Call to Order / Pledge of Allegiance

Mayor Mark A. Lauretti 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 – absent
Alderman Jason Perillo – present (7:10)
Alderman Anthony Simonetti - present

Administration:

Assistant Corporation Counsel Ramon Sous

There was a quorum present.

Agenda Items

PUBLIC SESSION

Irving Steiner, 23 Partridge Lane

I am a grandfather of a child who presently attends Shelton High School and I am here tonight to voice my concerns over the several fires that have occurred at the High School. Many of the statements by Shelton officials are not in agreement with some of the members of our volunteer Fire Department who fought the fire. Initial remarks made by the press and the Mayor stating that it’s only paper and people, showing extreme insensitivity for life and limb, and that concerns me. One of my grandchildren are up there. I have a right to be concerned. Conflicting and changing statements by local and State Fire officials whether the sprinklers were required have only exacerbated the situation and point out the difficulty in the interpretation of fire codes. In many cases, if I upgrade my home I must upgrade to the latest building code. Shouldn’t we also require the same high safety standards in our schools? To do less suggests that the cost of sprinkler system is a determining factor and not the safety of our children. I agree that there is an immediate need to return the High School to full operation. But that urgency does not extend to the waiving of the bid process to elect a claims adjuster. Bid waiving is a practice that is too prevalent in Shelton. Bid waiving creates a veil of secrecy around a normally open process. The practice also suppresses legitimate competition and increases the possibility of inflated pricing and therefore added cost to the City. The street paving of Yutaka Trail was a prime example of this. The Mayor created an artificial emergency condition, waived the bid process and told the Board of Aldermen that the estimated cost would be $30,000 and it ended up costing $40,000.

Under the Freedom of Information Act, I hereby request that I see a copy of the contract between the City of Shelton and the insurance adjuster, when signed and to view the entire copy of the claim adjuster’s report as submitted at the time of the submission to the insurance carrier. Thank you.

Mayor Lauretti asked three times if any other member of the public wished to speak. Being none, he declared the public session closed.
ADD-ONS

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

7.3 MUNICIPAL SOLID WASTE MANAGEMENT SERVICES AGREEMENT BETWEEN CONNECTICUT RESOURCES RECOVERY AUTHORITY AND THE CITY OF SHELTON

9.3 AGREEMENT BETWEEN CITY OF SHELTON AND PUBLIC ADJUSTER AND APPROPRIATE FUNDS

SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 6-0.

MINUTES FOR APPROVAL

1. MINUTES FOR APPROVAL

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

   Special meeting of December 3, 2008
   Regular meeting of December 11, 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 6-0.

5.1 FINANCE COMMITTEE

5.1.1 JANUARY STATUTORY REFUNDS

Alderman Kudej MOVED, per the recommendation of the Finance Committee, to approve the report of the Tax Collector relative to the refund of taxes for a total amount of $3,885.91 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 6-0.

5.1.2 REIMBURSEMENT FOR REGISTRAR OF VOTER’S OFFICE FOR DEMOCRATIC PRIMARY OF AUGUST 12, 2008; MANDATED AUDIT BY THE STATE ON AUGUST 28, 2008; PRESIDENTIAL ELECTION OF NOVEMBER 4, 2008 AND MANDATED AUDIT OF PRESIDENTIAL ELECTION ON NOV. 19, 2008

Alderman Anglace MOVED to refer this item back to FINANCE Committee for further reconciliation; SECONDED by Alderman Simonetti.

Alderman Simonetti stated, I believe that both of the Registrars of Voters, Democrat and Republican, agree with the money spent on Presidential Election and the mandated Audit. I think the question comes up on where the Democratic Primary costs were. I would like to see an agreement with both that they could discuss this with the Apportionment and Taxation people, and I’ve already sent them a memo about this, and by line item give us the cost of those items so we could know what we have to put back in those accounts to bring them to where they were at the time these extra costs were incurred.

Mayor Lauretti asked, what does Apportionment and Taxation have to do with this?

