

Minutes of the October 14, 2025, Regular Meeting of the West Haven City Council in the Council Chambers 3rd floor, West Haven City Hall

The Regular Meeting of the West Haven City Council was held on Tuesday, October 14, 2025, at 7:00p.m. in the City Council Chambers 3rd floor. Chairman Pascale called the meeting to order at 7:00 p.m.

Pledge of Allegiance

Roll Call: Council Members Present: Brian Laucks, Gary Donovan, Sarah Ackbarali, Edward McMillian, Katherine Tucker, Kathleen Mueller, Christopher Vargo, Jr., Ruby Melton, Steven Johnstone, Nicholas Pascale and Anne Heffernan. Absent: Meli Garthwait and Dawn Callahan. Also present: Mayor Dorinda Borer, Paul Dorsi, Corporation Counsel, Michael Gormany, Finance Director, and Bill Heffernan.

6:50 p.m.- PUBLIC HEARING- Legislative Committee- Communication D, from the September 22, 2025 agenda, from Michael Gormany, Director of Finance, regarding an Ordinance amendment, updating Chapter 42, section 6 (Competitive Bidding) of the City of West Haven Ordinance, to be in conformity with State of Connecticut General Statutes § 7-148v, Requirements for competitive bidding.

7:04-7:05p.m.-no one spoke.

6:55 p.m.- PUBLIC HEARING- Legislative Committee- Communication I, from the July 28 agenda, from Mayor Dorinda Borer regarding an ordinance amending Chapter 97 of the Code of West Haven, Fair Rent Commission. **7:05-7:05p.m.-no one spoke.**

MAYOR DORINDA BORER'S PROCLAMATION OF DIWALI (THE FESTIVAL OF LIGHTS)-Chairman Pascale gave an overview of the Festival and Mayor Borer read the Proclamation. Rahij Fahuja and Bill Heffernan were both present and spoke. Chairman Pascale thanked everyone.

There was a moment of silence for Marge Krzeminski's passing and well wishes for Rick Spreyer's speedy recovery.

7:18 p.m. -7:29 p.m. PUBLIC SESSION

See City's website for remarks.

Recess from 7:22 p.m. to 7:31 p.m.

Chairman Pascale called the Regular Meeting to order at 7:30 p.m.

Councilwoman Heffernan made a **MOTION to ADD Communication H** to the agenda which was **SECONDED** by Councilwoman Ackbarali. **MOTION passed UNANIMOUSLY.**

I. APPROVAL OF MINUTES:

Councilman Mackie made a **MOTION to APPROVE** the Regular Meeting minutes from the September 22, 2025, meeting, which was **SECONDED** by Councilman Vargo. **MOTION passed UNANIMOUSLY.** Councilmen Pascale and Johnstone abstained.

II. COMMUNICATIONS:

Communication A: from the Tax Collector regarding Overpayment of refunds for October 2025.

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OF WEST HAVEN
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TOWN AND CITY CLERK

Communication B: from Mayor Dorinda Borer regarding an amendment to Chapter 206-Streets and Sidewalks-Adopting Article VIII-Automated Traffic Enforcement Safety Devices.

Communication C: from Michael Gormany, Director of Finance regarding WPCA approval of fiscal year 2024-2025 pre-audit transfer, transferring \$902,215 (amount not to exceed \$990,000) from the WPCA Sewer Fund to the City General Fund.

Communication D: from Michael Gormany, Director of Finance regarding approval of fiscal year 2024-2025 pre-audit transfers for General Fund, transferring funds between various line items.

Communication E: from Michael Gormany, Director of Finance regarding approval of fiscal year 2024-2025 Budget Revision to increase the AFD budget from \$9,005,367 to \$9,273,596 (or final closeout figure) and to make an additional expenditure appropriation to the AFD Pension in the amount of \$231,569 (or final closeout figure).

Communication F: from Michael Gormany, Director of Finance requesting City Council approval to create a new capital project titled "Communications and Technology Upgrades" in the amount \$253,001, for the Malloy Site, where funding is available by reclassifying (transferring) previously approved and bonded projects for the Police Phone System Upgrade (\$100,000) and Police Technology (bal. 153,001).

Communication G: from Paul Dorsi, Corporation Counsel, regarding resolutions authorizing the Board of Education to apply for a grant for the roof replacement project at Savin Rock Community School; appointing members to the Savin Rock Community School Roof Project Committee; appointing the Savin Rock Community School Roof Project Committee to such project; and the appropriation of funds for preliminary drawings and outline preparations for the project.

