



BOARD OF ALDERMEN  
SHELTON, CONNECTICUT  
FULL BOARD MEETING

THURSDAY, SEPTEMBER 12, 2013

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Call to Order / Pledge of Allegiance

Alderman Anglace called the meeting of the Board of Aldermen to order at 7 p.m. All those present stood and pledged allegiance to the flag.

Roll Call

Alderman John F. Anglace, Jr., President – present  
Alderman Lynne Farrell – present  
Alderman John “Jack” Finn – present  
Alderman Stanley Kudej – present  
Alderman Noreen McGorty – present  
Alderman John P. Papa – present  
Alderman Eric McPherson - present  
Alderman Anthony Simonetti – present

**Administration:**

Mayor Mark A. Lauretti- (arrived around 7:05 PM)  
Corporation Counsel Tom Welch

PUBLIC SESSION

*Judson Crawford, 8 Jordan Avenue, Shelton*

I am going to address this one to you, Eric.

Alderman McPherson: No, you will have to address the entire board.

Judson Crawford:

On September 9, 2013, a crew from Highways and Bridges applied a servicing to Jordan Avenue. In the process, a City dump truck poured an excessive amount of paving into the hopper; making the wheels of the unit push and spin; not moving.

To enable the hopper to move a chain that was connected to the dump truck, which was then able to pull the units forward, leaving tire marks in the pavement. Then a neighbor on Wakeley Street called complaining about the damaged curbing in front of her house.

I was then taken for a ride up to Belmont Street and was asked, "Why was the top of the hill down to his house have new curbing on both sides, and not on his house; which is on the corner. Water would come into his yard?"

I then informed both parties that there is a procedure to follow, to report a problem to the City of Shelton. The homeowner from Belmont is an employee of the Milford Highways and Bridges, and knows roads, machinery and what is needed to work on them. His last statement to me was, "I would be ashamed of the work performed. What am I paying taxes for?"

Eric, with the problems that have occurred as Chairman of the Street Committee, you should be informed. After review, please take whatever steps you feel are necessary.

Jordan Avenue was better before the recent work. I am concerned about driving conditions, come winter.

Judson W. Crawford

**Add-On**

Alderman Anglace MOVED to add the following item to the agenda:

**8.1 PERSONAL PROPERTY AUDIT**

SECONDED by Alderman Papa. A voice vote was taken and the MOTION PASSED 8-0.

**Agenda Items**

**MINUTES FOR APPROVAL**

Alderman Anglace MOVED to waive the reading and approve the following meeting minutes:

Regular Meeting of August 8, 2013

SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 8-0.

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**5.1 FINANCE COMMITTEE**

No items.

**5.2 PUBLIC HEALTH & SAFETY COMMITTEE**

**5.2.1 APPROVAL FOR APPOINTMENTS OF THE AD-HOC DEER COMMITTEE**

Alderman Papa MOVED, per the recommendation of the Public Health & Safety Committee, to approve the following individuals to the Ad-Hoc Deer Committee:

Dan Beardsley- 89 Pearmain Road- R  
William Dyer- 20 Beverly Lane- U  
Jeff A. Forte- 125 Nells Rock Road- D  
Teresa Gallagher- 43 Judson Street- U  
Joel Hurliman- 145 Canal Street, Unit 201- R  
Allison Knick-Menendez- 18 Sportsman Drive- U  
Joseph Palmucci- 30 Nicholdale Road- R  
Paul Uhrynowski Jr.- 7 Spruce Hill Road- U  
Brad Wells- 484 Walnut Tree Hill Road- R

SECONDED by Alderman Kudej. A voice vote was taken and the MOTION PASSED 8-0.

Discussion:

Mayor: This is quite a large committee.

Alderman Papa: This is a very important committee; this is an ad-hoc committee with nine members. We have a letter from Tom Harbinson, stating all of the damage from the deer.

Mayor Lauretti: What are the deer damaging?

Alderman Papa: They are damaging shrubs, private property, so we set up an ad-hoc committee and we have all the resumes from all of the members. The members are going to recommend to the Full Board some actions that we can take, in order to control the damage.

Alderman Anglace: I think they are going to study the problem to see if we have a problem. If we do have a problem, then they will offer some recommendations, as to what may be done. I also want to add, that if you read all of the summaries on these individuals; not all of them are deer hunters. It is a good cross section of people.