Alderman Finn stated, there is no request for the Democratic Primary, if it was approved back in October, you would know the true cost for the Presidential Election and the Audit.

Alderman Simonetti stated, that’s my understanding, that the difficulty, the difference is with the Democratic Primary. They both agree on the other things.
Alderman Finn stated, no, we both agree on the Democratic Primary and the Presidential Audit. There are some questions pertaining to the Presidential Election itself due to the fact of two [inaudible] came into the City.

[Alderman Perillo arrives at this point, 7:10 p.m., 7 present, 1 absent]

Alderman Simonetti stated, I guess going back to the Finance Committee is...

Alderman Anglace interjected, one of the primary reasons I think we need to take it back to Finance is because I think the Finance Committee has to exercise some judgment as to how this department budget ends up. There are some reimbursements that have to be accounted for. We have to look at each account and see what we end up with. There may be an opportunity that some accounts will have more money in it and could transfer some money from those accounts to other accounts within their line budget and that has to be done through Apportionment and Taxation. I think if we look at it closely, take the time and go line by line then we’ll come up with a reconciliation.

Mayor Lauretti stated, I think we should put Alderman Perillo in charge of that, because he’s pretty good at math.

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

5.2 PUBLIC HEALTH & SAFETY COMMITTEE

No items.

5.3 STREET COMMITTEE

No items.

REPORT OF THE MAYOR

There is no report from the Mayor unless anybody has any questions about the Shelton High School situation. As you know, there was a big press conference last night so I think that there is the latest and greatest information available already out there.

REPORT OF THE PRESIDENT

None presented.

6.0 LEGAL REPORT

6.1 CORPORATION COUNSEL BILLING

Alderman Anglace MOVED to authorize a total payment of $3,052.84 to Corporation Counsel Winnick, Vine, Welch, & Teodosio, LLC for services rendered per statement dated January 5, 2009 with funds to come from the following Legal Services Accounts:

<table>
<thead>
<tr>
<th>Account</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>001-1900-411.30-03</td>
<td>Legal Fees</td>
<td>$2,743.00</td>
</tr>
<tr>
<td>001-1900-411.80-03</td>
<td>Miscellaneous Services</td>
<td>261.84</td>
</tr>
<tr>
<td>001-1900-411. -</td>
<td>Court costs</td>
<td>48.00</td>
</tr>
</tbody>
</table>

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

6.2 ASSISTANT CORPORATION COUNSEL BILLING

Alderman Anglace MOVED to authorize a total payment of $2,236.42 to Assistant Corporation Counsel Ramon Sous for services rendered per statement dated January 1, 2009 with funds to come from the following Legal Services Accounts:

<table>
<thead>
<tr>
<th>Account</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>001-1900-411.30-03</td>
<td>Legal Fees</td>
<td>$2,135.00</td>
</tr>
<tr>
<td>001-1900-411.80-03</td>
<td>Miscellaneous Services</td>
<td>$101.42</td>
</tr>
</tbody>
</table>
6.3 COLES, BALDWIN & KAISER, LLC INVOICE #13517 & #13518

Alderman Anglace MOVED to approve Coles, Baldwin & Kaiser, LLC Invoices #13517 and #13518 dated November 25, 2008 in the amount of $4,102 with funding to come from Legal Services-Corporation Counsel Professional Services Account # 001-1900-411.30-01; SECONDED by Alderman Perillo.

This is where Corporation Counsel earns his keep. The billing for this came in originally at $250 per hour and he negotiated a fee – the same fee that he gets per hour - of $140 for the City. We saved that amount of money.

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

6.4 SHEEHY & DILLON INVOICE

Alderman Anglace MOVED to approve Sheehy & Dillon Invoice dated November 14, 2008 in the amount of $1,225 with funding to come from Legal Services-Corporation Counsel Professional Services Account # 001-1900-411.30-01; SECONDED by Alderman Kudej.

Alderman Anglace stated, this was billed at $140 per hour from the beginning.

