



BOARD OF ALDERMEN
SHELTON, CONNECTICUT
FULL BOARD MEETING MINUTES
THURSDAY, OCTOBER 12, 2017

Call to Order / Pledge of Allegiance

Alderman Anglace called the meeting of the Board of Aldermen to order at 7:00 p.m. All those present stood and all rose to recite the Pledge of Allegiance to the flag:

Roll Call

Alderman John F. Anglace, Jr., President – present
Alderman Eric McPherson, Vice President – present
Alderman Adam Heller – present
Alderman Stanley Kudej – present
Alderman Noreen McGorty – present
Alderman Cris Balamaci – present
Alderman Jim Capra – present
Alderman Anthony Simonetti – present

Administration:

Mayor Mark A. Lauretti, City of Shelton (arrived at 7:05 pm)
Attorney Francis Teodosio, Corporation Counsel

EDUCATIONAL UPDATE –***SUPERINTENDENT CHRISTOPHER CLOUET***

Thank you Alderman Anglace. I appreciate that you and Mr. McPherson and I met last spring when we were developing the budget. We had some lengthy, but very useful and fruitful conversation about that whole process. Tonight, the purpose of this informal presentation, per your request, is to give an update on where we stand at this point in the year. Needless to say when we last met to talk about the building of the budget for school year 2017-2018, we never imagined to find ourselves in the situation that we are in right now, with the State of Connecticut as the only state in the Union that is without a budget. Certainly these are troubling times and very disconcerting for everyone. I want to make sure that I am very clear on this; I am very grateful about the way we are together handling this. Some communities are falling into fits of hysteria, recriminations and all kinds of things that are going on. We are not doing that; we are taking a deep breath, watching carefully and working together to make sure that we serve our students and we serve our community.

Tonight, I had asked some of my senior staff to come with me. I would like to introduce you to our new Finance Director, Ed Drapp. He is going to say a few words. You should have received two sheets of paper, one that produced by Mr. Drapp, our new Finance Director, and one that was produced by our Special Education administrators, Dr. Elizabeth Hannaway and Janice Simonetti. The state of the schools is good. We are working together on a number of issues. We have our meeting coming up on Monday with Mr. Anglace with some members of Parks & Recreation, to talk about some concerns that were raised on grounds maintenance. This is an example of working together to get things done. There is always work to be done, but the spirit of cooperation can be very helpful. Students constantly move in and move out. There is a lot of methodology that makes people move in and out. We are down about 40 students from last year to this year. I think we are going to start to see a stabilization, and possibly a slight uptick. We are down 40 students, but we are also down professionals. As part of our budget as Mr. Anglace knows, we went into the current school year with one less administrator and eight fewer teachers as well as some cuts in clerical and custodial. We have also been cutting our workforce in light of the new fiscal realities that we are all dealing with right now. With that said, I would like to ask Mr. Drapp to come forward. He is going to speak on this issue and then we will take questions.

EDWARD DRAPP, BOE FINANCE DIRECTOR

Good evening to the Board of Aldermen. Dr. Clouet gave a brief overview of what I will be discussing tonight, and I want to hear your questions and concerns too. As Dr. Clouet referenced, the state budget is the dark cloud hanging over all of us. I can certainly say that the district is being well run. The revenues that we rely on from the state are set, fixed and are coming in as projected, as well as expenditures. There are no big surprises. Everything is being managed well. The things that we can control I put into five major categories: salaries and benefits as number one and two. That

item makes up 78% of the budget. The other major categories are transportation, tuition and energy. We know that over 90% of our budget comes from one of those five categories. As Dr. Clouet had mentioned, salaries and benefits are controlled by looking at the various programs, class sizes, and the number of reductions that were made before my tenure here. We continue to look at benefits; just working with the City today, meeting with our broker to talk about alternatives to control cost in terms of health, disability, etc. We see ourselves as partners with the City for the amount of money that it represents.

Transportation – we have been very active working over the summer, particularly looking at our special education transportation, which is over \$1 million. We went out for bid and originally waived the original bid to look at some creative ways to consolidate routes, consolidating students on those routes and bidding by the route instead of by the student. We realized there was a 25% savings in that area. Also looking at regular education transportation moving further; this is the final year of the existing contract so we will be looking at different ways to put that out to bid.

Tuition – You will hear Dr. Hannaway talk about tuition and the things that they are doing to keep students in district. Obviously, we are realizing some savings in that area.

Energy – Again, working with the City on gas, electrical contracts. We certainly want to do our part on reducing consumption. I am working with maintenance, working with the principals as they will meet with the staff and students to conserve as much energy as we can in the buildings. So doing some of that in the short term and long term looking at retrofit projects, energy saving projects, converting fluorescent tubes into LED lighting. I have been working together with the Director of Maintenance who has knowledge in those areas.

Paper & copying – It seems like something simple but we do spend a fair amount of money on those types of things. Again, working with the principals with the staff, to look at ways to reduce our paper consumption in a way that we print and copy. Again, realizing savings in those areas. So those are our major areas that tie to get the biggest bang for our buck. Those are the things that we are doing in the beginning of the year is cost containment.

As far as general operations, looking to put systems in place. We are working on a business operations procedure manual; that is something that will be in effect throughout the district so people understand what our purchasing process is. That is requiring a requisition; we are on a requisition not reimbursement system so in order to manage the budget we need to know what money is committed. That is an example of a system. Obviously, the transparency and accountability are the things that we said that we are doing. We are getting bang for our buck, especially in terms of educational programming as well as the other operational areas. Also, partnerships are important. We want to continue to work with the City, look to them as business partners to continue supplementing our budget and maximizing our resources. I will stop there and entertain any questions that you may have.

