted that when oil is in the \$80 - \$85 a barrel range it costs about \$200,000 per mile to mill and pave. Trying to figure out a way to capture the savings when the price of oil drops to reduce our costs.

- Town Cemeteries

- Receiving a lot of phone calls from residents who have family members who are buried in some of the cemeteries. We need to do a better job of maintaining them. We have exposed a flaw, there is no proactive maintenance. He is working with Lynn Sadosky on a program to become more proactive with better maintenance.
- Did not look at the last will and testament of the Stiles family. Did research and we have roughly 2 ½ additional acres of Town property that will yield approximately 450 plots. Based on the average number of burials per year, with the additional 450 plots we think there may be another 20 – 25 more years of expansion. We also have existing plots left in the Elm Street Cemetery.

- Temple Pines Skate Park

- Neighbors complaining, graffiti in the area, and reports of other unsavory activities contributing to the demise of the area. He sees the skate park as a liability of the Town. If someone were to fall and get hurt, the Town is liable. He is working with Lynn Sadosky to remove the skate park. Will be talking to the residents to get their input. He would like to minimize the liability, and beautify the park area with additional picnic tables.

- STEAP Grants

- Mr. Freda along with Lynn Sadosky and Jonathan Bodwell are actively looking for more STEAP Grants to drive more incremental grant money for North Haven. Public Works garage is a good example. North Haven has not had to pay any money for that project. Just received a letter from the Governor that additional funding is available and we will be pursuing that.

- Concert Series

- Pleased to report that we kicked off the concert series on Tuesday evening. We had Vinny Carr and his orchestra. We also kicked off a food drive. We did not get much, but will step up our efforts to get the word out to the public to please bring one non perishable food item. He has met with Reverend Morrow and we will also be helping him and his food bank with contributions. This coming Tuesday night will be a jazz band and we are hoping for good weather and another good turnout.

### Cost Savings

- Director Position Eliminated

- Will save the Town about \$128,000 for this fiscal year effective today. This combined with two previous positions not replaced totaling \$228,000 gives us a total savings into this new fiscal year of about \$356,000.

•CIRMA-

- Original projected savings to be \$100,000, but the good news is that the new cost savings through the negotiations that we have had and the bid process that we put forward, the cost savings are about \$350,000. So with the previous forecast of \$100,000 we now have an additional savings of \$250,000 for this year's budget.

•UI Town Buildings retrofitting.

- Met with the UI two weeks ago and we are working to retrofit all the Town buildings at no cost to the Town, with an annual estimated savings of about \$60,000 with new energy efficiencies.

Economic Development

•Second Meeting at 297 State Street Building met with prospective tenant. This is the old Quebecor building. This building represents a great opportunity for North Haven. He met with the management team from a manufacturing company located in New York. He spent two hours; he had the UI there, and the State of Connecticut. The UI and the State both offered incentives. This is in the beginning stages, but he did just get a call that they would like to meet with him again. So he will be going back there. If we are able to put this together, it will bring about 175 jobs to North Haven; populate the building with infrastructure, machinery. The upcoming meeting will be with the owners of the company.

•Center Plan Parkway improvement program on the south bound side of the North Haven rest area will begin at the end of this year and into the following year. This will be a total development for the Mobil Station and will include Subway and Dunkin Donuts. The north bound side will take a little longer, maybe not until mid 2011 because there is pipe feeding system under the parkway and that will take a little more specialization.

•Valley Service Road has been a dead subject for many years. He recently met with Richard Steinberg who owns the property and at one time was interested in putting a mall there in the 1970s. He is not interested in doing anything right now. He may have an opportunity to sell it to a builder to put homes, but Mr. Freda is not sure that is the way to go. He did meet with someone who owns 46 acres across the street from "The Game". About 25 acres are developable. The owners have been sitting on the land because there has been no electricity. Mr. Freda contacted the UI and asked them to send their field engineers to the site. We will be looking into getting electricity which will allow the owners to market the property for light industry.

•Mr. Freda reported that a new vintage car assembly business is going in on 100 Republic Drive. It will be going to the Zoning Commission to ensure that all variances are ready. He met with the owners and is happy to have them in town.