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

7 LEGISLATIVE - OLD

7.1 ITEMS FROM PUBLIC HEARING

None presented.

7.2 AXTON CROSS SITE CT DECD GRANT PROGRAM

Alderman Anglace MOVED to adopt the following Resolution:

RESOLUTION

Be it hereby resolved that the Board of Aldermen adopt the following resolution:

Whereas, the City of Shelton has embarked on a successful program of downtown revitalization, and

Whereas, the program has resulted in significant progress through strategic public investments, including local, state, and federal partnerships, and

Whereas, the City of Shelton, acting through the Shelton Economic Development Corporation, has implemented major activities under Phase 1 and Phase 2 of the Shelton Enterprise and Commerce Park, and

Whereas, additional work and progress in Brownfield’s remediation is warranted based on the successful progress and based on the significant new private investment which has occurred and which is forecast, and

Whereas, the City of Shelton has identified the Axton Cross site and the adjoining public parcel as high priority remediation sites, and

Whereas, the City of Shelton has received two US EPA grants under their Targeted Site Assessment Program, one US EPA Brownfields
Cleanup grant specific to the Axton Cross site, and a new grant from the State of Connecticut, Department of Economic and Community Development, Office of Brownfields Remediation and Development in the amount of $425,000.00, and

The City of Shelton has contracted with the State of Connecticut to make the Axton Cross site and other Phase 2 sites available for private redevelopment, following cleanup activities, and

Whereas, it has been determined to be in the best interest of the City of Shelton to do the following:

1. Authorize the Mayor of the City of Shelton to accept the offer of grant from the CT DECD.

2. Authorize the Mayor of the City of Shelton or other authorized municipal representative to submit an application for financial assistance to the CT DECD and to approve the required resolution, and authority to execute all funding related contracts and CT DECD related forms, and

3. Designate the Shelton Economic Development Corporation as the implementation agency and program manager for this Brownfields Grant and related activities, and

4. The Board of Aldermen authorize the SEDC to amend their agreement with Metcalf and Eddy, (AECOM USA, Inc.) to allow for all cleanup related activities, and

5. The Board of Aldermen having previously allocated $40,000 in local funds for the cleanup of the Axton Cross site to match the US EPA 2008 Brownfields grant do hereby allocate an additional $30,000 as provided for in the project budget for cleanup and related activities with funding to come from the General Fund Surplus.

Now therefore be it resolved that all measures required to as listed above are hereby approved and ratified.

FURTHER BE IT HEREBY RESOLVED THAT THE BOARD OF ALDERMEN ADOPT THE FOLLOWING:

Whereas, pursuant to C.G.S. Section 32-9cc the Connecticut Department of Economic and Community Development is authorized to extend financial assistance for economic development projects; and WHEREAS, it is desirable and in the public interest that the City of Shelton make an application to the State for $425,000 in order to undertake the Axton Cross Remediation Project and to execute an Assistance Agreement.

Now therefore be it resolved by the Board of Aldermen that:

1. That it is cognizant of the conditions and prerequisites for the state financial assistance imposed by C.G.S. Section 32-9cc

2. That the filing of an application for State financial assistance by the City of Shelton in an amount not to exceed $425,000 is hereby approved and that Mayor Mark A. Lauretti is directed to execute and file such application with the Connecticut Department of Economic and Community Development, to provide such additional information, to execute such other documents as may be required, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an agreement is offered, to execute any amendments, decisions, and revisions thereto, and to act as the authorized representative of the City of Shelton

3. That it adopts or has adopted as its policy to support the following nondiscrimination agreements and warranties provided in subsection (a)(1) of Connecticut General
Statutes sections 4a-60 and 4a-60a, respectively, as amended by Public Act 07-142, and for which purposes the “contractor” is the City of Shelton and “contract” is said Assistance Agreement:

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

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

SECONDED by Alderman Simonetti.

Alderman Anglace stated, this motion had to be read aloud in its entirety to satisfy the conditions of the grant.