Communication H: from Mayor Dorinda Borer regarding a waiver for all permit fees for Halloween on the Green 2025 events.

III. COMMITTEE MEETINGS:

Council-as-a-Whole called to order at 7:35 p.m.

Councilwoman Heffernan presented a **MOTION** to approve **Communication G** (1) from Paul Dorsi, Corporation Counsel, regarding resolutions authorizing the Board of Education to apply for a grant for the roof replacement project at Savin Rock Community School; appointing members to the Savin Rock Community School Roof Project Committee; appointing the Savin Rock Community School Roof Project Committee to such project; and the appropriation of funds for preliminary drawings and outline preparations for the project which was **SECONDED** by Councilman Laucks. All in favor. **MOTION passed UNANIMOUSLY viva voce.**

WHEREAS: The City Council has authorized the West Haven Board of Education to apply to the State of Connecticut Commissioner of Administrative Services and to accept or reject a grant for a roof replacement project at Savin Rock Community School (the "Project"); and

WHEREAS: The City Council wishes to establish the building committee for the Project; now, therefore, be it

RESOLVED: That the building committee for the Project is hereby established to be the Savin Rock Community School Roof Replacement Project Committee comprised of the following members and officers:

Ken Carney – Chairman

Jerry Calabritto - Vice Chairman

Dwight Knowles - Clerk

Gary Perdo

Ken DiStasio

Mark Palmieri

Thomas Hunt, Principal, Savin Rock Community School

FURTHER RESOLVED: That Dorinda Borer, as Mayor of the City of West Haven, is authorized and directed to execute and deliver any and all documents related to this Resolution on behalf of the City of West Haven and to do and perform all acts and things that she 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.

Councilman Vargo presented a **MOTION** to approve **Communication G (2)** from Paul Dorsi, Corporation Counsel, regarding resolutions authorizing the Board of Education to apply for a grant for the roof replacement project at Savin Rock Community School; appointing members to the Savin Rock Community School Roof Project Committee; appointing the Savin Rock Community School Roof Project Committee to such project; and the appropriation of funds for preliminary drawings and outline preparations for the project which was **SECONDED** by Councilman Donovan. All in favor. **MOTION passed UNANIMOUSLY viva voce.**

WHEREAS: The City Council wishes to authorize the West Haven Board of Education to apply to the State of Connecticut Commissioner of Administrative Services and to accept or reject a grant for a roof replacement project at Savin Rock Community School (the “Project”), and

WHEREAS: The City Council has authorized the expenditure for at least the preparation of schematic drawings and outline specifications for the Project:

Now, therefore, be it

RESOLVED: That the City Council authorizes the West Haven Board of Education to apply to the State of Connecticut Commissioner of Administrative Services and to accept or reject a grant for the Project; and be it

FURTHER RESOLVED: That the City Council authorizes at least the preparation of schematic drawings and outline specifications for the Project; and be it

FURTHER RESOLVED: That Dorinda Borer, as Mayor of the City of West Haven, is authorized and directed to execute and deliver any and all documents related to this Resolution on behalf of the City of West Haven and to do and perform all acts and things that she 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.

Councilwoman Heffernan presented a **MOTION** to approve **Communication G (3)** from Paul Dorsi, Corporation Counsel, regarding resolutions authorizing the Board of Education to apply for a grant for the roof replacement project at Savin Rock Community School; appointing members to the Savin Rock Community School Roof Project Committee; appointing the Savin Rock Community School Roof Project Committee to such project; and the appropriation of funds for preliminary drawings and outline preparations for the project which was **SECONDED** by Councilwoman Ackbarali. All in favor. **MOTION passed UNANIMOUSLY viva voce.**

WHEREAS: The City Council has authorized the West Haven Board of Education to apply to the State of Connecticut Commissioner of Administrative Services and to accept or reject a grant for a roof replacement project at Savin Rock Community School (the "Project"); and

WHEREAS: The City Council has established the building committee for the Project; and

WHEREAS: The City Council has authorized at least the preparation of schematic drawings and outline specifications for the Project; now, therefore, be it

RESOLVED: That the City Council hereby authorizes the expenditure of funds from those previously allocated in the fiscal year 2025 budget for the capital improvement project entitle "Savin Rock Community School Roof Replacement" limited to the extent required for fees and costs incurred or to be incurred for preparation of the above-referenced schematic drawings and outline specifications; and be it

FURTHER RESOLVED: That Dorinda Borer, as Mayor of the City of West Haven, is authorized and directed to execute and deliver any and all documents related to this Resolution on behalf of the City of West Haven and to do and perform all acts and things that she 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.