•Montowese Gas Station by Covidien area. This gas station is at the gateway into North Haven and has been an eyesore for quite some time. Working to put some people together to see if this can be sold. He has also met with the Connecticut Brownfield Association who is willing to help the prospective owner fund the remediation.

•A light industrial park on Giles Avenue will be proposed at the Zoning Commission. Mr. Freda has been working with the owner of this building and is looking to create more jobs and hoping for good news in this area.

## The Future

•State Funding in 2012 is a concern. We will be okay in 2011, but he has concerns. As a result of that concern he is trying to put disciplines in place to help prepare us for the potential for a decrease in state funding. We need to be fiscally sound and he will continue to look at cost savings. His objective is to have a surplus for fiscal year ending 2011. Mr. Freda is committed to continuing to work to grow top line revenue.

He concluded his presentation by stating that although we may have some problems, he continues to be very positive, very focused, and very optimistic about North Haven's future.

## **Correspondence -**

- Signs for the Times submitted by Ann M. Ruocco. Mrs. Ruocco's correspondence requested that the Board of Finance purchase signs to be distributed throughout the Town, to the five fire stations and the center on the Green. She would like the signs placed out two weeks before for all primary, local, state and federal elections and six days before Town Referendums. She also asked in her letter that her request be acted upon in the form of a Town Ordinance. If the Board of Finance does not agree, she will collect the necessary 20 signatures and bring it to a Town Meeting.

Mr. Doheny thanked Mrs. Ruocco for her letter and agreed that anything that can be done to encourage the residents to vote is worthwhile. He does not believe that the cost would be prohibitive. He does feel that the decision as to where the money comes from is up to the Board of Finance. He also feels that it is not necessary to make it a Town Ordinance.

Mr. Fontana agreed with Mr. Doheny. He also thanked Mrs. Ruocco for her letter. He feels that the ordinance is premature since we do not know that the Town would fail to put the signs out. If in fact we purchase the signs and they are not put out then it may be appropriate to take it to the next level. He is in favor of making the recommendation to the Board of Finance.

Mr. Freda granted Mrs. Ruocco the opportunity to address the Board. She commented that the reason she was asking for an ordinance is she is not sure that it would be followed through on. She asked Mr. Freda if he would guarantee they would be put out. Mr. Freda assured her that if approved, he would follow through to be sure they are put out.

Mr. Freda stated that he is in favor of the signs, and also agrees with the Selectmen that an ordinance is not necessary. He is confident that together with Town employees and public works the signs would be put out.

Mr. Doheny asked Mr. Freda from a procedural standpoint if he would write a letter on behalf of the Board of Selectmen, and along with some estimated costs from Lynn Sadosky, present the information to the Board of Finance. Mr. Freda agreed.

- Mr. Gary Amato submitted a letter demanding that the Town Attorney be present at the Board of Selectmen's meeting.

Mr. Freda noted that the Town Attorney was not present. We just received Mr. Amato's letter and could not react that quickly.

Mr. Fontana stated that in the past there have been people who have attended the meetings and have been disappointed that a particular Department Head or Town Attorney was not there. He thought that it may be appropriate to have the attorney attend the meetings periodically, perhaps on a quarterly or bimonthly basis.

Mr. Doheny stated that he feels that as Mr. Amato's letter stated, Town Attorney serves the First Selectmen, Department Heads and Town employees, and his role is to advise the Town through them and to a degree answer questions that may come up at meetings such as this. He said occasionally we do have various Department Heads attend, and he was not sure if that was at Mr. Freda's request. He thinks it would be appropriate to invite him if, and when, there is an item on the agenda that may warrant his expertise. He would have no objections however, if he were to come on a periodic basis to answer questions.

Mr. Freda stated that he has done some research on the subject. He noted that over the course of the two years of the previous administration, the attorney attended approximately 10 meetings. He went on to detail the dates and subject matter of the 10 instances. Mr. Freda stated that he does not feel the need to rely on the attorney to explain matters of this nature to the public at Board of Selectmen meetings. He feels that he is on top of just about every situation in Town. He is sensitive, however, to the fact that there may be residents who would like the Town Attorney to be present. He went on to say that he is concerned because we can not have an attorney here fielding questions related to personnel issues. This would open up North Haven to more litigation and lawsuits. With regard to TIF Grants, leases, zoning issues, etc. he would be happy to have the attorney present if that was warranted.