Alderman Perillo stated, for the benefit of the Board of Aldermen, this is a brand new program. Until 2008 the Brownfields Pilot did not exist – it was actually passed by the State Legislature in the last Legislative Session in An Act Concerning Brownfield Redevelopment. It’s a great program. Up until now the State had no funding available really, specifically for Brownfields redevelopment. This has done that. This is a very competitive program; the City should be very proud. More than 30 communities applied for this grant and less than five got it to the best of my recollection.

Alderman Simonetti asked, how much grant money was awarded? Was there $13 million and we got $450,000, or was there $6 million…

Mayor Lauretti interjected, they were all equal amounts. That is usually how they do it.

Alderman Perillo stated, there were different classifications depending on the size of the city or town you’re in. Because it’s a pilot they wanted to test it in multiple segments.

Mayor Lauretti stated, prior to all this, this was run through the EPA which really is a pleasure to work with. One of the reasons we’ve been so successful is that we deliver what we say we’re going to do and we get results; because we’re able to expeditiously go to it and get the work done.

Alderman Perillo stated, it’s much easier to ask for money when you show that when you get it you do good things with it.

Mayor Lauretti stated, as most of you know, this is one of many.

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

7.3 MUNICIPAL SOLID WASTE MANAGEMENT SERVICES AGREEMENT BETWEEN CONNECTICUT RESOURCES RECOVERY AUTHORITY AND THE CITY OF SHELTON

Mayor Lauretti stated, this item was put on for information purposes. I just wanted the Board to understand that in summary, when they approved the Municipal Solid Waste Agreement, there was a provision in there that called for the establishment of an Interlocal with the surrounding communities. It was my request that it be deleted. I am not happy with the way it was setup. We’ve been through 20 years of a very painful
interlocal relationship with these municipalities. In my opinion, unless the Chief Elected Official of the municipality is directly in the lead in the interlocal, then Shelton should not have any part of it. I have asked to have it deleted. It doesn’t affect our arrangement and the monetary pricing through the CRRA to dispose of the trash, it’s just my objection to the interlocal.

Alderman Anglace stated, so, you asked them to take out the interlocal agreement as part of the contract.

Mayor Lauretti stated, I insisted on it.

Alderman Simonetti asked, they agreed?

Mayor Lauretti stated, well, they didn’t. I don’t know that the other municipalities are aware of it, but the next time that we meet with the Chief Elected Officials, I will express to them exactly what I said here today. And I’ve done that in the past.

Alderman Simonetti asked, what was the biggest hardship, was it that they weren’t available to do their work?

Mayor Lauretti stated, no, they appoint someone else to show up and for the last 20 years, the people they appoint are not decision makers and things get lost in the translation. There were many things that were very wrong with the whole operation, and everybody paid a price for it, a financial price. So unless the Chief Elected Officials are in the lead in this interlocal, I don’t think that we should be going down that road.

8 FINANCIAL BUSINESS OLD

8.1 ENTRANCE DOORS FOR HUNTINGTON BRANCH LIBRARY

Mayor Lauretti stated, the Apportionment and Taxation did bring me the bid award. I have it in front of me. The dollar amount goes to Wilco Sales and Service, $13,897. This is a LOCIP-eligible project so I would recommend that this go in that direction.

Alderman Anglace MOVED to add the replacement of the three new outside doors for the Huntington Branch Library to the Capital Improvement Plan with funding in the amount of $13,897 to come from LOCIP; SECONDED by Alderman Perillo. A voice vote was taken and the MOTION PASSED 7-0.

8.2 RESCISSION OF APPROPRIATION OF FUNDS FOR THE DEHUMIDIFIER FOR THE COMMUNITY CENTER – ADD TO LOCIP

Alderman Anglace MOVED rescind the appropriation of funds for the dehumidifier at the Community Center in the amount of $306,456 from Aldermanic Bonding as passed at the April 14, 2008 meeting; and further,

MOVED to add the replacement from the dehumidifier at the Community Center to the Capital Improvement Plan with funding in the amount of $306,456 to come from LOCIP; SECONDED by Alderman Perillo. A voice vote was taken and the MOTION PASSED 7-0.