Council-as-a-Whole closed at 7:53 p.m.

Finance Committee called to order at 7:53 p.m.

FINANCE COMMITTEE, Councilwoman Ackbarali, Chairman- Committee members; Councilman Vargo, Councilwoman Tucker, Councilman Laucks and Councilman Johnstone

Councilman Vargo presented a **MOTION** to recommend the acceptance to the entire Council regarding **Communication C** from Michael Gormany, Director of Finance regarding WPCA approval of fiscal year 2024-2025 pre-audit transfer, transferring \$902,215 (amount not to exceed \$990,000) from the WPCA Sewer Fund to the City General Fund which was **SECONDED** by Councilwoman Tucker. Councilman Laucks and Councilwoman Heffernan abstained. Councilman Johnstone opposed. **MOTION passed by MAJORITY viva voce.**

Councilman Vargo presented a **MOTION** to recommend the acceptance to the entire Council regarding **Communication D** from Michael Gormany, Director of Finance regarding approval of fiscal year 2024-2025 pre-audit transfers for General Fund, transferring funds between various line items which was **SECONDED** by Councilwoman Tucker. All in favor. **MOTION passed UNANIMOUSLY viva voce.**

Councilman Vargo presented a **MOTION** to recommend the acceptance to the entire Council regarding **Communication E** from Michael Gormany, Director of Finance regarding approval of fiscal year 2024-2025 Budget Revision to increase the AFD budget from \$9,005,367 to \$9,273,596 (or final closeout figure) and to make an additional expenditure appropriation to the AFD Pension in the amount of \$231,569 (or final closeout figure). which was **SECONDED** by Councilwoman Tucker. All in favor. **MOTION passed UNANIMOUSLY viva voce.**

Councilwoman Tucker presented a **MOTION** to recommend the acceptance to the entire Council regarding **Communication F** from Michael Gormany, Director of Finance requesting City Council approval to create a new capital project titled "Communications and Technology Upgrades" in the amount \$253,001, for the Malloy Site, where funding is available by reclassifying (transferring) previously approved and bonded projects for the Police Phone System Upgrade (\$100,000) and Police Technology (bal. 153,001) which was **SECONDED** by Councilman Vargo. All in favor. **MOTION passed UNANIMOUSLY viva voce.**

Councilwoman Tucker presented a **MOTION** to recommend the acceptance to the entire Council regarding **Communication H** from Mayor Dorinda Borer regarding a waiver for all permit fees for Halloween on the Green 2025 events which was **SECONDED** by Councilman Laucks. All in favor. **MOTION passed UNANIMOUSLY viva voce.**

Finance Committee closed at 8:32p.m.

Legislative Matters Committee called to order at 8:32p.m.

LEGISLATIVE MATTERS COMMITTEE, Councilman Vargo, Chairman-Committee members: Councilman Laucks, Councilwoman Tucker and Councilman Melton and Councilman Johnstone

Councilman Johnstone presented a **MOTION** to recommend the acceptance to the entire Council regarding **Communication D** from Michael Gormany, Director of Finance, regarding an Ordinance amendment, updating Chapter 42, section 6 (Competitive Bidding) of the City of West Haven Ordinance, to be in conformity with State of Connecticut General Statutes § 7-148v, Requirements for competitive bidding which was **SECONDED** by Councilwoman Melton. All in favor. **MOTION passed UNANIMOUSLY viva voce.**

Councilman Johnstone presented a **MOTION** to recommend the acceptance to the entire Council regarding **Communication I from the July 28 agenda**, from Mayor Dorinda Borer regarding an ordinance amending Chapter 97 of the Code of West Haven Fair Rent Commission. which was **SECONDED** by Councilwoman Tucker. All in favor. **MOTION passed UNANIMOUSLY viva voce.**

Communication B: from Mayor Dorinda Borer regarding an amendment to Chapter 206-Streets and Sidewalks-Adopting Article VIII-Automated Traffic Enforcement Safety Devices. **Public Hearing to be set for October 27, 2025 at 6:55p.m.**

Legislative Matters Committee closed at 9:11 p.m.