Alderman Balamaci: Are the cost containment initiatives for a fiscal year? Or do you have a strategic five-year plan?

Edward Drapp: Short and long term. There are things that we want to accomplish for this month, and there are things that we know that are going to take a couple of months. We are doing energy audits. We have things that we want to do tomorrow, and we have things that we want to have optimized in five years.

Alderman Balamaci: The paper and copying – is that just the administrative portion of the budget? Does it include the student body as well?

Edward Drapp: It includes the student body as well. What I have put together are the metrics: how many copies are we using per teacher/ student, and we are looking to see where some of the outliers are. You have black and white copies, instead of color copies because it is one-third of the cost to do that. There is certainly an appropriate time for color copies, but realizing that those things come with a cost. Again that is a small thing, but if you put those small things together, and pretty soon you are seeing some significant savings and money that can be reinvested in the educational program. Thank you very much.

JANICE SIMONETTI
DR. ELIZABETH HANNAWAY

We are here tonight to speak very briefly about special education programming at Shelton Public Schools. To dovetail what Ed was speaking about, it is a collaborative effort between our department and Finance, Curriculum, and buildings to make sure that we are providing the most appropriate programming to students, as it will also be cost efficient to the district and to the City.

You will see a chart detailing the special education student population. As of today, we have 733 students that are in the special education program, at Shelton Public Schools. We have been relatively consistent over the last three years. We had a bit of a jump between 14-15 and 15-16, but the three years prior to that we were pretty consistent as well. That is a good sign of identification practices. As we move forward, the next chart is the State of CT data with regards to special education. Janice and I recently attended a state conference for back to school, for special education costs all over the district. They spoke a lot about population and prevalence, specifically in the State of CT within the areas of learning disabilities, autism and students who are health impaired. There was a significant jump in prevalence and population for all districts, but also Shelton has experienced the same. Many of our students that we have seen in the last five years, the level of disabilities is far greater than seeing in the years prior. So, we have adapted to that, and have adjusted programming as a result.

The graph on the bottom of the sheet speaks about the disabilities that we see in Shelton as of right. The vast majority of the students that we service right now is

learning disabled, straight academic needs. Then we do have some students in the autism spectrum who require far more, significant support outside of academics. While there are some parts of this pie that are smaller, proportionally there may be students who are intellectually disabled who are going to be few and far between but the resources that they need are much greater than you might see for students who have a speech and language impairment, or students who may have learning disabilities. A one for one is not necessarily the case student to student, in terms of resources that need to be allocated.

The law tells us that special education students need to be provided with a least restrictive environment. A least restrictive environment is different for every student. What we have are three models that we created: adjusted curriculum – most of our special education population participates in this program. Services could include collaborative classrooms in the general ed setting. Either a special ed teacher, tutor or a para will assist in the general ed classroom. Or, there will be a special ed classroom, typically one on one or a small group. Those are the two adjusted curriculum programs.

Our special programs are designed for particular student populations. Our PreK program is housed at Mohegan School. There are three and four year olds in classes there, usually including typical peers. Our Life Skills program is designed for students who are significantly below grade level in all domains, such as academic functionings, self help skills, communication. That program aims to address those specific needs. The Alternative Center is for students that have low to moderately high intelligence. They present difficulty with pragmatics, expressive receptive language, they struggle with the ability to self regulate, poor coping skills, exhibit externalizing behavior which also impact their ability. The therapeutic learning center is for students that have emotional, social and behavioral needs. These behavioral needs may manifest through internalizing or externalizing behaviors. They require heavy counseling in a group, or individually. We often see trauma present in their history. Lastly, our 18-21 transition program which is housed at Central Office. Children with disabilities are entitled to special ed related services, which include the transition but the law requires that transition planning begin no later at 16 and when a student is 14. It begins as part of their IEP.

Related services are designed to support the services in the adjusted curriculum or special programs: counseling, speech and language, occupational or physical therapy, behavioral supports, audiological, assistive technology.

The goal of having varied programming is to meet student needs so they can become as independent as possible, so they can participate with their peers as possible and they could assimilate into their communities. Secondly, it is to keep them as close to their neighborhood school as possible. That may be their home school if they are at one of the elementary schools, so that is part of the special programs effort, which has ticked up for us in the last couple of years in the elementary schools. We have five programs spread across all five of the elementary schools, and the goal was to have them maintained within the district. That we do not need to seek outside

resources outside of the district in order to educate them. That is required more training for staff so that they are more prepared, more education to families so they know how to carryover supports from school to home, so students have a higher generalization of success. It also requires a lot of building supports to those communities that may have not had students with those disabilities before; for the general ed teachers, to the custodians, secretarial support, cafeteria workers so the entire school community is prepared to receive students with a level of need that they have never worked with before. I provided you with some student examples; students who have moved into Shelton this school year from other districts who were already identified as students with disabilities who had plans that we needed to implement. Each example is a different example that shows how complex some of those situations are. We do what we can and need to do in order to absorb these students within our local schools.

This year we had 47 students move into district with a special education program from another district after July 1st. We did have 26 students who moved out, but that was an increase of 21 flat. For the most part we absorb them pretty naturally. In a few cases we needed to organize some of the resources that we already had.

Superintendent Christopher Clouet

So, as you can see, we have a lot of challenges as a united group. We have a strong team, excellent teachers, a strong administrative team that helps provide for the children for both general ed and special needs students. We take the job seriously, as you can see. From both of the presentations, we are looking for cost savings all of the time, whether it is special ed transportation, use of paper. Whatever it is, we are looking for cost savings. We take that seriously, so we try to be frugal stewards of taxpayer money; we take that very seriously. In addition, for those that know me I am always looking for outside revenue sources, i.e. grants and grant funding opportunities that help supply our kids with what they need.

