

# MEETING MINUTES OF THE BOARD OF SELECTMEN

OCTOBER 6, 2022

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A meeting of the North Haven Board of Selectmen was held on Thursday, October 6, 2022 at 6:30 p.m. in conference room #1 of the North Haven Memorial Town Hall, 18 Church Street, North Haven, CT.

## **Members Present:**

Michael J. Freda, First Selectman  
William J. Pieper, Second Selectman  
Sally J. Buemi, Third Selectman

## **Staff:**

Valerie Goodkin, Executive Assistant

Mr. Freda called the meeting to order at 6:30 pm and welcomed Selectwoman Sally Buemi and Selectman William Pieper.

Mr. Freda and the Selectmen then proceeded in the recitation of the Pledge of Allegiance.

Mr. Freda asked for any public comment relative to the agenda. Miss Buemi motioned with a second from Mr. Pieper to amend the agenda at item # 15 to correct a typographical error changing the balance of the bond release from \$5,500.00 to \$2,500.00.

VOTE: Freda – yes; Pieper – yes; Buemi – yes

Mr. David Mikos, Central Avenue, President of the High School Booster Club, addressed the Board to comment on the item on the agenda regarding the naming of the press box at Vanacore Field. Mr. Mikos provided a historical overview regarding Mr. Pethick's dedication as a longtime volunteer to the football team. After his sudden passing in 2015, the Pethick family has continued a tradition of holding a golf tournament in his honor to raise funds which they have consistently and generously donated to the high school football program. The Booster Club feels that it would be appropriate to honor Mr. Pethick by naming the press box after him.

Miss Buemi motioned with a second from Mr. Pieper for the approval of the minutes of the Board of Selectmen's Meeting of September 1, 2022.

Following a brief discussion among the Board, Miss Buemi motioned with a second from Mr. Pieper for the following resolution:

**RESOLVED:** That the Board of Selectmen recommend to the Town Meeting, the press box at Vanacore Field be named the "Rob Pethick, Sr. Press Box."

VOTE: Freda – yes; Pieper – yes; Buemi – yes

Mr. Pieper called with a second from Miss Buemi for a Special Town Meeting to be held

Monday, October 24, 2022 in the Auditorium of the North Haven High School, 221 Elm Street, North Haven, Connecticut, at 7:00 pm to consider and act upon the following:

- 1) To consider and act upon a resolution by the Board of Selectmen recommending to the Town Meeting the naming of the press box at Vanacore Field, the “Rob Pethick, Sr. Press Box.”

VOTE: Freda – yes; Pieper – yes; Buemi – yes

Mr. Freda asked Attorney Jennifer Coppola to provide an update on the draft Affordable Housing Plan. Ms. Coppola explained the reason for the creation of the Affordable Housing Plan and where they are in the process of the draft plan. She noted there is a November scheduled joint meeting with the Committee and the Planning and Zoning Commission. She explained that the Town has filed for an extension to allow time so that we can have a very good final draft. We will be having a public hearing on the draft plan and a copy of the draft plan will be available on the Town’s website. The public hearing will be scheduled in early December. Following Ms. Coppola’s update and discussion among the Board, Miss Buemi motioned with a second from Mr. Pieper to approve the following resolution.

**RESOLVED**, that:

First Selectman Michael J. Freda as the chief elected official of the Town of North Haven, is hereby authorized to submit a letter to the Office of Policy and Management of the State of Connecticut providing a status update to said Office on the efforts of the Affordable Housing Plan Advisory Committee to prepare an affordable housing plan in accordance with Connecticut General Statutes Section 8-30j for review, revision (as needed), and adoption by the Board of Selectmen and designating a date by which an affordable housing plan will be submitted.

VOTE: Freda – yes; Pieper – yes; Buemi – yes

Attorney Jennifer Coppola opened the Public Hearing pursuant to Connecticut General Statutes Section 8-2o(f), for possible action on, including an opt-out from, the provisions of Connecticut General Statutes Sections 8-2o(a) through 8-2o(d) pertaining to accessory apartments or accessory dwelling unit regulations.