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**5.2.2 LONG HILL AVENUE- STREETLIGHT**

Alderman Papa MOVED to approve, per the recommendation of the Public Health & Safety Committee and Chief of Police, Joel Hurliman, to not illuminate the area in front of number 37 Long Hill Avenue on Pole #269.

SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 8-0.

Discussion:

Alderman Papa: We had a request from a resident who lives on 37 Long Hill Avenue, to put a light in. There is a pole #269, in which the Chief has said that there is no need to illuminate the area, because it is not necessary to add another light.

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### **5.3 STREET COMMITTEE**

#### ***5.3.1 HULL STREET CLOSURE & TRANSFER TO INLINE PLASTICS CORPORATION***

Alderman McPherson MOVED, per the recommendation of the Street Committee, to abandon the portion of Hull Street from Wharf Street to the Inline Plastics Building, subject to negotiations of the Mayor and the abutting property owner; and to empower the Mayor to negotiate the terms and the conditions with the abutting property owner to take ownership of the property.

SECONDED by Alderman Papa. A voice vote was made and the MOTION PASSED 8-0.

Discussion:

Alderman Kudej: Mr. Mayor, being that we are attempting to give the Hull Extension to those people, do you think in negotiations we can have them do something to the sidewalk and fencing that border their property from Wharf Street to Hull Street? We are giving them something that they can give back to the community.

Mayor Lauretti: I would be certainly happy to entertain that discussion with them. They are separate issues: the fence is one issue and the condition of the sidewalks are another issue, in which they may be owned by the State of Connecticut, because the property lines be known to people; they think the City owns that portion of it; we do not. In fact, the lot in front of the Farmer's Market, the Gas Company actually owns that sidewalk. It is the State of Connecticut, so we really have to put the request to them to do any upgrades or improvements to it. From my standpoint, I really think we should have a discussion about the two concrete silos; I see that as a bigger impediment because it is very costly to have those taken down. I think that they may be able to do something aesthetically to enhance the look of those two silos.

To answer your question, I will have a discussion with them about those issues. Through the Street Committee, we should go to the City Engineer, to understand who owns the

property on the side that the fence is on, and where the sidewalks are on, and we could make the request from there. So, there are a number of approaches, and I would be happy to talk to Inline Plastics about the two concrete silos.

Alderman Kudej: I agree that those sidewalks do need some attention. The fence would be a start.

Alderman Anglace: When I had a discussion with Assistant Corporation Counsel, he pointed out that we need an 824 Referral, which we do have. I like the idea in concept. Assistant Corporation Counsel said that we need to determine who owns the land, and then we have to determine whether a public hearing is necessary. I think tonight we should say that we agree in principle that we should move forward on this, and generally favor the idea; except we should hold off a final vote until we know who owns the land.

Mayor Lauretti: I don't think so. I think we should move forward and allow our attorneys to sort it out. I would say this is something that we want to do. We can all agree that this is an area of transformation; we have done many things over the last twenty years to change that area. This is certainly in line with that; it is a piece of property that the City really has no interest in. If it is going to private hands, it will certainly enhance their situation; so I think that we should approve it and let the attorneys work it out.

Atty Welch: Mr. Mayor, pursuant to the recommendations of the City Engineer, any discontinuance or abandonment subject to the four items listed (last portion inaudible).

Mayor Lauretti: I think that we should continue to move forward and approve this, and if there is a stumbling block along the way, it will end up here anyway, but let's not slow it down.

Alderman Anglace: Those four issues that the City of Shelton, its successors and assigns shall have the right to maintain any and all public utilities on, over or through said abandonment, reserving the easement rights to the City of Shelton but not limited to those easements recorded in Volume 48- Page 268, Volume 115- Page 134 and Volume 532- Page 259 of the Shelton Land Records; reserving the easement rights as others may have in and to the property, and the right to install utilities in favor of the City of Shelton and public utility companies.

#### **REPORT OF THE MAYOR**

None presented.

#### **REPORT OF THE PRESIDENT**

None presented.

#### **6.0 LEGAL REPORT**

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**6.1 CORPORATION COUNSEL BILLING**

Alderman Anglace MOVED to authorize a total payment of \$1,800.00 to Corporation Counsel Welch, Teodosio, Stanek and Blake, LLC, for services rendered per statement dated September 1, 2013, with funds to come from the following Legal Services Accounts:

Legal Fees	001-1900-411.30-03	\$1,387.50
Foreclosure Fees	001-1900-411.50-01	\$ 412.50

SECONDED by Alderman Papa. A voice vote was taken and the MOTION PASSED 8-0.