Alderman Anglace: I would like to know if you are making any progress on setting up the special cost center for special ed?

Superintendent Clouet: The answer is yes. Based on our meeting, we have shifted some practices and we have it set up as a cost center so that we can easily track it. I hope you have all found this brief opportunity to be direct with each other and helpful so you can have the opportunity to ask questions. You can call me anytime that you want, and I am very accessible. Thank you very much everyone for your continued support.

PUBLIC PORTION

GREG TETRO, 281 BUDDINGTON ROAD

I would like to thank all of the alderpersons and Corporation Counsel for allowing us to have the public portion, over some of our issues that we see that you can maybe help us on. I want to personally thank Alderman Anglace for coming to the meeting on September 27th which was the reconstruction of Buddington Road and Huntington Street intersection. Thank you very much for your comments regarding that.

Looking into this deeper and going through some of the past history of Planning and Zoning on how this came to be. It seems that an approval for the Huntington Woods Project by Monty Blakeman, for 74 houses on a half acre lots in a 1-acre zone triggered a performance bond, and also a contingency in the contract that they repaired and fixed that road as part of their duty. I deal with code every day in my trade and shall is you are definitely going to do it. Here we are now in 2017 and I am hearing that no action was done. The aldermen voted not to do any repairs and no money was paid in regards of the upgrade to that road. I heard that there was \$60,000 paid for Open Space. Open Space is great and wonderful to have, but because of the decision in 2017, we are looking to spend \$45,000 of tax payer dollars on repairing that road that we should've never had any payment due on. Someone else will speak about that intersection. That I found a little bit disappointing that we have to pay tax payer dollars on something that we shouldn't have had to because it was their duty to repair that road. It is actually in the approval in 2010.

Alderman Anglace: Sorry for interrupting. I know that we did something but I cannot remember right now. I am going to have to do some research and get back to you on that.

Greg Tetro: No problem. From what I understand, is the City picked up the sewer water for that project in lieu of doing that street. The street was going to be done by Monty Blakeman's company. There was money paid for Open Space as a gift, but that gift did not help the individual tax payer; they found no benefit from that except having Open Space. When we are so crunched for tax dollars, it would've been nice to have that money to help pay for that. Recently, there was a public hearing with Planning & Zoning, where people have encroached on the 55 acres on the permanent open space, in the Huntington Lakes region. I also heard that they were looking at leasing that land to those individuals who had encroached on that land. I consider leasing and selling the same thing. Open space is open space, and permanent is permanent. I find it very frustrating that there is even discussion of giving away open space for dollars that was promised to be permanent. Those are two very big issues regarding that project, what happened. I would love to know what the background is, how this came to be, and why we would even think about leasing land to somebody who had encroached on the land. We had someone speak last night at our meeting about open space, and they would be asking to remove a bridge, to remove a fence, to remove a shed instead of trying to sell that land back to them because they had a

commitment to make it permanent. The City still has that same commitment to make permanent space, permanent.

The last one was a couple of residents had sent me an email with concerns of theirs. It seems like on Independence Drive, there is a large dumpsite that has rubber and other debris. They had happened to notice and follow the City pay loader, trucks, a dumpster, and the City was actually removing the debris from that site. That was put into a dumpster, that dumpster in that truck went to FW Brennan and was weighed on the scales. Then, it was brought back to the Myrtle Street municipal garage and was parked in one of the bays. I am being told it is not City owned property. I am being told that it is known dumping site that has been a big issue on that road. I have someone where that will speak on that issue. Those are pressing issues that I see. For the tax payers, what are we paying for? What shouldn't we be paying for? Thank you very much.

MAUREEN MAGNER, 10 GRACE LANE

I would also like to thank Mr. Anglace for attending the informational meeting that was held for Buddington Road and Huntington Street. We appreciate your support on this challenging project, and it really shows how much you care about resident needs so thank you again!

My concern as a 30-year tax payer is that not one cent of our tax dollars should be used to pay for something that was part of an agreement between the developer, Mr. Blakeman, and the City. So that is why I am here tonight to tell you that tax payers are not happy. The money for that intersection needs to come from the developer, not tax payers. He can have a plaque with his name on it, and we will be forever grateful to him. Rather than being resentful of the overdevelopment, and goodwill is received from City Hall. He just needs to do the right thing as it should've been done in the first place. As stewards of our tax dollars, you, the Board of Aldermen, need to save us \$45,000 and what ever the City's portion is. That is a lot of money, and that agreement should've been kept. Thank you.

JUDITH W. AUGUSTA, 91 MILL STREET

I am just going to say a few words about the Independence Drive situation, because I have been hearing from a friend of mine who has lived in the area for several months, about what a terrible condition it is with this huge pond that is whizzing up in this vacant lot. Everything is very muddy, it is covered with shards of rubber and there are a lot of children in the area. If they play in that polluted land, it will not be very healthy for them at all. So I believe this is a privately owned area, and it is being developed privately but these conditions should stop immediately. I ask you to investigate to see what are these trucks that are taking out a lot of fill and other soils, rubber that has accumulated there and where they are taking it, and what other pollution is being caused by where they are putting it? So I appreciate you addressing this issue. Thank you very much.

Agenda Items

MINUTES FOR APPROVAL

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

1. Regular Full Board Meeting – September 14, 2017
2. Special Meeting – September 28, 2017

SECONDED by Alderman Simonetti. A voice vote was taken and the motion passed unanimously.