Attorney Coppola stated that when the notices of the public hearings were filed in the clerk’s office and website, she attached the relevant statutes so that members of the public who were interested would have the information. She stated that opt out procedures require a public hearing, a 2/3<sup>rd</sup> vote and identified reasons for opting out if that is the decision of the Board. She noted that the Planning and Zoning Commission has already voted to opt out. She explained that in terms of what the law requires, it requires that municipalities adopt new or amend existing regulations to allow accessory apartments or accessory dwelling units as of right on the same lot of single family homes by January 1, 2023 unless the municipality follows the opt out procedures. Attorney Coppola shared into the record the reasons that the Planning and Zoning Commission acted to opt-out of C.G.S. Sections 8-2o(a) through 8-2o(d) at its May 2, 2022 regular

meeting:

1. Adoption of an accessory apartment regulation(s) in compliance with § 8-2o(a) through (d) would negatively impact the integrity of existing neighborhoods in town, single-family residential and otherwise;
2. Current zoning allows for in-law apartments so adoption of a new accessory apartment regulation(s) would not serve a needed benefit in that area;
3. It is highly unlikely that adoption of an accessory apartment regulation(s) in compliance with § 8-2o(a) through (d) would assist the Town in reaching the 10% affordable housing threshold contained in C.G.S. § 8-30g; and/or
4. The statute imposes limitations on the ability of the Planning and Zoning Commission and the Town to take action/implement controls to address zoning and building enforcement issues.

Miss Buemi stated that the most compelling reason to her is item number four.

Mary White, Summer Lane, asked the Board to opt out of this public act permitting apartments to potentially be added to every single-family home. The apartments need to be at least 1,000 sq. feet, they do not have to be affordable, they do not have to be owner occupied, they can be rentals, and no limit to the number of them. If they were to be allowed they would destroy the character of our residential neighborhoods, we already have regulations in place for in-law apartments, and this would be contrary to the zoning regulations we already have in place.

Jenny Caldwell, Kimberly Circle, stated that she has no request to opt in or out. She is here to learn more about it. She feels if we have 85% single family homes with no changes to our zoning only to allow in-law apartments, it would make it difficult to add more affordable housing. Looking at some of the zoning that we have that makes so much of our homes single family, with zoning regulations with big setbacks, etc. it makes it all the more difficult to add more affordable housing options. Maybe we need to be looking at our zoning regulations for ways to provide more affordable housing in town.

Tom White, Summer Lane, also stated that he supports opting out for the same reasons his wife stated as well as the reasons provided by the Planning and Zoning Commission. He also feels we would lose the ability to regulate residential development and the additional statute for parking. If there wasn't parking available, they would be parking on the street which could inhibit safe transportation of public safety vehicles. Disagrees with deed restriction for affordable housing. All part of median income bracket, plenty of residential homes that were affordable, if the state allowed you to reclassify housing stock, it would help meet the thresholds. It is affordable to live here in North Haven, basically based on the way this municipality has been run with safety ratings and low taxes.

Sherman Katz, Sherwood Drive, approximately 25-30% of our population are seniors. Good portion of those seniors have incomes under \$50,000. Would we be able to get

credit for those homes? Attorney Coppola stated that not getting credit for naturally occurring affordable housing is a problem in every town. It is something we are going to be taking a look at to see if there are ways to capture it.

Miss Buemi stated that when seniors remain in their home and have paid off their mortgage, the home may be considered affordable because they have paid their mortgage and can live there with an income of \$50,000 or less. However, if they were to sell that same home, the person buying it would most likely have to have a mortgage, depending on the market and interest rates, it would not necessarily be the price of the home but the income of the buyers which determine if it was affordable, so she cautions doing deed restrictions on homes owned by seniors which would restrict the selling price.

With no further comment from the public, Miss Buemi motioned with a second from Mr. Pieper to make the following resolution for the same four reasons that the Planning and Zoning Commission stated with her personal emphasis on number four.

VOTE: Freda – yes; Pieper – yes; Buemi – yes

**RESOLVED**, that:

Pursuant to Connecticut General Statutes Section 8-2o(f), the Board of Selectmen of the Town of North Haven hereby affirmatively decides to opt-out from the provisions of subsections (a) through (d) of Connecticut General Statutes Section 8-2o pertaining to accessory apartments or accessory dwelling unit regulations for the reasons stated on the record.