**6.2 ASSISTANT CORPORATION COUNSEL BILLING**

Alderman Anglace MOVED to authorize a total payment of \$202.50 to Assistant Corporation Counsel Ramon Sous for services rendered per statement dated September 1, 2013 with funds to come from the following Legal Services Accounts:

Legal Fees	001-1900-411.30-03	\$202.50
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SECONDED by Alderman Papa. A voice vote was taken and the MOTION PASSED 8-0.

**7 LEGISLATIVE - OLD**

- 7.1 ITEMS FROM PUBLIC HEARING
- 7.1 A NO ITEMS

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**8 FINANCIAL BUSINESS OLD**

**8.1 PERSONAL PROPERTY AUDIT**

Alderman Anglace: Counsel, do you have a motion to recommend?

Atty. Welch: Before I do that, I would like to bring to the board’s attention that in July, you have approved a contract with Northeast Financial to do the personal property audits; we have revised that contract. Originally in that contract, it said that you would pay them \$500.00 per account, for 1,000 accounts. You have authorized \$15,000.00 to get them started and reduce the number of accounts to whatever was determined to be desirable, or sent by the Assessor’s Office, to this company. There was negotiations based on that formula broken down; there was an issue of the number of accounts and the total number of payments to them, currently. My understanding is that 600

accounts for a total payment of \$400,000, with funds to be paid from those proceeds of the personal property revenues, that come in from those audits. There are a variety of ways to do it, but I think what we are looking for is to amend the contract; that is \$400 per audit, for 1,000 audits and for each audit, less than 1,000 you have paid them \$400 to get to that fee. Or, basically a sum of \$400,000 to conduct 600 audits; you would work out the formula in terms of how many audits you give them, in terms of the sliding scale. The intent is how the numbers work out; is to pay them \$400,000 for 600 audits, with the proceeds to pay that \$400,000 from the revenue received from the audits.

I have proposed in the last hour, or so, that any funds to be paid from proceeds and revenues, resulting from the personal property tax audits as established by the Finance Director. The Finance Director is here, and Mayor, if that is the understanding of what we are trying to do?

Mayor Lauretti: It is and there is still some more tweaking that needs to be done with this, because there are multiple accounts under the name of one company and that has to be clarified. Say that 'Company X' has ten different accounts with the City. Will that account count as ten out of the six hundred, or one of the six hundred. So, that has to be fine tuned, as Corporation Counsel has indicated the basis for this agreement; it is a \$400,000 payment or the audits for the 600 businesses that exist in Shelton. I would recommend that we would move forward with it; we haven't done this in 25 years in the City, so I think it is time to do it.

Alderman Papa: Do you have an idea of how to generate revenue, so we can offset the \$400,000?

Mayor Lauretti: I would not want to be held to the number, because I do think it is a moving target. We think that there is an excess of around \$3 to \$4 million out there that are not being taxed, that rightfully belongs to us. So, that is the basis of this; what we spend and generate does justify the means. Once this goes on the tax rolls, it stays on there for a long time unless the company moves; it perpetuates itself over the course of time. Once upon a time, there was a company called United Illuminating that a couple locations around the State of Connecticut, and they consolidated everything to the City of Shelton with all their trucks, equipment, computers, etc. There was a reason that they did that; they have a financial obligation to the taxpayers, and they recognize that the taxpayers that they serve in 18 communities. This is the most cost effective place to have their assets, and that is what they did. It's a business; there are many companies that do that.

I would recommend that we move forward with this. Myself, Bill Gaffney and Paul Hiller have spent a lot of time on this, to work this proposal down and I think we have the right number.

Alderman Anglace: I think it is prudent to do this, and I think our Assessor, who is relatively new to Shelton has plenty of background and experience with personal property audits. He knows what to expect and he is recommending it. I can't say how

much it is going to generate, but as the Mayor said, whatever it generates, it has to be done periodically to keep everyone honest.

Atty. Welch: The funds that are being paid are coming from the revenue that is being received. Without neglecting this board, I would offer an amendment that is going to provide, based on the amount per audit, in the number of audits as determined by the Assessor, Finance Director, the Mayor and myself in form of a contract because this has been happening over the past 2-3 weeks. It changes day to day, based upon this idea that one company has six subsidiaries. It is important that this starts prior to the end of September, and that is why it was added on the agenda tonight. It has been negotiated out since the July 13, 2013 meeting of this board. With that, I hope that you would approve the amendment to the contract from July 2013, which provides for a payment in the amount of \$400,000 to Northeast Financial Management Associates, LLC for services provided for personal property audits; amount determined necessary by the Finance Director, Tax Assessor, the Mayor, Corporation Counsel, and have the funds to pay a set amount which shall be paid by the proceeds in revenue resulting from the personal property tax audits as established by the Finance Director.