Minutes can be viewed on the city website: www.cityofshelton.org

5.1 FINANCE COMMITTEE

5.1.1 NO ITEMS

5.2 PUBLIC HEALTH & SAFETY COMMITTEE

5.2.1 NO ITEMS

5.3 STREET COMMITTEE

5.3.1 SIDEWALK REIMBURSEMENT – 12 JOHN STREET

Alderman McPherson MOVED, per the recommendation of the Street Committee, to approve the sidewalk reimbursement of \$918.00 to Michael Wright, 12 John Street, Shelton, CT 06484 per Ordinance #877 (Section 14-9 of the Code of Ordinances) with funding to come from the Sidewalk Reimbursement Account #001-3600-713.80-43.

SECONDED by Alderman Simonetti. A voice vote was taken and the motion passed unanimously.

REPORT OF THE MAYOR – None presented.

REPORT OF THE PRESIDENT – I would like to make the board and the public aware that I have been talking to the Mayor on behalf of the board, and we are seriously considering joining the SEA conjunctive lawsuit to prevent Governor Malloy from

implementing Executive Order #58. We attended a press conference held by Senator Kelly, State Representative McGorty and State Representative Perillo, representatives from Stratford, Monroe and Seymour. We were calling upon the majority party representatives to join the minority, and overriding the Governor’s veto. I’ve since learned that both parties have engaged in discussions at the Capitol. They held a press conference last night that they are diligently working to pass a budget, and to not let the Governor’s Executive Order go into effect. The Executive Order, as far as Shelton is concerned, would take away \$5.4 million in education cost sharing money that we have relied on and put into our budget. It would also take away other monies, so we would lose roughly \$6.8 million. Stratford is going to lose something like \$24 million in ECS; that would be devastating. So, the good news is that it looks like there has been some dialogue going on in both parties at the state level, which is long overdue and wonderful news. Let’s just keep our fingers crossed, but we may come back to you looking for approval to join the lawsuit if they cannot reach an agreement. They all say they are apologetic for not setting a state budget by July 1st, because they know that most municipalities set their budgets by that time. The CEA says in their lawsuit that this is a statutory requirement, and they are violating their own statutes by letting the Governor take it out. You cannot take the ECS funding out.

6.0 LEGAL REPORT

6.1 CORPORATION COUNSEL BILLING

Alderman McPherson MOVED to authorize a total payment of \$2,695.00 to Corporation Counsel Welch, Teodosio, and Stanek, LLC, for services rendered per statement dated October 1, 2017, with funds to come from the following Legal Services Accounts:

Legal Fees	001-1900-411.30-03	\$2,461.25
Foreclosure Fees	001-1900-411.50-01	\$233.75

SECONDED by Alderman Simonetti. A voice vote was taken and the motion passed unanimously.

6.2 ASSISTANT CORPORATION COUNSEL BILLING

Alderman McPherson MOVED to authorize a total payment of \$627.00 to Assistant Corporation Counsel Ramon Sous for services rendered per statement dated October 1, 2017, with funds to come from the following Legal Services Accounts:

Legal Fees	001-1900-411.30-03	\$627.00
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SECONDED by Alderman Simonetti. A voice vote was made and the motion passed unanimously.

7 LEGISLATIVE - OLD

7.1 ITEMS FROM PUBLIC HEARING

**7.1 A – AMENDMENT TO CODE OF ORDINANCES CHAPTER 7 ARTICLE 1, SECTION 7-9
LITTERING AND DUMPING PROHIBITED (ORD. #894)**

Alderman McPherson MOVED to adopt the proposed amendments to Code of Ordinances Chapter 7 Article 1, Section 7-9 Littering and Dumping Prohibited (Ordinance #894) which is included by reference.

Further, move that this ordinance be published in summary form with a full copy available for review in the office of the City Town Clerk.

Public Hearing held on October 12, 2017

Be it ordained by the Board of Alderman of the City of Shelton that:

Littering or dumping prohibited.

- (a) No person shall throw, scatter, spill, or place or cause to be blown, scattered, spilled, thrown, or placed, or otherwise dispose of any litter upon any public property in the City of Shelton, or upon private property in the City of Shelton not owned by him, or in the waters of the City of Shelton including, but not limited to, any public highway, public park, beach, campground, forest land, recreational area, mobile manufactured home park, highway, road, street, or alley except: (1) when such property is designated by the City of Shelton for the disposal of garbage and refuse, and such person is authorized to use such property for such purpose, (2) into a litter receptacle in such a manner that the litter will be prevented from being carried away or deposited by the elements upon any part of said private or public property or waters.
- (b) Any person who violates any provision of subsection (a) of this section shall be subject to a fine of two hundred and fifty dollars (\$250.00). When any such material or substances are thrown, blown, scattered, or spilled from a vehicle, the operator thereof shall be deemed prima facie to have committed such offense.
- (c) "Litter" means any discarded, used, or unconsumed substance or waste material, whether made of aluminum, glass, plastic, rubber, paper, or other natural or synthetic material, or any combination thereof, including, but not limited to, any bottle, jar, or can, or any top, cap, or detachable tab of any bottle, jar or can any unlighted cigarette, cigar, match, or any flaming or glowing material, or any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, newspaper, magazines, glass, metal, plastic or paper containers, or other packaging or construction material which has not been deposited in a litter

receptacle. ~~“Litter” shall also include the placing, throwing or distribution of items, books, telephone books or advertising material on property where the owner thereof has neither requested nor granted permission for the placing, throwing or distribution of the items, books, telephone books or advertising material.~~ “Litter” also

means and includes items, books, telephone books or advertising material placed, thrown or distributed on property without the prior permission of the owner.

SECONDED by Alderman Simonetti.

