Call to Order / Pledge of Allegiance
Aldermanic President John Anglace called the meeting of the Board of Aldermen to order at 7 p.m. All those present rose 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 Kenneth Olin - present
Alderman John P. Papa – present
Alderman Jason Perillo - excused
Alderman Anthony Simonetti - present

Administration:
Assistant Corporation Counsel Ramon Sous

There was a quorum present.

Agenda Items

PUBLIC SESSION

Richard Widomski, 49 Christine Drive

Last month I spoke to the issue of the referendum on Canal Street, and I don’t think anyone took me too seriously until Tuesday night when there was 130-vote difference, I think. If you had switched 130 votes it would have gone down, all right? 135 votes switch. The referendum on Canal Street would have gone down. I think people were looking at it in a different respect than perhaps you or the developer were looking at it. The road, let me back up. I think we’ve got $2 million in the State of Connecticut and perhaps another half-million, I’m not sure on that figure, from the... is the speaker working? [pause to adjust speaker]. There was $2 million from the State and, I believe a half-million dollars that I heard from somewhere, I think in the newspapers, from the federal government. Now, the road is going to cost $8 million, okay? So that means there’s $5.5 million that are coming from Shelton taxpayers. Now, we’ve already passed a referendum for $3 million, so we’re looking for another $2.5 million somewhere. One of my fears is that the money that was passed in the referendum for the roads may be slid over. The other thing that I fear is some of the money that is supposedly going for the Riverwalk is $1.6-plus million, I want to see that stay where it is for the Riverwalk. In fact, you’ll probably need something more than that based on the information received from Rotundo Associates. And, my fear is that we don’t know exactly where the money is coming from, or where it’s going. Now we talk about utilities, filling in the canal on Canal Street, widening the road and also perhaps hiring the contractor that’s doing the work, the developer, to do the work on Canal Street. Now, there’s no contribution that I can see from the developer on Canal Street, so we are picking up 100 percent of the cost of the developer’s development.

Now, the other problem I had mentioned last week, it’s not a problem, the other case in point last month I had mentioned that the developer does not own all of the property. I think I mentioned that. My understanding is there’s a piece of property that is not owned by Primrose. Also, last month I mentioned that the property, one of the parcels is being sold to Avalon Bay, all right? So he’s flipping, flipping it. We don’t even have the road done. That was in The Huntington Herald also, this big spread that it looks like some time in April the property may be sold.
So what we’re doing now is, I have no objection to Canal Street and I think the 9,000 people that voted against it, I don’t think they have an objection. I think what everyone is looking for perhaps is some type of accountability and transparency. Now, where is this additional $5.5 million coming from? We’re already bonding $3 million toward the project. $2 million, I think, to match the $2 million from the state, and another million dollars going toward Canal Street. Where are you getting all this money? How much bonding is there really going to be? What are the contributions from the developer for this road, I mean the road is for him for the development, what is the contribution by perhaps, Avalon Bay, if they happen to come in, for the road? We’re talking, I don’t know, I’m not a bonds person, but I’d like to know what the cost is in bonding for this road. Also, as I had mentioned last month, what is the return and how long before we get a return on it? My understanding from the meeting last October, almost a year ago, at this auditorium, that there was a 10-year payback. Okay, 10 years, 20, 25 years. But let’s know. Let us know what the payback is. Let us know what the costs are going to be for the school children. Let us know what the costs are going to be to move that railroad line. Is the railroad in this $8 million for the road? There are too many unanswered questions. I don’t think anybody’s against the road, I certainly am not for downtown. We’re looking for the businesses to prosper. We’re looking for people to move into town. We’re looking for a vibrant economy and a vibrant town, but let’s find out where we’re going with this. Let’s find out where the money is coming from and where it’s going. Thank you.

Judson Crawford, 8 Jordan Avenue

This is in reference, I’m going to address our Assistant Corporation Counsel. Because of the not the Charter Revision not being passed for the third time, what would be in the best interests for the City of Shelton, what steps do we have to take to either appoint a new Charter Revision Commission or what are the next steps going to be?