The Board agreed to allow Mr. Amato to speak on the subject. Mr. Amato said that he would respect if the Town attorney advised that he could not answer a particular question, but still feels that he should be present for other topics. The Town is going through quite a bit and he would like to be able to ask the Attorney questions. He feels that in the last seven months the Board of Education has shut its doors to public questions, he went to the Police Department commission Meeting a few weeks back and was hollered at for trying to help the children with safety concerns. He feels as though this is closed government. He thinks it would be nice to clear up some questions that he has been asking.

Mr. Freda asked Mr. Amato what his questions are. Mr. Amato asked if Mr. Ryan was involved in the clerical union negotiations. He said the clerical union was the only union that did not give any concessions regarding co-pays and deductibles. He can't understand why if Mr. Ryan is the best labor attorney, this happened. Mr. Freda stated that as far as the Board of Selectmen's meetings go, this is open government. He has welcomed questions from the public. The Board of Selectmen's Meetings have

indeed been conducted with open government; however, we can not answer questions regarding personnel issues.

### **Resolutions:**

Mr. Doheny read the following resolution:

**(A) RESOLVED**, that the First Selectman may enter into with and deliver to the State of Connecticut Department of Emergency Management and Homeland Security any and all documents which it deems to be necessary or appropriate; and

**FURTHER RESOLVED**, that Michael J. Freda, as First Selectman of the Town of North Haven, is authorized and directed to execute and deliver any and all documents on behalf of the Board of Selectmen and to do and perform all acts and things which he deems to be necessary or appropriate to carry out the terms of such documents, including, but not limited to, executing and delivering all agreements and documents contemplated by such documents.

Mr. Doheny moved to accept the resolution as presented.

Voted: Freda – yes, Doheny – yes, Fontana – yes

Mr. Doheny read the following resolution:

**(B) RESOLVED** that the Board of Selectmen takes action to change the authorized second signer of the ED-099 Agreement for Child Nutrition Programs from Gerardo Sorkin to Edward J. Swinkoski, Director of Finance and Administration /Director, DCSR to sign the claims for reimbursement in the absence or incapacity of the first designated individual; Michael J. Freda.

Mr. Doheny moved to accept the resolution as presented.

Voted: Freda – yes, Doheny – yes, Fontana – yes

### **Resignations/Appointments**

- Reappointment of Victor Palma, the 83 Woodvale Drive, Northford, CT 06472 as Tree Warden - retroactive to December 1, 2009, for a two year term to expire December 1, 2011.

Mr. Doheny motioned to accept the reappointment of Mr. Palma.

Voted: Freda – yes, Doheny – yes, Fontana – yes

- Appointment of Patrick Tomak, MD, a neurosurgeon living at 1155 Ridge Road, North Haven, CT 06473, to the Police Pension Committee.

Mr. Doheny motioned to accept the appointment of Dr. Tomak to the Police Pension Committee.

Voted: Freda – yes, Doheny – yes, Fontana – yes

- Appointment of Reilly Cargan (R), 65 Oakwood Drive, North Haven, CT 06473 to the Board of Education term to expire December 1, 2013.

Mr. Freda stated that he was electing to take no action on the appointment of Reilly Cargan until he could conduct a further review. It was voted and agreed to postpone the appointment pending additional research.

- Appointment of Stephen F. Darley (D), 100 Fitch Street, North Haven, CT 06473 to the Economic Development Commission term to expire December 31, 2011.

Mr. Doheny motioned to approve the appointment of Stephen F. Darley.

Voted: Freda – yes, Doheny – yes, Fontana – yes

### **Bond Releases / Reductions**

- Giacinto G. Costa, 135 Millbrook Road, North Haven, CT 06473, release of the entire bond balance in the amount of \$8,000 with the recommendation of the Planning & Zoning Commission.

Mr. Doheny motioned to approve the bond release as presented.