Discussion:

Alderman Capra: At Avalon as an example, we get these advertisements for coupons. They dump them at every entrance of our building. I have called CT Post and have called others who are doing this. Is this something that I can call the Shelton Police Department on to authorize the fine? Who would I call for that?

Alderman Anglace: With our ordinance, it addresses litter in the streets, and litter in the City right of way. With permission from the homeowner you can throw newspapers in their yard because you have their permission. That is not litter. If they want to do something on your property in my view, they need your permission and without that permission my guess would be yes, you can call the police.

Alderman Capra: The reason I say this is for a safety issue. One morning I had someone come out and there was a bunch of newspapers at the door and they tripped right over that. Now they have scars on their face now. For me, the CT Post and everyone else that I have called had taken ownership on this so this is good for us, so I can get the police involved so this can stop happening.

Alderman Anglace: We have been working with the Chamber of Commerce for nine months to try to curtail the problem. Their view is we should tell our homeowners if they do not want the papers, is to just call them or send them an email and opt out. As late as this afternoon, they sent me an email and I responded to them that opting out is not going to solve the litter problem. We have put this ordinance together and modified it so we could curtail the litter in our streets and in the city right of way. That is all that we can manage. If the homeowners want it, they can give their permission. It is a well positioned ordinance.

Alderman Heller: I agree wholeheartedly with this ordinance and I am glad they are taking some steps to address that. My only question is the fine: is there a certain amount of time that we are going to allow someone to remove the litter? Or do we wait to see a certain amount of litter before we do something and there is a fine imposed? Is it on a homeowner's fine? Or is it to the person that is distributing the material?

Atty. Teodosio: It is the person who is responsible for the litter. As for the fine, that is an enforcement issue.

A voice vote was taken and the motion passed unanimously.

8 FINANCIAL BUSINESS OLD

8.1 RECISSION OF ACTION FOR ITEM 2 PASSED AT SEPTEMBER 28, 2017 SPECIAL MEETING AND REAPPROPRIATION OF FUNDS

Alderman McPherson MOVED to to rescind the action passed at the September 28, 2017 meeting, Item 2 titled Funding for WPCA Plant Process Improvements.

Further move to approve the agreement between CH Nickerson and the City of Shelton Water Pollution Control Authority plant process improvements, in the amount of \$2,814,600, with funding of \$1,714,600 to come from WPCA Capital Sinking Fund Account, and \$1,100,000 to come from the General Fund Surplus to be reimbursed by the United Illuminating Efficiency Program Grant. This reimbursement is to revert back to General Fund Surplus.

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

SECONDED by Alderman Simonetti.

Discussion:

Alderman Heller: I just have the same questions as last time, as to the balance in the General Fund Surplus.

Alderman Anglace: Go back and look at the City audit. That will give you the number as of June 30th.

Alderman Heller: However, I would then need to do the math from all of the aldermen meetings since then to get the balance? It is not in our books?

Alderman Anglace: In the absence of doing the math, I asked the Finance Director to ascertain if there were sufficient funds to cover this, and he said there was.

Alderman Heller: It is either doing the math, or the Finance Director? It is not on any City ledgers? No accounting systems or books?

Alderman Anglace: In the not too distant future, the auditor is going to complete the audit and is going to tell us as of June 30 of this year.

Alderman Heller: So the audit is how we determine our surplus?

Alderman Anglace: Yes. Then you look from there on how we designated of that surplus to the budget for this year.

Alderman Heller: From an accounting perspective, if we need to debit and credit things and we do not have it on the ledgers as a surplus, how do we take money out of surplus mechanically? How is that accounted for?

Alderman Anglace: Is that the only thing that you do not understand?

Alderman Heller: No.

Alderman Anglace: We can get a number from the Finance Director, but it will be subject to audit. Everything that is done is subject to audit. I asked if he could confirm if there are sufficient monies in General Fund Surplus to cover this. As of the last audit, we were in the vicinity of \$12 million. This project is \$1.1 million, so there is certainly plenty of money to cover it.

Alderman McGorty: Another way to ask is what prevents us from overspending? Obviously the amount is so large that we are not there, but I think you are asking the mechanics of what is to prevent us from overspending.

Alderman Heller: That is certainly a factor of that, yes.

A voice vote was taken and the motion passed unanimously.

9 FINANCIAL BUSINESS NEW

9.1 OCTOBER STATUTORY REFUNDS

Alderman McPherson MOVED that the report of the Tax Collector relative to the refund of taxes for a total amount of \$25,964.67 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 from the Statutory Refunds Account 001-0000-311.13.00.

SECONDED by Alderman Simonetti. A voice vote was taken and the motion passed unanimously.

9.2 2017 EMERGENCY MANAGEMENT PERFORMANCE GRANT

Alderman McPherson MOVED to approve the following resolution:

Be it resolved that the City of Shelton Board of Aldermen may enter into with and deliver to the State of Connecticut Department of Emergency Services and Public Protection, Division of Emergency Management and Homeland Security, any and all documents which it deems to be necessary or appropriate; and

Further be it resolved, that Mark A. Lauretti, as Mayor of the City of Shelton, CT, is authorized and directed to execute and deliver any and all documents on behalf of the

City of Shelton Board of Aldermen, 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.

SECONDED by Alderman Simonetti. A voice vote was taken and the motion passed unanimously.

9.3 FUNDING FOR ENERGY EFFICIENCY AT COMMUNITY CENTER

Alderman Anglace MOVED to approve the contract between Total Energy Connections, LLC. and the City of Shelton for energy upgrades to the Community Center subject to review and final approval of Corporation Counsel and the Mayor.