VOTE: Freda – yes; Pieper – yes; Buemi – yes

Attorney Jennifer Coppola opened the public hearing pursuant to Connecticut General Statutes Section 8-2p, for possible action on, including an opt-out from, the provisions of Connecticut General Statutes Section 8-2(d)(9) pertaining to dwelling unit parking limitations.

She stated when the Planning and Zoning Commission voted unanimously to opt out on May 2, 2022 at their regular meeting. The reasons for opting out articulated by commission member Theresa Viele on the record were that: (1) it (the statute) conflicts with existing regs; (2) in some cases, it conflicts with expert opinion; (3) it has the ability to impact certain neighborhoods in a negative away; (4) insufficient parking may for residential lots and uses may result in excessive on-street parking which might be dangerous, especially in areas where we do not have sidewalks; and (5) it may impede emergency services.

Mary White, Summer Lane, voiced her desire to have the Selectmen vote to opt out of this legislation. She stated that the house she grew up in which was less than 1,000 square feet there were four people with cars. Some on them had to park on the street as well as the driveway. She fears that with multiple accessory dwelling units without being required to have driveways, tenants would be parking on both sides of the street causing a public safety hazard for emergency vehicles needing to get down the street. It also conflicts with our current zoning regulations.

Tom White, Summer Lane, stated that it would eliminate Planning and Zoning's ability to regulate as well as causing the magnification of safety issues.

With no further comment from the public, Mr. Pieper motioned with a second from Miss Buemi to approve the following resolution with the reasons for opting out paralleling those of the Planning and Zoning Commission.

**RESOLVED**, that:

Pursuant to Connecticut General Statutes Section 8-2p, the Board of Selectmen of the Town of North Haven hereby affirmatively decides to opt-out from the provisions of subsection (d)(9) of Connecticut General Statutes Section 8-2 pertaining to dwelling unit parking limitations for the reasons stated on the record.

VOTE: Freda – yes; Pieper – yes; Buemi – yes

Mr. Freda stated that in light of the heavy agenda, he would dispense with his overview and provide an update in November.

Miss Buemi motioned with a second from Mr. Pieper for the following resolution.

VOTE: Freda – yes; Pieper – yes; Buemi – yes

**WHEREAS**, pursuant to C.G.S. Section 4-66g the Connecticut Department of Economic and Community Development is authorized to extend financial assistance for economic development projects; and **WHEREAS**, it is desirable and in the public interest that the Town of North Haven make an application to the State for \$ 281,122.72 in order to undertake the North Haven Playscapes and Town Green Band Stand and to execute an Assistance Agreement.

**NOW, THEREFORE, BE IT RESOLVED BY THE Board of Selectmen**

1. That it is cognizant of the conditions and prerequisites for the state financial assistance imposed by C.G.S. Section 4-66g
2. That the filing of an application for State financial assistance by The Town of North Haven in an amount not to exceed \$281,122.72 is hereby approved and that First Selectman, Michael J Freda is directed to execute and file such application with the Connecticut Department of Economic and Community Development, to provide such additional information, to execute such other documents as may be required, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an agreement is offered, to execute any amendments, decisions, and revisions thereto, and to act as the authorized representative of The Town of North Haven
3. That it adopts or has adopted as its policy to support the following nondiscrimination agreements and warranties provided in subsection (a)(1) of Connecticut General Statutes sections 4a-60 and 4a-60a, respectively, as amended by Public Acts 07-142

and 07-245, and for which purposes the “contractor” is The Town of North Haven and “contract” is said Assistance Agreement:

The contractor agrees and warrants that in the performance of the contract such contractor will not discriminate or permit discrimination against any person or group of persons on the grounds of race, color, religious creed, age, marital status, national origin, ancestry, sex, mental retardation or physical disability, including, but not limited to, blindness, unless it is shown by such contractor that such disability prevents performance of the work involved, in any manner prohibited by the laws of the United States or of the state of Connecticut. The contractor further agrees to take affirmative action to insure that applicants with job-related qualifications are employed and that employees are treated when employed without regard to their race, color, religious creed, age, marital status, national origin, ancestry, sex, mental retardation, or physical disability, including, but not limited to, blindness, unless it is shown by such contractor that such disability prevents performance of the work involved.