Voted: Freda – yes, Doheny – yes, Fontana – yes

### **Property Tax Refunds**

- DCFS Trust, P.O. Box 685 Roanoke, TX 76262, in the amount of \$264.39
- Financial Ser Veh Trust, 5550 Britton Parkway, Hilliard, OH 43026, in the amount of \$346.91
- Leonardi, Dorothy S or Anthony, 87 Carriage Drive, North Haven, CT 06473 in the amount of \$228.96, and in the amount of \$ 211.32
- Salerno Amalio Anthony, 70 Constitution Street, Wallingford, CT 06492, in the amount of \$172.73
- Toyota Motor Credit Corp, Box 105386, Atlanta, GA 30348, in the amount of \$331.06
- Vars Dana or Deborah, 11 Edison Drive, North Haven, CT 06473, in the amount of \$53.36
- VW Credit Leasing, Ltd., 1401 Franklin Boulevard, Libertyville, Il 60048, in the amount of \$98.28

Mr. Fontana motioned to accept the property tax refunds as presented.

Voted: Freda – yes, Doheny – yes, Fontana – yes

Mr. Freda announced the next meeting of the Board of Selectmen – Thursday, August 5<sup>th</sup>, 2010 at 7:00 p.m. in the Library Community Room.

### **Public Comment**

Irene Salman, 27 Drazen Drive, stated that she read a disturbing article in the New Haven Register written by Ann DeMatteo. She quoted the article referencing Ms. McCarty's decision along with others in her administration not to seek the tax money due the Town of North Haven from Quebecor. She asked Mr. Fontana if he conferred with Ms. McCarty at the time to arrive at that decision. Mr. Fontana stated that he did not speak with Ms. McCarty regarding any tax matter related to Quebecor. His only involvement with Quebecor was with Senator Fasano to try to help the displaced employees.

Dave Hammond, 74 Culver Lane, asked who is responsible for trees blocking the roadways. He gave examples of North and Ezra and Sackett Point and Elm Street. Mr. Freda explained the procedure to call either he or Lynn Sadosky and it will be put on a list and taken care of, typically in seven to ten days.

Jim Leahy, 12 Regency Drive, noted that he met with Chief DiCarlo and toured the police operation. Mr. Leahy was very impressed and noted they should be very proud of what they do. He also met with Chief Landisio and discussed overtime, and he feels he is doing a very good job with keeping that down and has actually brought it down by half of what it had been. He also noted that two of our firefighters saved a life last month and felt that was remarkable and commends the department for doing a wonderful job.

Mr. Leahy asked Mr. Freda who is in charge of purchasing for the Town. Mr. Freda responded that it originates in the finance office and we have an approved list of vendors and it would be handled by the Director of Finance and Administration. Any purchases over \$7,500 require a bid process; anything under we refer to the list of approved vendors. It starts at the request of the department head, then goes to finance and then to him for final approval. Mr. Leahy said he looked at websites for three neighboring towns, East Haven, Branford and Cheshire and all three have a formal bid process where suppliers or vendors may submit a quote. He noted that he looked at ours and feels that ours is laughable. There is nothing there. He feels it is not a good practice to have the person who can create the need, place the order, and approve the transaction. He also asked if our purchasing process was ever audited by anyone. Mr. Freda stated that he believes every year the firm of McGladrey and Pullen does perform an audit, but he would double check it. He noted that Mr. Leahy makes a good point of enhancing our website to accommodate the process. Mr. Freda noted that he has found that there are a number of antiquated processes that need updating. Mr. Freda said that he would speak with both the Finance Department and the IT Department on the issue.

Mr. Leahy stated that he had a conversation with a Board of Education member recently and asked why the school bus contract has never gone out to bid in the last 22 years. It is a \$1.5 million dollar procurement. Who is in charge and why wouldn't they have to follow the same rules. Mr. Freda and Mr. Doheny both thought that it was a three year contract. He would check into it, and at the end of the contract, it will go out to bid.

Mr. Leahy also stated that other towns of our size have email links to their town officials and employees, and ours does not. Mr. Freda stated that he would be reviewing the website based upon Mr. Leahy's suggestions.

Mr. John Bimonte, Evergreen Place, in response to Mr. Amato, stated that he is a member of the clerical union and in their three year contract they did make concessions. They agreed to no pay increases for the first two years.

Gary Amato, 27 Pool Road, said he does know about the two double zeros. He went on to ask Mr. Freda about the three positions he referred to in his overview that have been eliminated and asked in addition to Mr. Sorkin, what were the other two? Mr. Freda responded Mr. Betz, and the second assistant position in his office. Mr. Amato asked about the Assistant Community Services Director. Mr. Freda noted it was not in the budget because it has already previously been eliminated, as well as the Engineer II position.