Assistant Corporation Counsel Ramon Sous replied, at this point I don’t know what the policy decision of the Administration and the Board wants to do, and I don’t know of any obligation to go forward with the immediate appointment of another Charter Revision Commission.

Mr. Crawford continued, my second question to you is, what is, stating by City Charter is that, it has to be reviewed every 10 years.

Assistant Corporation Counsel Ramon Sous stated, it has been. It’s been reviewed.

Mr. Crawford stated, but we’re still under the 1994.

Assistant Corporation Counsel Ramon Sous stated, that is correct.

Mr. Crawford stated, thank you.

Alderman Anglace asked three times if any other member of the public wished to speak. Being none, he declared the public session closed. He noted that Alderman Jason Perillo is excused from tonight’s meeting as he got married last Saturday and is on his honeymoon.

Add-ons

Alderman Papa MOVED to add to the agenda the following items:

10.4 2009 Emergency Management Performance Grant

SECONDED by Alderman Finn. A voice vote was taken and the MOTION PASSED 7-0.
MINUTES FOR APPROVAL

1. MINUTES FOR APPROVAL

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

Regular meeting of October 9, 2008
Special meeting of October 28, 2008
Special meeting of October 30, 2008

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

SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 7-0.

5.1 FINANCE COMMITTEE

No items.

5.2 PUBLIC HEALTH & SAFETY COMMITTEE

No items.

5.3 STREET COMMITTEE

No items.

REPORT OF THE MAYOR

None presented.

REPORT OF THE PRESIDENT

None presented.

6.0 LEGAL REPORT

6.1 CORPORATION COUNSEL BILLING

Alderman Papa MOVED to authorize a total payment of $2,450.16 to Corporation Counsel Winnick, Vine, Welch, & Teodosio, LLC for services rendered per statement dated November 1, 2008 with funds to come from the following Legal Services accounts:

<table>
<thead>
<tr>
<th>Description</th>
<th>Account Number</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legal Fees</td>
<td>001-1900-411.30-03</td>
<td>$2,054.18</td>
</tr>
<tr>
<td>Miscellaneous Fees</td>
<td>001-1900-411.80-84</td>
<td>395.98</td>
</tr>
</tbody>
</table>

SECONDED by Alderman Finn. A voice vote was taken and the MOTION PASSED 7-0.

6.2 ASSISTANT CORPORATION COUNSEL BILLING

Alderman Papa MOVED to authorize a total payment of $2,844.09 to Assistant Corporation Counsel Ramon Sous for services rendered per statement dated November 1, 2008 with funds to come from the Legal Fees Account 001-1900-411.30-03;

SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 7-0.

7 LEGISLATIVE - OLD

7.1 ITEMS FROM PUBLIC HEARING

No items.
7.2 AMENDMENT TO THE AGREEMENT WITH DECARLO AND DOLL FOR PROPOSED TASK ORDER NO. 2 FINAL DESIGN/PHASE 3

Alderman Papa MOVED to approve the amendment to Task Order No. 2-08 for Professional Services by and between the City of Shelton and The Implementing Agency The Shelton Economic Development Corporation and DeCarlo and Doll, Inc. in connection with the Phases III and IV Shelton Enterprise and Commerce Park Project improvements/Canal Street and Wooster Street North for Final Design and Preparation of Construction Contract Documents in the amount of $508,500 ($254,250 to come from the referendum bond for Phase III and $254,250 to come from the State of Connecticut Department of Economic and Community Development grant for Phase III); and further,

MOVED to authorize Mayor Mark A. Lauretti to sign any and all necessary documents; SECONDED by Alderman Farrell.

Alderman Kudej stated, on Wooster Street, I would think that we would include Wooster and Howe if we’re going to work on Canal Street and Wooster Street. The upper part, we should talk about a stop light or something, because that’s going to create a traffic problem up there. It’s already hazardous to turn either way. I would like to see something there.