9 FINANCIAL BUSINESS NEW

9.1 SETTLEMENT FOR LOSS OF CROWN VICTORIA – POLICE DEPARTMENT

Alderman Anglace MOVED to approve the settlement from Allstate Insurance Company for the loss of one Crown Victoria police car in the amount of $4,558; and further,

MOVED to authorize Mayor Mark A. Lauretti to sign all documents and effectuate said agreement; SECONDED by Alderman Perillo. A voice vote was taken and the MOTION PASSED 7-0.
9.2 APPROPRIATION OF FUNDS FOR 279 SOUNDVIEW AVENUE

Mayor Lauretti asked that this item be tabled and we’ll take it up at the end of the month.

No action.

9.3 AGREEMENT BETWEEN CITY OF SHELTON AND PUBLIC ADJUSTER AND APPROPRIATE FUNDS

Alderman Anglace MOVED to approve the agreement between Toth Adjustment, LLC and the City of Shelton for public adjusting services to assist the City relative to its insurance claim regarding the fire loss at Shelton High School in the amount of $75,000, plus out of pocket expenses, with funding to come from Insurance Proceeds and further,

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

Mayor Lauretti stated, what I did is I passed out a different version of the contract and it essentially reflects what the motion just said in terms of cost, the $75,000 does not change. There is some additional wording required by State Statute that is supposed to be part of these agreements and has been attached for your review. In this agreement, you’ll see where there is some handwritten changes so it clearly denotes the change is in the wording only.

Alderman Finn asked, just what exactly would be the out of pocket expenses that the City would be incurring?

Mayor Lauretti stated, they may have to bring in some outside consulting people to evaluate different systems and defective areas within the school. As an example the City just recently brought in its own engineer to evaluate the I-beams on the second floor in the room where the fire took place, and it was determined that the beam had to be replaced. Then the insurance company brought in their engineer to review what our engineer had said. The work has already been done. So it’s things like that.

Alderman Finn asked, I know you don’t have a crystal ball, but there is no way of knowing how much the out of pocket expenses might be from the beginning of the project to the end of the project? You know, an estimate?

Mayor Lauretti replied, I don't know.

Alderman Simonetti stated, we know that it’s a $10,000 deductible for the insurance.

Mayor Lauretti stated, that has nothing to do with it.

Alderman Simonetti asked, is the $75,000, will that be collected from the insurance company?

Mayor Lauretti stated, it’s going to come from the insurance proceeds. We’re not asking for an appropriation here.

Alderman Anglace stated, just a comment with respect to the out-of-pocket expenses – the contract says that the out of pocket expenses are subject to signoff and agreement. It just doesn’t submit and get paid, it has to be agreed to and signed off. If they aren’t reasonable, I don’t think the Mayor’s going to sign off on them.

Mayor Lauretti explained, there is also a provision in our policy that will allot upward of $1 million for code compliance within the structure - the entire structure, whether it was affected by the fire or not. So the ongoing code compliance issues should be able to fall under that part of the policy. So we’re going to have to bring in people to further evaluate our code compliance and the options associated with code compliance.
Alderman Finn stated, in other words, you’re expecting to hire an expert in code compliance.

Mayor Lauretti stated, I think the insurance company has already done that.

Alderman Anglace stated, in your infinite wisdom, you approved the Shelton High School Rehabilitation Committee. That is the group that’s going to focus on compliance. The first stage was getting the building clean, safe, and now get the kids back, get the school going, and now we’ll focus on the compliance. Building Committee meetings which are open to the public, it’s not an emergency situation, some of them might be able to be handled quickly. Some might take a longer period of time. But nevertheless they’ll all be addressed as will the numerous differences of opinion on some of these issues.

Alderman Kudej asked, the adjuster is getting $150 an hour?

Mayor Lauretti replied, no, the adjuster is getting a flat fee.