Further, move to appropriate \$676,141 with funding to be provided by bonding pursuant to 7.16 of the City Charter with 40% reimbursement to come from United Illuminating and Eversource with such money to reduce the amount of BOA bonding necessary.

Further, appoint the PIBC to oversee said project and approve contract specifications.

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

SECONDED by Alderman Simonetti.

Discussion:

Mayor Lauretti: Some of this information has come late in terms of the contract, but we have been working on this initiative for a better part of the year, even maybe a bit longer. There are significant reimbursements that come to us through programs that are set up by the state. I just want everyone to understand that the Community Center is almost 27 years old, with a lot of original equipment. I do not think I need to tell anyone at this table that much has changed over the course of time, in terms of technology and energy efficiency that really merits a lot of our consideration. It is important for us to take into account when we fund initiatives like this. A couple of years back we did an energy efficiency program in this building, hence the new lights in here. This program at the Community Center is pretty comprehensive. It entails the chiller, boilers, all of the fan motors and all of the lighting in the building. Correct me if I am wrong, but this also includes the lighting in the parking lot?

Contractor: Yes that is correct.

Mayor Lauretti: It is 100% retrofit of all of our electrical consumption, gas consumption which is a big user. We did an RFP nine months ago, and we conducted interviews and Chris Potucek and I decided that this was the best approach to take on a project of this magnitude. I think with the savings that we are getting from the utilities, in the amount of almost \$273,000 in reimbursements that we will get to offset the cost. This project

merits a lot of our consideration and our approval at this point, so I will stop there and open up to questions.

Alderman Anglace: The things that concern me is the prevailing wage, and other than that, this project meets the prevailing wage. The contractor does not think so, and Counsel is looking into. Of course, we are looking to approve this contract subject to final say of the Mayor and Corporation Counsel. What is significant about the prevailing wage is that the estimated project is around \$676,000, and our reimbursement is around \$270,000, which is 40%. If the prevailing wage kicks in, it could be up to the millions and our percentage of reimbursement will go down. It will still be the \$270,000, but the percentage will be a lot lower. I have not seen a return on investment schedule yet, but it is coming and we will all get it. 50% is \$338,000 is due upon signing the contract so it is significant that the Mayor and Counsel look carefully at this.

Mayor Lauretti: The numbers that we received, I assume do not cover prevailing wage.

Contractor: That is correct, they do not cover prevailing wage. If we go out to prevailing wage, it is probably going to double the labor cost which is going to take your payback instead of being 5 years, it will stretch it out to about 8-9 years, unfortunately. Because we are using the Conservation Fund, it is funded by rate payers and we never had to put up a prevailing wage because the money is directly rate payer dollars. If you go to prevailing wage at this point, the cost is going to be tremendous and the savings is not going to be what we had projected. We are projecting around \$46,700 per year in savings. If prevailing wage, that number is going to drop dramatically.

Mayor Lauretti: What is the cost differential between the cost of the equipment, and the cost of the labor associated with doing the install?

Contractor: I would say it is about 60/40. 60 being equipment and 40 being labor.

Mayor Lauretti: That does represent a significant increase.

Contractor: We have done jobs in other towns: New Britain, Ansonia but have never done prevailing wage for that one reason because we are using rate payer dollars.

Atty. Teodosio: If you can site me a statute or a piece of paper, or person. I would love to talk to that person because I understand the savings that you are talking about.

Contractor: I have called the Dept. of Energy twice, trying to get a call back. I still cannot get a call back from them. As soon as I get ahold of someone, I will certainly let you know.

Alderman Anglace: How about trying to call Dept. of Labor? They are the ones who make this decision.

Contractor: Because it is rate payer, it is the Dept. of Energy that we need to go through, instead of the Dept. of Labor.

Mayor Lauretti: Not federal, but state?

Contractor: Yes, this is state.

Alderman Anglace: There are huge penalties that go along if they determine after the fact, that should have been prevailing wage and we did not follow it.

Contractor: That is why we will try to get ahold of them. We have been working on it, but have not received a call back on it yet. It is not easy to get a hold of them.

Mayor Lauretti: Let's say for discussion purposes there is no prevailing wage. What is our return?

Contractor: That is what we are checking on. I have to go through the email to check it. I can answer any other questions while that is coming. The advantage of doing the project now instead of a couple of years ago, is we took a different approach to the lighting. The interior and exterior are going to be fully controlled either by computer or cell phone with a password. You will be able to raise or lower them, depending on what your needs are. We are doing a project in West Hartford where we are doing all of the lighting and dropped it to 70%. By doing that, we have increased our savings by almost twice fold. The exterior we have dropped it from 100% to 20% after people leave the building. You would get huge savings by virtually controlling everything, which that is something that Chris will be able to do.

Mayor Lauretti: Conceptually we know the advantages of doing this conversion, and how automation changes the dynamics of create savings. Going forward, if we are required to go prevailing wage, what is the increase in dollar amount that has to be appropriated upfront? Or does the amortization just get extended out to cover the extra?

Contractor: We could extend it out. It is going to double the labor cost; we are looking at a five year pay back. It looks like a 36% ROI at this point. We go out there and your ROI might be at 20% and it will go out around 8 years, unfortunately. The labor is going to double no matter how we look at it.

Mayor Lauretti: Is that going to be a make or break decision for the board, whether we are going to go ahead with this project or not? Or it is a question of just understanding what is our financial obligation?

Contractor: Because we are running out of time for the heating season to start, if we do not get these units in by November 1st and commissioned by the 15th, no one wants to take the risk of taking that building down with no heat. That means that we would have to go in there next May in order to do these boilers. In order to do the boilers, we need to take down the water heater because that chimney is going to be our way of

exhausting your new boilers and new water heater. Once we take it apart, there is no way of doing it until we get them back up and running. If do not start on November 1st, we run the risk of not getting them in this year.