Alderman Anglace stated, if I could paraphrase that, you would like them to be sure that the study includes the intersection of Howe and Wooster with existing traffic. You want to make that amendment?

Alderman Kudej MOVED to AMEND THE MOTION to provide that the study includes the intersection of Howe and Wooster for traffic; SECONDED by Alderman Finn. A voice vote was taken and the AMENDMENT PASSED 7-0.

A voice vote was taken and the MOTION PASSED AS AMENDED, 7-0.

8 FINANCIAL BUSINESS OLD

8.1 TECHNICAL CORRECTION TO ITEM #1, SPECIAL BOARD OF ALDERMEN MEETING OF SEPTEMBER 2, 2008

Alderman Papa MOVED to rescind Item 1 “APPROVAL OF MUNICIPAL AUDITOR” taken at the Special Board of Aldermen Meeting of September 2, 2008 to appoint the Municipal Auditor; SECONDED by Alderman Kudej. A voice vote was taken and the MOTION PASSED 7-0.

Alderman Papa MOVED to appoint Levitsky & Berney, P.C. of Woodbridge, CT as the auditor for the City of Shelton for the years and the amounts indicated as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2008</td>
<td>$52,000</td>
</tr>
<tr>
<td>2009</td>
<td>$56,500</td>
</tr>
<tr>
<td>2010</td>
<td>$57,600</td>
</tr>
<tr>
<td>2011</td>
<td>$59,700</td>
</tr>
</tbody>
</table>

Funding to be provided by General Fund Account #001-0300-412.30-01 for Legislative Professional Services; and further,

MOVED to authorize Mayor Mark A. Lauretti to sign any and all documents and effectuate said agreement; and further,

MOVED to waive section 3(E) of the request for proposal process ordinance.

SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 7-0.
9 FINANCIAL BUSINESS NEW

9.1 NOVEMBER STATUTORY REFUNDS

Alderman Papa MOVED to approve the report of the Tax Collector relative to the refund of taxes for a total amount of $5,764.51, 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 Kudej. A voice vote was taken and the MOTION PASSED 7-0.

9.2 REQUEST BY HIGHLAND BUILDERS TO TERMINATE ROAD MAINTENANCE BOND FOR TUXEDO AVENUE

Alderman Papa MOVED, per the recommendation of the City Engineer as stated in his letter dated November 5, 2008 to approve the release of $6,500 road maintenance bond posted by Highland Builders for the extension of Tuxedo Avenue; SECONDED by Alderman Finn. A voice vote was taken and the MOTION PASSED 7-0.

9.3 NOTICE OF PERFORMANCE GOND RELEASE: VISTAS AT WHITE HILLS SUBDIVISION

Alderman Papa MOVED to accept the 2,132-foot new portion of Wabuda Place from the existing dead end to Sachem Drive; the 1,855-foot new portion of Sachem Drive from Sagamore Road to the new cul-de-sac; and the 355-foot new portion of Morgan Court from Wabuda Place to the cul-de-sac as recommended in the Planning and Zoning Administrator’s subject to the developer posting maintenance surety in the amount of $240,000 for a period of one year; SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 7-0.

9.4 AGREEMENT BETWEEN TATE & ASSOCIATES AND THE CITY FOR LANDSCAPE ARCHITECT SERVICES FOR SHELTON'S PERMANENT WAR MEMORIAL AT RIVERVIEW PARK

Alderman Papa MOVED to approve the agreement between Tate & Associates, LLC and the City of Shelton for landscape architect services for the Permanent War Memorial at Riverview Park in the amount of $7,500; and further, MOVED to transfer $7,500 from Contingency General Account #001-9900-900.99-00 to Professional Services Administrative Account #001-0100-411.30-01; and further, MOVED to authorize Mayor Mark. A. Lauretti to sign any and all necessary documents; SECONDED by Alderman Finn. A voice vote was taken and the MOTION PASSED 7-0.