IV: UNFINISHED BUSINESS- None.

V. COMMITTEE REPORTS-9:12 p.m.

Clerk to read Communication A into record

FINANCE COMMITTEE, Councilwoman Ackbarali, Chairman- Committee members; Councilman Vargo, Councilwoman Tucker, Councilman Laucks and Councilman Johnstone

Communication C: from Michael Gormany, Director of Finance regarding WPCA approval of fiscal year 2024-2025 pre-audit transfer, transferring \$902,215 (amount not to exceed \$990,000) from the WPCA Sewer Fund to the City General Fund. Councilwoman Ackbarali made a **MOTION to APPROVE** which was which was **SECONDED** by Councilman McMillian. Councilman Laucks and Councilwoman Heffernan abstained. Councilman Johnstone opposed. **MOTION passed by MAJORITY.**

WHEREAS: The Allingtown Fire Department has a projected excess of revenues above budget for fiscal year 2054 in the amount of \$231,569, and

WHEREAS: The Allingtown Fire Department wishes to revise its fiscal year 2025 budget from \$9,005,367 to \$9,273,596 by making an additional pension fund contribution in the amount of \$231,569 (or final closeout figure).

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of West Haven hereby authorizes a revision to the fiscal year 2025 revenue and expenditures budget of the Allingtown Fire Department from \$9,005,367 to \$9,273,596; and

FURTHER RESOLVED: That the City Council of the City of West Haven authorizes an additional revision to the fiscal year 2025 budget as follows: Increase account number 19500010-54140 (AFD Pension expense) by \$231,569 (or final closeout figure) as an addition contribution to the pension fund.

Communication D: from Michael Gormany, Director of Finance regarding approval of fiscal year 2024-2025 pre-audit transfers for General Fund, transferring funds between various line items. Councilwoman Ackbarali made a **MOTION to APPROVE** which was which was **SECONDED** by Councilman Vargo. All in favor. **MOTION passed UNANIMOUSLY.**

RESOLVED: That the City Council of the City of West Haven hereby approves the transfer of funds from various line items within the General Fund for fiscal year 2025 as set forth in Exhibit A attached hereto and made a part hereof by reference.

Communication E: from Michael Gormany, Director of Finance regarding approval of fiscal year 2024-2025 Budget Revision to increase the AFD budget from \$9,005,367 to \$9,273,596 (or final closeout figure) and to make an additional expenditure appropriation to the AFD Pension in the amount of \$231,569 (or final closeout figure). Councilwoman Ackbarali made a **MOTION to APPROVE** which was which was **SECONDED** by Councilman Vargo. Councilwoman Heffernan abstained. All in favor. **MOTION passed UNANIMOUSLY.**

WHEREAS: The Allingtown Fire Department has a projected excess of revenues above budget for fiscal year 2025

in the amount of \$231,569, and

WHEREAS: The Allington Fire Department wishes to revise its fiscal year 2025 budget from \$9,005,367 to \$9,273,596 by making an additional pension fund contribution in the amount of \$231,569 (or final closeout figure).

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of West Haven hereby authorizes a revision to the fiscal year 2025 revenue and expenditures budget of the Allington Fire Department from \$9,005,367 to \$9,273,596; and

FURTHER RESOLVED: That the City Council of the City of West Haven authorizes an additional revision to the fiscal year 2025 budget as follows: Increase account number 19500010-54140 (AFD Pension expense) by \$231,569 (or final closeout figure) as an addition contribution to the pension fund.

Communication F: from Michael Gormany, Director of Finance requesting City Council approval to create a new capital project titled "Communications and Technology Upgrades" in the amount \$253,001, for the Malloy Site, where funding is available by reclassifying (transferring) previously approved and bonded projects for the Police Phone System Upgrade (\$100,000) and Police Technology (bal. 153,001). Councilwoman Ackbarali made a **MOTION to APPROVE** which was which was **SECONDED** by Councilwoman Heffernan. All in favor. **MOTION passed UNANIMOUSLY.**

WHEREAS: The City of West Haven desires to upgrade the communication and technology systems at the Molloy site; and

WHEREAS: It has been determined by the City Finance Director that a new capital improvement project can be established within the fiscal year 2025-2026 budget to accomplish this upgrade through the reallocation of capital project funds as follows:

Police Technology – from the FY 2022-2023 Capital Budget:	\$153,001
Police Phone System Upgrade – from the FY 2021-2022 Capital Budget:	<u>\$100,000</u>

Total Reallocation:	\$253,001
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Now, therefore,

BE IT RESOLVED: That the City of West Haven, by and through its Finance Director, is authorized to create a capital improvement project within the fiscal year 2025-2026 budget to upgrade the communication and technology systems at the Malloy site; and

BE IT FURTHER RESOLVED: That the City of West Haven, by and through its Finance Director, is authorized to reallocate capital improvement funds in the fiscal year 2025-2026 budget from accounts set forth in Exhibit A attached hereto in the amount of \$253,001 to fund said upgrades.

Communication H: from Mayor Dorinda Borer regarding a waiver for all permit fees for Halloween on the Green 2025 events. Councilwoman Ackbarali made a **MOTION to APPROVE** which was which was **SECONDED** by Councilwoman Heffernan. All in favor. **MOTION passed UNANIMOUSLY.**

RESOLVED: That the City Council of the City of West Haven hereby approves the waiver of all permitting fees for the Halloween on the Green Event for 2025.

LEGISLATIVE MATTERS COMMITTEE, Councilman Vargo, Chairman -Committee members: Councilman Laucks, Councilwoman Tucker and Councilman Melton and Councilman Johnstone

Communication D: from Michael Gormany, Director of Finance, regarding an Ordinance amendment, updating Chapter 42, section 6 (Competitive Bidding) of the City of West Haven Ordinance, to be in conformity with State of Connecticut General Statutes § 7-148v, Requirements for competitive bidding. Councilman Vargo made a **MOTION to APPROVE** which was which was **SECONDED** by Councilman McMillian. All in favor. **MOTION passed UNANIMOUSLY.**

**AN ORDINANCE AMENDING THE CODE OF THE CITY OF WEST HAVEN
CHAPTER 42, SECTION 6 – COMPETITIVE BIDDING**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST HAVEN,
Section 6 of Chapter 42 of the Code of the City of West Haven
is hereby amended to read as follows:**

§ 42-6 Competitive bidding.

- A. All purchases of and contracts for supplies and contractual services and all sales of personal property which has become obsolete and unusable shall, except as specifically provided herein, be based whenever possible on competitive bids.
- B. Formal contract procedure: Except as otherwise provided herein, commencing with fiscal year 2025-2026 and during all subsequent fiscal years, when the estimated cost of a supply or of a contractual service shall exceed the threshold enumerated in Section 7-148v of the Connecticut General Statutes (as may be amended from time to time or replaced by subsequent state legislation) it shall be purchased or awarded by formal written contract from the lowest responsible bidder after due notice inviting proposals.
- C. Notice inviting bids: Notice inviting bids shall be published at least once in a newspaper having circulation in the City giving 10 days' notice preceding the last day set for the receipt of proposals.
- D. Bid deposits: When deemed necessary by the agent, bid deposits shall be prescribed in the public notices inviting bids. Unsuccessful bidders shall be entitled to a return of surety where the agent has required such. A successful bidder shall forfeit any surety required by the agent upon failure to enter a contract within 10 days after the award.

Communication I from the July 28 agenda, from Mayor Dorinda Borer regarding an ordinance amending Chapter 97 of the Code of West Haven Fair Rent Commission. Councilman Vargo made a **MOTION to APPROVE** which was which was **SECONDED** by Councilwoman Tucker. All in favor. **MOTION passed UNANIMOUSLY.**

**AN ORDINANCE AMENDING THE CODE OF THE CITY OF WEST HAVEN
CHAPTER 97 FAIR RENT COMMISSION**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST HAVEN, Chapter 97 of the Code of the City of West Haven is hereby amended to read as follows:

Chapter 97

Fair Rent Commission

§ 97-1. Establishment.

Pursuant to Sections 7-148b through 7-148f of the General Statutes of Connecticut, there is hereby created a Fair Rent Commission in the City of West Haven with full powers and authority granted to it by the General Statutes of Connecticut as may be amended.

§ 97-2. Appointment; membership; term; vacancy.