The contractor agrees and warrants that in the performance of the contract such contractor will not discriminate or permit discrimination against any person or group of persons on the grounds of sexual orientation, in any manner prohibited by the laws of the United States or of the state of Connecticut, and that employees are treated when employed without regard to their sexual orientation.

Mr. Pieper motioned with a second from Miss Buemi to accept the resignation of Michael Parisi formerly of 10 Victor Road, from the Cable Advisory Council of South Central Connecticut effective September 7, 2022 term to expire June 30, 2023.

VOTE: Freda – yes; Pieper – yes; Buemi – yes

Miss Buemi motioned with a second from Mr. Pieper for the appointment of Patricia A. Brown (D) 511 Elm Street Ext. Unit 5-3 to the Board of Fire Commissioners to fill the unexpired term of Joseph Cappucci, term to expire November 30, 2023.

VOTE: Freda – yes; Pieper – yes; Buemi – yes

Miss Buemi motioned with a second from Mr. Pieper for the following bond release.

VOTE: Freda – yes; Pieper – yes; Buemi – yes

**#P20-01 77 & 83 North Hill Road**

Amount of original bond \$26,000.00

Currently balance of bond \$26,000.00

Release the remaining bond balance of \$26,000.00 with the recommendation of the Planning and Zoning Commission and the Town Engineer.

Mr. Pieper motioned with a second from Miss Buemi for the following bond release.

VOTE: Freda – yes; Pieper – yes; Buemi – yes

**#P18-45 381 State Street**

Amount of original bond \$15,000.00

Current balance of bond \$15,000.00

Release the remaining bond balance of \$15,000.00 with the recommendation of the Planning and Zoning Commission and the Town Engineer.

Miss Buemi motioned with a second from Mr. Pieper for the following bond release.

VOTE: Freda – yes; Pieper – yes; Buemi – yes

**#P19-15 67 Old Broadway East**

Amount of original bond \$2,500.00

Current balance of bond \$2,500.00

Release the remaining bond balance of \$2,500.00 with the recommendation of the Planning and Zoning Commission and the Town Engineer.

Mr. Pieper motioned with a second from Miss Buemi for the following bond release.

VOTE: Freda – yes; Pieper – yes; Buemi – yes

**#P20-24 384 State Street**

Amount of original bond \$2,500.00

Current balance of bond \$5,500.00

Release the remaining bond balance of \$2,500.00 with the recommendation of the Planning and Zoning Commission and the Town Engineer.

Miss Buemi motioned with a second from Mr. Pieper for the following bond release.

VOTE: Freda – yes; Pieper – yes; Buemi – yes

**#P18-42 411 Universal Drive**

Amount of original bond \$2,500.00

Current balance of bond \$2,500.00

Release the remaining bond balance of \$2,500.00 with the recommendation of the Planning and Zoning Commission and the Town Engineer.

Mr. Pieper motioned with a second from Miss Buemi for the following bond release.

VOTE: Freda – yes; Pieper – yes; Buemi – yes

**#P21-08 80 Old Broadway West**

Amount of original bond \$3,500.00

Current balance of bond \$3,500.00

Release the remaining bond balance of \$3,500.00 with the recommendation of the Planning and Zoning Commission and the Town Engineer.

Mr. Pieper motioned with a second from Mr. Freda for the approval/release of the following Property Tax Refunds:

VOTE: Freda – yes; Pieper – yes; Buemi – recused

- Acar Leasing, LTD – PO Box 1990, Forth Worth, CT 50160 in the amount of \$369.13; and in the amount of \$237.30; and in the amount of \$527.05.
- Akpak Dimkpa, Josephine – 91 Bleaker Circle in the amount of \$31.33.
- Bartlett, Frances – 216 Quinnipiac Avenue, Apt 210 in the amount of \$9.95.
- Bergers, Donna / Barry Simmons – PO Box 110294, Trumbull, CT 06611 in the amount of \$189.82.
- Bimonte, Genevieve – 23 Surry Drive in the amount of \$66.31.
- Bruestle, Kevin – 256 Lynn Way, Apt 318, Lynn, MA 01901 in the amount of \$51.59; and in the amount of \$66.30.
- Caulfield, Jasmine – 5 Spitfire House Lane, Landenberg, PA 19350 in the amount of \$20.97.
- CCAP Auto Lease – 1601 Elm Street, Ste 800, Dallas, TX 75201 in the amount of \$778.44; and in the amount of \$553.34; and in the amount of \$331.95; and in the amount of \$354.15.
- Ciarleglio, Joseph – 107 Kings Highway in the amount of \$13.45.
- Clark, James / Walker, Nancy – 23 Oak Street, Hilldale, NJ 07642 in the amount of \$44.26.
- Cook, Lynda – 52 Mountain Brook Road in the amount of \$100.81.
- Dauster, Robert / Dauster, Marjorie – 1699 Ridge Road in the amount of \$200.23.
- Dicristina, Francesco – 175 Kings Highway in the amount of \$103.64.
- Dilella, Domenick – 12 James Street in the amount of \$101.03.
- Gibilisco, Cara – 600 Washington Avenue, Apt A8 in the amount of \$4.27.
- Hart, Ayda – 13 Marlen Drive in the amount of \$16.53.
- HB Live Inc. – 60 Dodge Avenue in the amount of \$25.12; and in the amount of \$25.82; and in the amount of \$35.01; and in the amount of \$54.57; and in the amount of \$26.63; and in the amount of \$29.02; and in the amount of \$32.89; and in the amount of \$35.01.
- Honda Lease Trust – 600 Kelly Way, Holyoke, MA 01040 in the amount of \$263.55; and in the amount of \$120.51; and in the amount of \$221.02.
- McKiernan, Liam – 233 Mill Road in the amount of \$11.32.
- Miron, John – 2531 Ridge Road in the amount of \$95.58.
- Okeefe, Shane – 58 Culver Lane in the amount of \$25.02.
- Scasino, David – 177 Blue Hills Road in the amount of \$42.50.
- Shah, Sejal – 396 Mill Road in the amount \$39.25.
- Simmons, Barry / Bergers, Donna – in the amount of \$70.39.



- Toyota Lease Trust – 20 Commerce Way, Ste 800, Woburn, MA 01801 in the amount of \$193.87; and in the amount of \$894.40; and in the amount of \$888.81; and in the amount of \$457.15.
- Vault Trust – Ally Financial, Louisville PPC, PO Box 9001951, Louisville, KY 40290 in the amount of \$101.95; and in the amount of \$226.34; and in the amount of \$460.31.
- VCFS Auto Leasing Co – 1800 Volvo Place, Mahwah, NJ 07430 in the amount of \$785.25.
- Vollero, Casper / Vollero, Joanne – 160 Street, Unit N206 in the amount of \$399.23.
- Walker, Nancy / Clark, James – 23 Oak Street, Hilldale, NJ 07642 in the amount of \$55.76.
- Watkins, Christine / Watkins, Kenneth – 116 Buell Street in the amount of \$26.35.
- Wineski, Frances – 63 Spring Road in the amount of \$63.97.

Mr. Freda stated that the next regular meeting of the Board of Selectmen is Thursday November 3, 2022 at 6:30 p.m. in the upstairs conference room # 1 of the North Haven Memorial Town Hall, 18 Church Street, North Haven, CT.

Mr. Freda opened the meeting to public comment.

Sherman Katz, Sherwood Drive, had a question regarding the possibility of having an absentee ballot for anyone who can't vote at a town meeting. Attorney Coppola said she would research his question and get back to him.

Nancy Leddy, Winchester Drive, spoke of a very personal and moving health incident that happened to her recently and her gratitude to our emergency services personnel in town. She was very grateful to the town paramedics for their quick response time and medical attention that saved her life. She feels that she would not be alive today if it were not for the exceptional and speedy care she received by the North Haven Fire Department personnel. She urged the community to support the North Haven Fire Department including additional resources and medical equipment.

There being no further business before the Board Miss Buemi motioned with a second from Mr. Pieper to adjourn at 8:25 pm.

VOTE: Freda – yes; Pieper – yes; Buemi – yes