Alderman Anglace MOVED to approve the amendment to the contract from July 2013, which provides for payment in the amount of \$400,000 to Northeast Financial Management Associates, LLC for services provided for personal property audits; amount determined necessary by the Finance Director, Tax Assessor, the Mayor, Corporation Counsel, and have the funds to pay set amount, which shall be paid by the proceeds in revenue resulting from the personal property tax audits as established by the Finance Director.

SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 8-0.

## **9 FINANCIAL BUSINESS NEW**

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### **9.1 SEPTEMBER STATUTORY REFUNDS**

Alderman Kudej MOVED that the report of the Tax Collector relative to the refund of taxes for a total amount of \$33,175.65 be approved and that the Finance Director be directed to make payments in accordance with the certified list received from the Tax Collector with funds to come to from Statutory Refunds Account 001-0000-311.13.00.

SECONDED by Aldermen Simonetti. A voice vote was taken and the MOTION passed 8-0.

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### **9.2 FUNDING FOR SHELTON FIRE DEPARTMENT- SELF CONTAINED BREATHING APPARATUS**

Alderman Anglace MOVED to approve \$255,261.00 for Fire Department Self-Contained Breathing Apparatus with funding to be provided by bonding pursuant to Sec. 7.16 of the City Charter.

Seconded by Alderman Papa. A voice vote was taken and the MOTION PASSED 8-0.

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**10. - LEGISLATIVE - NEW**

**10. 1 ITEMS TO PUBLIC HEARING**

No items.

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**10.2 MASTER MUNICIPAL AGREEMENT FOR CONSTRUCTION PROJECTS (MMAC)**

Discussion:

Mayor Lauretti: Is there a time restriction on this?

Alderman Anglace: The agreement is thick, and it is in the Mayor's Office. To be honest, I didn't take a copy of it.

Mayor Lauretti: I saw the letter, and I am skeptical. Anytime the State of Connecticut wants you to enter into an agreement that it is an inch and a half thick, it cannot be good.

Atty. Welch: This agreement is what I would consider, a favorable state document. Some towns and municipalities have questions and the understanding is that it would not accept changes. Prior to any execution of the agreement, I indicated to the Mayor, to jump to other communities, in terms of feedback from what they are getting in terms of change. If you read the document, it is favorable to them. Prior to any execution, we want to find out if there are addends for amendments along the way.

Alderman Papa: Tom, if any chance that we would agree to it (last portion of question inaudible).

Atty. Welch: They are attempting to streamline the process, so that every time they send a contract to a town, an attorney does not try to mark it up and ask for additional provisions, thinking it is part of the master agreement when you are signing it. It makes a lot of sense, because you want it to be reasonable.

Mayor Lauretti: I would want to add the opportunity to discuss it would other chief elected officials, to listen to their feelings on it because at the end of the day, we are the ones who deal with the State Department of Transportation. I have to tell you, that publicly, it is a nightmare. I am not in favor of this, as we sit here tonight. I may not

have any choice in the matter, but I have to voice my adamant opposition to it. Having 22 years of experience dealing with the State Department of Transportation and other state agencies.

Alderman Papa: So, would you like to table this, to discuss it with others?

Atty. Welch: We should table it at this point, just so I can get that feedback for you, for the October meeting. Nothing is going to happen; my first call started was from other communities back in May. Obviously, we did not start receiving this until all 169 municipalities have to sign it and get it back. So I would recommend a table, until I can get more information.

Mayor Lauretti: Or we can take no action. I think you should reach out to CCM, to let them do the footwork. That is why we pay our dues because all of those municipalities that belong to CCM are affected the same way we are. So, I would recommend that we taken no action at this point.

Alderman Anglace MOVED to table the item until further information is received.

SECONDED by Alderman Kudej. A voice vote was taken and the MOTION PASSED 8-0.

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***10.3 ACKNOWLEDGEMENT OF PARTNERSHIP BETWEEN THE CITY OF SHELTON & DERBY- SHELTON ROTARY CLUB- SHELTON DAY- 10/6/13***

Alderman Anglace MOVED to authorize Mayor Mark A. Lauretti to sign an agreement between the City of Shelton and the Derby-Shelton Rotary Club to acknowledge the partnership between the City of Shelton and the Derby-Shelton Rotary Club during the Shelton Day activities to be held on October 6, 2013.