9.5 SESAC AGREEMENT

Alderman Papa MOVED to approve the SESAC performance license for municipalities and appropriate the sum of $510 pursuant to said license with funding to come from Parks and Recreation Special Events Account # 001-1000-622.80-07; and further, MOVED to authorize Mayor Mark. A. Lauretti to sign any and all necessary documents; SECONDED by Alderman Simonetti.

Alderman Simonetti stated, people should understand that it’s a license for playing music that is paid to the unions at the concerts.

Alderman Anglace stated, this is an annual license payment, it’s not much but it’s national in scope and has to be paid or you’ll spend more than $510 in litigation.

A voice vote was taken and the MOTION PASSED 7-0.
9.6 NEW ALLIANCE BANK AS DEPOSITORY FOR CITY FUNDS

Alderman Papa MOVED to approve New Alliance Bank at 350 Bridgeport Avenue as a depository for City funds; SECONDED by Alderman Kudej. A voice vote was taken and the MOTION PASSED 7-0.

9.7 CONTRACT BETWEEN HOUSATONIC RAILROAD COMPANY AND THE CITY AND APPROPRIATION OF FUNDS FOR ENGINEERING SERVICES

Alderman Papa MOVED to approve the Preliminary Engineering Agreement between Housatonic Railroad Company and the City of Shelton for engineering work related to the possible realignment of their track and a determination of exact locations for the Railroad Crossing upgrades in the amount of $55,000 ($27,500 to come from the referendum bond for Phase 3 and $27,500 to come from the State of Connecticut Department of Economic and Community Development grant for Phase 3); and further, MOVED to authorize Mayor Mark. A. Lauretti to sign any and all necessary documents; SECONDED by Alderman Finn.

Alderman Anglace stated, I would note since questions have been raised that as these projects go along downtown, they come back to us for approvals such as this where everything is detailed, $27,500 coming from the bond, $27,500 coming from the DECD. That helps an awful lot. I don't know if that's what the speaker was looking for, but if this approach doesn’t do it, we certainly would seek greater transparency as we spend taxpayers’ money.

A voice vote was taken and the MOTION PASSED 7-0.

9.8 WAIVER OF BIDS - ENTRANCE DOORS FOR HUNTINGTON BRANCH LIBRARY – LOCIP ELIGIBLE

Alderman Papa MOVED to waive the bids for the replacement of three new outside doors for the Huntington Branch Library as recommended by the Purchasing Agent; and further, MOVED to add this project to the Capital Improvement plan with funding in the amount of $11,898 to come from LOCIP; SECONDED by Alderman Kudej.

Alderman Anglace stated, we should note for the record that these doors must meet standards for handicap accessibility. I’m sure they will, but it wasn’t stated here.

Alderman Finn stated, the door is a metal frame, very similar to what we have here in the hallway. I would prefer that one of the doors is handicapped accessible. I’m talking about with push-buttons.

Alderman Simonetti stated, I agree with Alderman Finn that one of the doors should have a hand plate to allow it to open automatically. We should add this in the future if it’s not included in this $11,898. I think they’re wide enough.

Alderman Finn stated, it’s not included, and they’re wider, and lighter than the existing doors.

Alderman Anglace stated, let the record show that as they go forward with this project, that we approve it, however, we want them to take special note of the handicap accessibility. I raised this question, and Gene Sullivan sent me these specifications. They were the same as those we had already received. Nothing different to report.

A voice vote was taken and the MOTION PASSED 7-0.
9.9 SEPTIC SYSTEM FOR NIKE SITE RECREATION AREA – LOCIP ELIGIBLE

Alderman Papa MOVED to authorize the replacement of a septic system for the Nike Site Recreation Area and add this project to the Capital Improvement Plan with funding in the amount of $4,890 to come from LOCIP; SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 7-0.

10. - LEGISLATIVE - NEW

10.1 ITEMS TO PUBLIC HEARING

Alderman Anglace stated, you have a description called “Proposed Ordinance Change for Outdoor Burning – Ordinance 713” will be referred to the Public Health & Safety Committee for further review and discussion. It will not go for hearing, but will go to Public Health & Safety.