Mayor Lauretti: That is a separate issue. That is a tactical decision that needs to be made at some point in time, but for the purposes of the board for their decision making, the cost associated with this contract and this project, I would assume the issue at hand.

Alderman Anglace: With the absence of a conclusive response and actual figures on the prevailing wage, then the motion was structured to allow the Mayor and Corporation Counsel to the final decision and us appropriating the \$676,000. However, if prevailing wage determines that it must go forward as part of the project, then they need to come back to us for more money because you cannot get started unless we do. We would like to see it go but if Counsel determines that prevailing wage is not necessary as you say then we are set and ready to go at the present levels of funding, which makes sense to us. The reimbursement of 40% makes sense. If we are talking about the reimbursement of 20%, we are talking a longer ROI before we can recoup it and it may not make any sense. I say the best that we can do tonight is to just go forward with the caveats that we laid out. If it does not go, then it does not go.

Mayor Lauretti: Well the 40% reimbursement from the utilities does not change, whether it is prevailing wage or not. That is still in place.

Alderman Anglace: It will not be 40%, it will be 20%, if it goes to \$1 million for project costs. \$270,000 is only around 27%, versus 40%.

Mayor Lauretti: In any event, tell me what the board's pleasure is.

Alderman McGorty: I agree with John.

Alderman Anglace: I think we need to go forward with what we said, to give you a change to look at the whole thing. If our Counsel finds that prevailing wage is part of this project, then you turn it off and it does not go. If it is not part of it, then we can proceed and we have everything in place.

Contractor: So any other energy projects moving forward, would be at prevailing wage?

Mayor Lauretti: The threshold is what determines prevailing wage.

Contractor: Yes, but most projects will exceed that threshold in most cases, and for lighting projects for the high school, intermediate school, WPCA- anything that requires any energy efficiencies with long term benefits, instead of the normal 4-5 years it will be around 8-10 years for any energy projects.

Mayor Lauretti: I guess this would be a question for Counsel. If the project was broken out into two different purchase contracts for materials and equipment. We had done

this in the past before, and then a contract for the labor for the conversion. That probably would not trigger the prevailing wage.

Atty. Teodosio: There are two triggers for prevailing wage: a public building, a public work and then if it is a renovation project it is \$100,000. If it is new construction, then it is \$400,000. If you go over the \$400,000 or \$100,000, you are into prevailing wage on a public project.

Mayor Lauretti: So you are in prevailing wage no matter what you do. If it is 60/40 on the labor and material. 60 being the equipment and 40 being the labor.

Contractor: If I take the utility incentives out of that \$280,000, it would just focus on the balance and I take the rest of the equipment out there. Then we break down the boiler in one project, chiller as another, the lighting as another it may not trigger that \$100,000. I would have to go back to see what the numbers turn out to be.

Mayor Lauretti: We have a motion on the floor, and to Alderman Anglace's point, whatever Corporation Counsel determines will determine whether we are back here at another point in time.

Alderman Heller: Does the motion include the bonding on the project?

Mayor Lauretti: Yes, that is what it says.

Alderman Heller: So if we were to find out it is prevailing wage, doesn't that offer the return on investment that we are looking for? What do we do with the bonding money?

Mayor Lauretti: It does not move forward.

Alderman Heller: So the bonding process is that we wait?

Mayor Lauretti: We always wait. We bond one time for this money. There will be several projects that will come before the board with a request for funding that will fall under the aldermanic authority to bond, with 2% under the Charter. We do that one time, at the end of the fiscal year.

Alderman Heller: So this would not go out until June?

Mayor Lauretti: Well we have not done last year's, so here we are in October.

Alderman Heller: So then the bonding would not happen until after we make this determination?

Mayor Lauretti: Far after.

Alderman Heller: But don't we need to start in November?

Mayor Lauretti: He is talking with respect to change out of the boiler to meet the heating season. That would not affect anything else if we decided to go further.

Alderman Heller: So it is not part of this funding?

Mayor Lauretti: Yes it is part of this funding. It is all inclusive.

Alderman Heller: So we have funding to do the boiler now without the bonding, but we are bonding for the boiler? I am just confused on this.

Mayor Lauretti: The motion is all inclusive to do everything, less the question of prevailing wage. Prevailing wage will impact the dollar amount.

Alderman Heller: But the bonding is going to happen after November?

Mayor Lauretti: The bonding happens one time per year. It happens after the fiscal year ends. The fiscal year ends on June 30th so we will bond between sometime now and at the end of the calendar year, and we will bond for all of the stuff that we did last year.

Alderman Simonetti: Is there a period of where this money will dry up from the utility companies?

Contractor: The contracts have a 30-day expiration period but if we lock them in, so if the Mayor locks just the contracts in with UI there is no obligation to go forward; it is just to lock those funds in so they cannot give them away. Then we have 120 days do the lighting and the boilers, and 12 months for a chiller. To answer your question, if we do not lock these in at the end of the year, any change will affect the gas dollars. They gave us almost \$129,000 in gas dollars. If the funds run dry, they will take those away unless we lock them in now.

Alderman Simonetti: What you are saying is they need to be locked in by December 31st?

Contractor: No, we actually need a week and half to lock them in.

Alderman Simonetti: Okay, thank you very much.

A voice vote was taken and the motion passed unanimously.