The Mayor shall appoint a Fair Rent Commission, which shall be comprised of seven regular members and two alternate members, who shall be electors of the City of West Haven for at least one year. The membership of said Commission shall include two landlords and two tenants. The alternates shall be either one landlord and one tenant or two electors who are neither landlords nor tenants. If a regular member is absent at a meeting of the Commission, the Chair shall appoint one alternate present to sit as a full voting member of the commission at that meeting in place of that absent regular member. Of the regular members first appointed, four shall serve for terms of two years, and three shall serve for terms of one year. The alternates shall serve for terms of two years. Thereafter, members shall be appointed for terms of two years each to replace those whose terms expire. Of its regular membership of seven, there shall be no more than four members of the same political party. Vacancies shall be filled in the manner of original appointment for the unexpired portion of the term. Any member may be reappointed for an additional term in the manner of original appointment.

§ 97-3. Officers; rules for conduct.

Members of the Commission shall elect a Chairman, Vice-Chairman and a Secretary for a period of one year. The Commission shall have the power to adopt rules and regulations for the conduct of business within its jurisdiction and shall keep a record of all its proceedings. The Commission may, in its discretion, appoint an Executive Director.

A quorum for any meeting shall consist of at least four members of the Commission, or their appointed alternates. In any hearing on a complaint concerning an excessive rental charge, the Commission shall not conduct the hearing unless there are at least four members or their alternates present, and the Commission shall not order any rent reduction or make any determination that rent is so excessive as to be harsh and unconscionable, except on the concurring vote of at least four voting members present at said hearing.

§ 97-4. Powers.

A. The Commission shall have the power to make studies and investigations, conduct hearings and receive complaints relative to rental charges on housing accommodations, except those accommodations rented on a seasonal basis, within the City of West Haven in order to control or eliminate excessive rent charges on such accommodations and carry out the provisions of this chapter. The Commission, for such purposes, may compel the attendance of persons at hearings, issue subpoenas and administer oaths, issue orders and continue, review, amend, terminate or suspend any of its orders and decisions. The Commission may also dismiss the complaint. [NOTE: For purposes of this subsection, "seasonal basis" means housing accommodations rented for a period or periods aggregating not more than 120 days in any one calendar year.]

B. The Commission may attempt, through the process of informal conciliation and negotiation between a complaining tenant and landlord, to arrive at a rental agreement which is mutually acceptable to said tenant and landlord before initiating the formal hearing process. No formal or informal hearing shall be held less than 10 days from the mailing date of a notice of such hearing to the landlord or an agent of such landlord, at which he may be represented by counsel.

C. The designated members of the Commission shall have the power to meet with the parties, if the parties consent, on an informal basis in a session closed to the public to attempt to reconcile the differences between the parties but shall receive no formal evidence nor make any decision thereon. Any agreement between the parties as a result of said informal conference must be in writing and fully enforceable by the Commission. The

informal meeting shall be conducted by two members of the Commission appointed by the Chairman. The Commission members so assigned shall take no part at a formal hearing, if any, thereafter held on the case.

§ 97-5. Authority to order rent reductions.

A. If the Commission determines, after a hearing, that rent charges for any housing accommodations are so excessive, based on the standards and criteria set forth in Subsection B of this section, as to be harsh and unconscionable, it may order a reduction in rent to such amount as it determines to be fair and equitable. If the Commission determines, after a hearing, that the housing accommodations in question fail to comply with any municipal ordinance or state statute or regulations relating to health and safety, it may order the suspension of further payment of rent by the tenant until such time as the landlord makes the necessary changes, repairs or installations so as to bring such housing accommodation into compliance with such ordinance, statute or regulation. The rent during said period shall be paid to the Commission to be held in escrow. The Commission may refer the matter to the appropriate city agency or the law enforcement authorities for enforcement of the appropriate West Haven Municipal Ordinance, Connecticut General Statute, or state regulation relating to health and safety.

B. In making determinations as to whether a rental charge is excessive, the Commission shall give due consideration to the following:

- (1) Rent charged for the same number of rooms in other housing accommodations in the same and in other areas in the city.
- (2) The sanitary conditions existing in the housing accommodations in question.
- (3) The income of the tenant and the availability of other accommodations.
- (4) The services, furniture, furnishings and equipment supplied within said housing accommodations by the landlord.
- (5) The size and number of bedrooms, closets, and whole bathrooms contained therein.
- (6) Repairs necessary to make such accommodations reasonably livable for the occupants therein.
- (7) The amount of taxes and overhead expenses to the landlord.
- (8) Annual return and profits of the landlord's investments.
- (9) The availability of utilities.
- (10) Damages done to the premises by the tenant which are not the result of ordinary wear and tear.
- (11) Whether the accommodations are in compliance with the ordinances of the municipality and the Connecticut General Statutes relating to health and safety.
- (12) The amount and frequency of increases in rental charges.
- (13) Whether, and the extent to which, the income from an increase in rental charges has been or will be reinvested in improvements to the accommodation.