10.2 MUNICIPAL SOLID WASTE (MSW) AGREEMENT FOR CONNECTICUT RESOURCES RECOVERY AUTHORITY (CRRA)

Alderman Papa MOVED to approve the Municipal Solid Waste Management Services agreement between Connecticut Resources Recovery Authority and the City of Shelton, a municipality of the State of Connecticut for the delivery and disposal of waste; and further,

MOVED to authorize Mayor Mark. A. Lauretti to sign any and all necessary documents; SECONDED by Alderman Simonetti.

Alderman Anglace stated, I asked Counsel, the contract is thick. All of the Aldermen received it by e-mail in an effort to save a few dollars on paper and save a few trees. I asked Counsel to prepare a summary, which he did, and we received it this afternoon. All of the Board members have received this summary and there are a few things to note for the record on the summary.

I believe the Mayor had a considerable hand in bringing this agreement about for the entire southwestern Connecticut region. Certainly he should be commended for his aggressive efforts and knowledge in this area. What I want you to know is that there is a reference here in number 3, “Wheelabrator provides for the operation of transfer stations,” okay – not in Shelton. That doesn’t apply to Shelton; it applies to some municipalities where they do operate the transfer station. But our transfer station is not operated by them. Our transfer station is operated under license with the DEP I believe it is, and we operate that. Shelton’s solid waste will go directly from our trucks to the Wheelabrator RESCO site in Bridgeport as it has been going. There will be no change there.

Item 11, disposal fees. A very significant change in disposal fees. We currently pay in the area of $84 a ton for solid waste disposal. This contract reduces that by some 27 percent and brings it down to $61 per ton. That is a significant change in the structure, and most welcome in these trying economic times.

Alderman Finn stated, this is a result of that lawsuit, where CRRA was involved in that company down in Texas that went belly up.

Alderman Anglace stated, I’m not sure that this agreement was a result of that. This agreement has to be, many years in the solid waste business in southwest Connecticut the municipal towns that participated paid for the station through the bonding and tipping fees. It came to an end, time ran out. Now they had to come up with something new, and CRRA and Wheelabrator and the municipalities all came together and came up with this agreement.
Alderman Finn stated, I know with that lawsuit the costs were supposed to be reduced to municipalities throughout the state.

Alderman Anglace stated, item 14 in the summary, the agreement becomes effective on the execution date expires June 30th of 2014. This agreement is for five years and six months. There will be changes, annually. They’re set forth in the contract. There will be increases in price. There is a commitment for us, we have to give so much tonnage each year to keep that facility running. If our tonnage slips downward, and it’s because we did more recycling, there’s a provision in the contract not to punish the town for doing that, which is another good feature.

I’ll give you some numbers here. We are currently obligated in this contract to provide 18,102 tons per year in solid waste. We’re currently at 16,806 tons a year. In 2007 we were at 17,843 tons per year. In 2006 we were at 17,264 tons and in 2005 we were at 18,740 tons. In 2004 we were at 19,859 tons. As you can see, recycling has brought us down in the amount of tons. Most astounding of all is in the last three months we have begun to accept electronics down at the City Yard – televisions and old computers, etc. In the past three months we took in 26 tons of electronics. Imagine that. It equates to about 104 tons per year. Those kinds of things, recycling and issues like that have brought our tonnage down. This contract is just good for us and good for all the towns that are in it, in my view. The penalty clauses have an out for the municipality if the reason for it is recycling so there are all kinds of incentives in it. I am very pleased to support this.

A voice vote was taken and the MOTION PASSED 7-0.

10.3 ELECTRICAL ENERGY CONTRACT – WAIVER OF BIDS

Alderman Papa MOVED to waive the bids pursuant to Charter Section 7.14(c) relative to an electrical energy contract with Constellation New Energy; and further, MOVED to authorize the Mayor to sign a contract in a form substantially similar to that attached, subject to the approval of the Corporation Counsel between the City of Shelton and Constellation New Energy for the purchase of electrical generation services from the November 1, 2008 meter reading cycle through the June 1, 2009 meter reading cycle; SECONDED by Alderman Simonetti.