9.4 DISPOSAL OF SOLID WASTE AGREEMENT – WAIVER OF BID

Alderman Anglace MOVED, per the recommendation of the Purchasing Agent, to waive the bidding process to allow waste to be sent to the Winter Brothers facility in Danbury during periods that the Wheelabrator Facility in Bridgeport is experiencing delays accepting deliveries or otherwise causing economic harm to the City of Shelton

Further move to approve the agreement between Winter Brothers and the City of Shelton subject to review and final approval of Corporation Counsel and the Mayor.

SECONDED by Alderman Simonetti.

Discussion:

Alderman Simonetti: How bad is the situation between getting stuff down to Bridgeport?

Mayor Lauretti: This is a historic problem at Wheelabrator for years. Sometimes it is not just Shelton, it is every municipality that they serve. Sometimes trucks sit there for three to four hours just to unload. That is very costly for everybody. Rather than doing that, we have Winter Brothers and they will take that overflow when the plant cannot take it for the same price.

Alderman Anglace: I have one observation: if you look at the contract with Wheelabrator, we agreed that we would send all. We have not made any provisions, so they are probably going to come after us the minute we go to Winter Brothers. True or False?

Mayor Lauretti: False.

Alderman Anglace: Okay that is good.

Mayor Lauretti: This has been going on for many many years.

Alderman Anglace: We do not need to modify their contract in any way?

Atty. Teodosio: I think what the Mayor is saying that they breached the contract, allowing us to have their facility, while they do not mind the truck there.

Mayor Lauretti: Sometimes they have breakdowns, and sometimes they have peak times when there is an abundance, like after the Christmas season. There is an abundance of trash there and sometimes the plant cannot handle it. Every municipal pays big for that. This eliminates that. I will say that I do have some reservations about the Winter Brother contract, and I am unclear on some of the issues. One in particular is the term of the contract, going down to old 24. I am not sure that I agree with that. I would recommend that we take no action on that. If I am wrong on that issue and a few other issues in regards to the terms, then we will have a special meeting by the end of the month or perhaps we will have a telephone meeting to approve this contract. I do not see the urgency as we sit here tonight to have to approve this with unanswered issues.

Alderman Balamaci: Item 8 in the agreement: that the tip fee will escalate by 75% of the CPI on July 1, 2018, and annually thereafter.

Mayor Lauretti: Well those are some of the questions that I have too.

Alderman Capra: Have we tipped in the past?

Mayor Lauretti: We haven't had an agreement. We have just done it, and we always paid the same rate that we currently paid at Wheelabrator. So there has not been a financial burden on us.

No action on Item 9.4.

Mayor Lauretti departed from the Full Board meeting at approximately 7:50 pm.

9.5 AGREEMENT FOR SURVEY FOR FORMER STAR PIN PROPERTY

Alderman McPherson MOVED to approve the agreement between the City of Shelton and Hygenix, Inc. in the amount of \$17,740.00 for the purpose of preparing a Hazardous Building Materials (HBM) survey for the former Star Pin property located at 267 Canal Street. Funding for this award will come from the State of CT Department of Economic Community Development grant in the amount of \$200,000. This agreement has been reviewed by the city's licensed environmental professional, AECOM, and the Shelton Economic Development Corporation, which will provide administrative services to administer the grant and oversee activities related to this grant.

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

SECONDED by Alderman Capra. A voice vote was taken and the motion passed unanimously.

10 - LEGISLATIVE - NEW

10.1 ITEMS TO PUBLIC HEARING

10. 1A NO ITEMS

EXECUTIVE SESSION

11.A REQUEST TO GO INTO EXECUTIVE SESSION

EXECUTIVE SESSION

At approximately 8:20 PM, Alderman McPherson MOVED to enter into Executive Session to discuss the following items:

11.1 CONTRACTUAL NEGOTIATIONS REGARDING PEARMAN ROAD PROPERTY

11.2 SERRANO WORKERS COMPENSATION

11.3 CHIAVE III LIMITED PARTNERSHIP V. CITY OF SHELTON
11.4 SHELTON OWNER, LLC. V. CITY OF SHELTON

and invited Corporation Counsel Francis Teodosio to remain in the auditorium during the Executive Session; SECONDED by Alderman Kudej. A voice vote was taken and the motion passed unanimously.

RETURN TO REGULAR SESSION

At approximately 8:40 p.m. Alderman Simonetti MOVED to return to Regular Session; SECONDED by Alderman McPherson. A voice vote was taken and the motion passed unanimously.

It was noted that votes were taken in Executive Session

11.1 CONTRACTUAL NEGOTIATIONS REGARDING PEARMAN ROAD PROPERTY

No action taken.

11.2 SERRANO WORKERS COMPENSATION

Alderman McPherson MOVED to approve the Worker's Compensation settlement in the parameters, suggested by Attorney Thomas Cotter.

SECONDED by Alderman Simonetti. A voice vote was made and the motion passed unanimously.

11.3 CHIAVE III LIMITED PARTNERSHIP V. CITY OF SHELTON

Alderman McPherson MOVED to approve the tax appeal within the parameters, suggested by Corporation Counsel.

SECONDED by Alderman Simonetti. A voice vote was made and the motion passed unanimously.

11.4 SHELTON OWNER, LLC. V. CITY OF SHELTON

Alderman McPherson MOVED to approve the tax appeal settlement within the parameters, suggested by Corporation Counsel.

SECONDED by Alderman Heller. A voice vote was made and the motion passed unanimously.

ADJOURNMENT

OCTOBER 12, 2017

**BOARD OF ALDERMEN
FULL BOARD MEETING**

Alderman Kudej MOVED to adjourn; SECONDED by Alderman Heller. A voice vote was taken and the motion passed unanimously.

The meeting adjourned at approximately 8:45 p.m.

Respectfully submitted,

Brittany Gannon

Brittany Gannon, Clerk
Board of Aldermen