97-5.5 Eligibility to file complaint

Any tenant residing in the City of West Haven shall be eligible to file a complaint with the Commission. It shall be an affirmative defense to any complaint that the tenant is delinquent in the payment of the rent or is responsible for damage or other adverse conditions existing within the leasehold premises. If the Commission finds either: 1) that the reason for the tenant's delinquency was a harsh and unconscionable rent; or 2) or that the delinquency is the result of exceptional hardship, then it shall not be constructed to give the Commission the power to waive any amount of past rent which is due nor to make any retroactive order. The commission shall not conduct a hearing on any complaint of any tenant who it finds is bringing the complaint for the purpose of harassing, annoying or embarrassing the landlord, or upon the complaint of any tenant who it finds is using the procedures of the Commission with the intent to delay or defeat a summary process action.

§ 97-6. Effective date of rent reduction.

The Commission shall not have the power to make any rent reduction retroactive to a date prior to the date that a complaint was filed. Any rent reduction shall become effective on the next date that such rent is due payable to the landlord following the date of the Commission's decision.

The Commission shall review any complaint filed by a tenant no later than 30 days after the date of the filing of said complaint. The Commission shall render and make available its decision within 15 days of the completion of the hearing unless an extension is warranted and voted favorably upon by Commission in any case involving unusual hardship or administrative difficulties.

§ 97-7. Penalties for offenses.

Any person who violates any rent reduction or rent suspension ordered by this Commission by demanding, accepting, or receiving an amount in excess thereof while such order remains in effect; or who violates any other provision of this chapter and Section 47a-20 of the Connecticut General Statutes; or who refuses to obey any subpoena, order or decision of the Commission pursuant thereto, may be fined not less than \$25 nor more than \$100 for each offense. If such an offense continues for more than five days, it shall constitute a new offense for each day such violation or refusal continues to exist thereafter. The Superior Court shall have jurisdiction to hear and enforce all matters relating to violations under said sections.

Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

§ 97-8. Appeals.

Any person aggrieved by any order of the Commission may appeal to the Housing Court for the Judicial District of New Haven. To the extent provided by the Connecticut General Statutes, such appeal shall be considered as a privileged matter with respect to the order of trial. Any appeal under this section shall be determined on the record of the Commission and shall be limited to the issue of whether the Commission acted arbitrarily, illegally or in abuse of its discretion. Unless otherwise directed by the Commission or the Court, the filing of an appeal shall not stay any order issued by the Commission.

§ 97-9. Retaliatory action by landlord.

Within six months after the tenant has in good faith filed a complaint with the West Haven Fair Rent Commission no landlord shall 1) maintain an action or proceeding against a tenant to recover possession of a dwelling unit; 2) demand an increase in rent from the tenant; or 3) decrease the services to which the tenant has been entitled. The tenant shall continue to pay the amount of rent in effect of the claim of retaliatory action.

§ 97-10. Effect of amendments to state law.

Any amendments to the state law referring to Fair Rent Commissions will be automatically incorporated into this chapter.

Communication B: from Mayor Dorinda Borer regarding an amendment to Chapter 206-Streets and Sidewalks-Adopting Article VIII-Automated Traffic Enforcement Safety Devices. **Public Hearing to be set for October 27, 2025 at 6:55p.m.**

VI. COUNCIL LIAISON REPORTS- None.

VII. NEW BUSINESS-None.

VIII. ADJOURNMENT

Councilwoman Heffernan made a **MOTION to ADJOURN** which was **SECONDED** by Councilman Laucks. All in favor. **MOTION passed UNANIMOUSLY.**

The City Council meeting was **ADJOURNED** at 9:28 p.m.

Nicholas Pascale
Chairman of the Council

Stacy Riccio
Clerk of the Council

Carlotta M. Serrini
City Council Administrator

****These minutes are subject to City Council approval.**