Mr. Amato asked Mr. Freda about the \$6,000 stipend that was given to Mr. Maiden about two and half years ago when Mr. Freda was on the Board of Finance. Mr. Freda responded he was not on the Board of Finance two and a half years ago. Mr. Freda noted that it may have been in 2006. His recollection was he had only been on the board about a short time, Mr. Kopetz, First Selectman, recommended Mr. Maiden be given the stipend. Mr. Amato felt that he must have done something to warrant the stipend. Mr. Doheny thought he recalled it may have been because Mr. Maiden was assuming an additional role with additional responsibilities at the time.

Mr. Amato brought up the Quebecor issues noting that he felt that we are jumping to conclusions without having all the facts, and shouldn't be throwing out a figure of \$361,000 until we know the amount. Mr. Freda stated that we do know that in total is in fact \$361,000 and \$327,000 is from Quebecor. Mr. Freda showed Mr. Amato the one page form that was not filled out by the December 5<sup>th</sup>, 2008 filing date. Mr. Amato agreed it should have been filled out. Mr. Amato wanted Mr. Freda to look into it more. Mr. Freda explained that there was nothing further to look into. The case is closed. We know the amount, and we know that the form was not filed and we no longer have any claim to the money. Mr. Doheny stated that in his experience a proof of claim form is simple and could have been filled out easily and it is unconscionable that the form was not completed. He also stated that the Town was a priority creditor for what was some expensive printing equipment, so to miss this was worse than a freshman mistake. Mr. Amato stated he was not disagreeing with the fact that the form should have been completed, but the amount of money, and said in this economy he didn't think we would get paid dollar on the dollar. Both Mr. Freda and Mr. Doheny stated as a priority claimant we would have in fact received dollar for dollar. Mr. Amato asked if we would continue to look into it. Mr. Freda stated that there is nothing left to do. We know the amount, the form was not completed and the filing date was missed. We have no recourse of action.

Mr. Amato asked about the amount of money Mrs. Querfeld would be getting. Mr. Freda stated that she is entitled to 180 sick and vacation days for time accrued, but would be taking none. Mr. Amato was pleased to hear that.

Mr. Amato asked if the forensic audit was still underway. Mr. Freda replied yes. Mr. Amato asked why Mr. Maiden was put on administrative leave several days after the state closed their case, and feels it is suspect. Mr. Freda stated it was a personnel issue, however he would comment that procedural and criminal are two separate things.

Mrs. Ruocco, wanted to clarify that the signs, if approved, would be guaranteed to be put out. Mr. Freda stated that they will move forward, he is confident that we will not need an ordinance to ensure the signs are placed out. However, if it appears that a problem exists they will address the ordinance at that time.

Ann DeMatteo recalled that the skate park was put in at the request of the residents and if Mr. Freda plans on taking the park away, will the residents get to give their opinion prior to the decision. Mr. Freda stated that he will survey the residents in that area, but he is very concerned about the safety of the park. Ann Dematteo asked if

there had been any injuries there. Mr. Freda noted that he was there last week and noticed that young girls and boys were doing flips with their bikes and the Town would be liable for accidents, and there has been deterioration in that area, and there have been some noise issues and other activities there as well. Ann noted that she thought the liability issue had been checked out when the park opened. Mr. Doheny commented that he was there recently with his sons and he felt it was a little dangerous, there were some kids hanging out there; it is set back off the road and is in a heavily treed area. He could see where some problems could arise. Some kids had helmets, and some didn't. He also could see where some unsavory things could go on there.

Ann DeMatteo asked about the amount of money due from Quebecor, and in 2008 it was estimated to be around \$40,000 to \$50,000. How did it jump to \$361,000? Mr. Fontana noted that according to Mr. Swinkoski, the total of \$327,000 was accrued over four years and in fact the bulk of it came in the Grand List year 2007. The \$50,000 estimate had accrued in years 2004, 2005, 2006. Ann noted that it must have been real estate as well as property tax.

Mr. Freda asked if there were any more questions, hearing none and seeing none, he wished everyone a happy Fourth of July and thanked everyone for attending.

Mr. Doheny motioned to adjourn the meeting at 8:20 pm

Voted: Freda – yes, Doheny – yes, Fontana – yes