SECONDED by Alderman Kudej. A voice vote was taken and the MOTION PASSED 8-0.

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***10.4 SALE OF CITY OWNED PROPERTY- (252-254 HOWE AVENUE)***

Alderman Anglace: I put this on the agenda to alert the board know that there is interest to purchase this City-owned lot, and to summarize the procedures to sell City property; which we all know. I would like to ask if the board is interested in pursuing the sale of this property. If yes, then I would suggest referring to the Finance Committee to oversee the process. If its no, then we would let the person know. If you come off of Route 8 Southbound, onto Howe Avenue, there are two- two family houses there. If you are interested, there is a lot of legwork that has to go on.

Mayor Lauretti: I would recommend that you send this item to the Finance Committee and let them discuss it.

Alderman Anglace: I think we should do that, but if you do not want to sell it, we can scrap it here.

So the consensus is to move it to the Finance Committee.

Alderman Anglace MOVED to send this item to the Finance Committee for further discussion.

SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 8-0.

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**10.5 LEASE OF STATE LAND-SHELTON CT ROUTE 8**

Alderman Anglace MOVED to exercise the City of Shelton's option and extend the Lease for an additional five (5) year period retroactive to July 1, 2013 and terminating June 30, 2018 relative the Lease of State Land- Shelton CT Route 8, Agreement No. 8 15-03(03).

FURTHER, authorize Mayor Mark A. Lauretti to execute any and all documents necessary to effectuate the same.

SECONDED by Alderman Papa. A voice vote was taken and the MOTION PASSED 8-0.

Discussion:

Alderman Anglace: I just wanted to verify something that I saw in here, a \$500 fee, but Counsel said that does not apply so there is no money involved.

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**10.6 APPROVAL- SANITARY SEWER BYPASS- MARK IV CONSTRUCTION COMPANY, INC.**

Alderman Anglace MOVED to approve the contract with the City of Shelton and Mark IV Construction Company, Inc., in the amount of \$451,685.01 with funding to come from the Wastewater Collection System Referendum Fund- (Capital Projects)- Acct # 401-0000-950-80-75 for the White Street/ West Canal Street Sanitary Sewer Bypass.

Further, authorize Mayor Mark A. Lauretti to execute any and all documents necessary to effectuate same.

SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 8-0.

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**10.7 WAIVER OF BIDDING- PAINTING OF THE SHELTON COMMUNITY CENTER POOL WALLS, BLEACHERS, RAILINGS AND FLOOR**

Alderman Anglace MOVED, per the recommendation of the Purchasing Agent, to waive the bidding process for the painting of the Shelton Community Center pool walls, bleachers, railings and floor.

Further move, to approve the painting of walls at the Shelton Community Center Pool by Mackenzie Painting Company for the sum of \$11,435.00, and the bleachers, railings and floors for the sum of \$6,795.00, with funding to be provided by Aldermanic Bonding pursuant to Section 7.16 of the City Charter; and

Further move to authorize Mayor Mark A. Lauretto to execute any and all documents necessary to effectuate same.

SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 8-0.

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**EXECUTIVE SESSION**

At approximately 7:45 PM, Alderman Anglace MOVED to enter into Executive Session to discuss the following items:

- 11. 1 100 PARROTT DRIVE, LLC.
- 11.2 WORKER'S COMPENSATION CLAIM- MR. JAMES BROWN

and invited Corporation Counsel Welch to remain in the auditorium during the Executive Session; SECONDED by Alderman Kudej. A voice vote was taken and the MOTION PASSED 8-0.

**RETURN TO EXECUTIVE SESSION**

At approximately 7:55 p.m. Alderman Anglace MOVED to return to Regular Session; SECONDED by Alderman Papa. A voice vote was taken and the MOTION PASSED 8-0.

It was noted that no votes were taken in Executive Session.

**ADJOURNMENT**

Alderman Kudej MOVED to adjourn; SECONDED by Alderman Papa. A voice vote was taken and the MOTION PASSED 8-0.

The meeting adjourned at approximately 8:00 p.m.

Respectfully submitted,

SEPTEMBER 12, 2013

BOARD OF ALDERMEN  
FULL BOARD MEETING

Brittany Gannon, Clerk  
Board of Aldermen

DATE APPROVED: \_\_\_\_\_ BY: \_\_\_\_\_  
Mark A. Lauretti  
Mayor, City of Shelton