Alderman Finn MOVED TO AMEND THE MOTION to add: “contingent upon receipt of a letter from the Purchasing Agent” SECONDED by Alderman Simonetti. A voice vote was taken and the AMENDMENT PASSED 7-0.

Alderman Anglace stated, I’d like you to know that this is a contract that we’ve had before, this is not new. This is a joint contract, Board of Education and the City. The City and the Board of Education have been working together each month reviewing and tracking and come June, they discovered the trend toward electric rates going down. That is why they’re recommending that we lock in for a year. Since there are so many things in the works that they know of that they foresee, that’s why the contract is recommended for one year and not longer. It seems to have merit and I would support it.

Assistant Corporation Counsel Sous stated, you have a start and finish date right on the back of it, that’s why we have the dates of November 1, 2008 to June 1, 2009. It’s in the very back of the schedule. That is where those dates came from.

A voice vote was taken and the MOTION PASSED AS AMENDED 7-0.

10.4 2009 EMERGENCY MANAGEMENT PERFORMANCE GRANT

Alderman Papa MOVED to adopt the following Resolution:

Be it resolved by the Board of Aldermen that the Mayor of Shelton, Mark A. Lauretti, be and hereby is authorized to act on behalf of the City of Shelton, Connecticut and the

SECONDED by Alderman Kudej.

Alderman Anglace stated, the only way they can go forward and apply for the grant is if we pass this motion as the State has given it to us.

A voice vote was taken and the MOTION PASSED 7-0.

**11 EXECUTIVE SESSION**

At approximately 7:40 p.m. Alderman Papa MOVED to enter into Executive Session to discuss the following items:

11.1 Cachillo Workers Compensation
11.2 Ralph Durante Workers Compensation
11.3 Anne Hamilton Workers Compensation
11.4 Teamsters Local 145 Contract

and invited Assistant Corporation Counsel Sous to remain in the Auditorium, and Administrative Assistant Sandra Nesteriak for item 11.4; SECONDED by Alderman Farrell.

A voice vote was taken and the MOTION PASSED 7-0.

**Return to Regular Session**

At approximately 7:50 p.m., Alderman Finn MOVED to return to Regular Session; SECONDED by Alderman Papa. A voice vote was taken and the MOTION PASSED 7-0.

Alderman Anglace noted that there were no votes taken in Executive Session.

**MOTIONS FROM EXECUTIVE SESSION**

**11.1 CACHILLO WORKERS COMPENSATION**

No action.

**11.2 RALPH DURANTE WORKERS COMPENSATION**

Alderman Papa MOVED to approve the permanent partial disability rating as set forth in the report of Dr. Robert A. Stanton, M.D. dated September 30, 2008; SECONDED by Alderman Finn. A voice vote was taken and the MOTION PASSED 7-0.

**11.3 ANNE HAMILTON WORKERS COMPENSATION**

Alderman Papa MOVED to approve the permanent partial disability rating as set forth in the report of William Cimino, M.D. dated July 25, 2008; SECONDED by Alderman Farrell. A voice vote was taken and the MOTION PASSED 7-0.

**11.4 TEAMSTERS LOCAL 145 CONTRACT**

Alderman Papa MOVED to approve the contract between the City of Shelton and the Teamsters Local 145, AFL-CIO as presented in Executive Session; and further, MOVED to authorize Mayor Mark A. Lauretti to sign all documents and effectuate said agreement; SECONDED by Alderman Finn. A voice vote was taken and the MOTION PASSED 7-0.
ADJOURNMENT

Alderman Papa MOVED to adjourn; SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 7-0.

The meeting adjourned at approximately 7:52 p.m.

Respectfully submitted,

Patricia M. Bruder, Clerk
Board of Aldermen

Date Submitted: ______________

DATE APPROVED: ______________ BY: ________________________________
Mark A. Lauretti
Mayor, City of Shelton