Alderman Kudej asked, what’s this consultant fee of $150 per hour not to exceed 10 percent?

Mayor Lauretti stated, that’s the attorney’s language that is what they have to put in the contract by law, but it doesn’t matter, it’s $75,000.

Alderman Perillo stated, the $150 per hour would cover any services outside the normal scope of the contract.

Mayor Lauretti asked, where do you see that?

Alderman Perillo stated, I’ll read it. “Any other services requested by the City pursuant to paragraph 1(i) or otherwise which are outside the services normal and customary of a public adjuster will be performed as consulting services to the City for a consulting fee of $150 per hour.” So, this is outside the scope.

Alderman Anglace stated, that, I might add is $10 more an hour than the Corporation Counsel gets.

Alderman Simonetti stated, in Exhibit A to the agreement, the third paragraph down, it says, “Now therefore the City and the Contractor for the consideration of $1 and other value and considerations…” something is written under there and it’s hard to read.

Assistant Corporation Counsel Sous finished the statement, “as set forth herein.”

Mayor Lauretti stated, I can’t profess to understand all of the legal language that has been incorporated into this with Tom, Tom has reviewed it and has been part of it right from the very beginning, so I would rely on his judgment.

Alderman Anglace stated, on the basis of consistency and the basis of principle, I think we should accept this contract with an amendment, that all other services be at the rate of $140 per hour. Here we’ve got professional services – legal services – we’re paying $140, and this is a public adjuster at $150. I think we should amend it. I’m sure he’s not going to turn the contract down for a consistent matter of principle.

Mayor Lauretti stated, I understand what your point is, but you should know that we have paid many consultants at a greater rate than $140 an hour. The $140 an hour is an established fee for legal services for litigation and things of that nature. We are far above this with many projects and their fees. So it’s not apples to apples.

Alderman Anglace asked, what is the expectation? Will there be other services and will you be in control of other services before they… They have to be written and agreed before performing them, so you can manage it.
Mayor Lauretti stated, I would have to say that there are going to be other services, other experts that are going to have to be brought in. All of this stuff is going to come before the Building Committee. That is one of the purposes of establishing the Building Committee.

Alderman Perillo stated, Section 2 of the agreement states, “additional work shall be performed by the contractor only with the specific authorization of the City.” Under a written amendment.

Mayor Lauretti stated, so that would have to be approved by the Building Committee. That is normally how we do it.

Alderman Anglace stated, okay, it was just a matter of principle.

Mayor Lauretti stated, again, it’s not apples to apples, it’s not the same type of services.

A voice vote was taken and the MOTION PASSED 7-0. [MOTION AMENDED BELOW]

**Mayor Lauretti stated, I just wanted to go back and revisit Item 9.3 again. I neglected to tell you that the person who is named here has not officially agreed to the terms and conditions here. I haven’t had an opportunity to finalize it with him. These were based on the revisions that his attorney sent to Tom Welch this afternoon, so there may be some more language changes associated with this. I just wanted the Board to be aware of that. Are there any meetings scheduled for next week?

Alderman Anglace stated, within the next week or two we do need to have a special meeting because the Perry Hill School Building Committee needs us to approve some things. So expect it – we will have one next week or the week after.

Assistant Corporation Counsel Sous stated, if there are questions about language and there are going to be some minor language changes, then what we’ve done in the past is we’ve amended the motion to include the fact that it’s subject to review of Corporation Counsel. If there is some legal language that needs to be changed, it could be done, as long as the terms are materially changed. You’re dealing with legal language. I mean, you can make that as an additional amendment and vote on that.

Mayor Lauretti stated, I don’t think that will happen, I just want to make the Board aware of that.

Assistant Corporation Counsel Sous stated, then you should do it – make it subject to review of Corporation Counsel.

Alderman Anglace MOVED to revisit Item 9.3 to AMEND THE MOTION to add that this is subject to review and approval of Corporation Counsel; SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 7-0.

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

10. - LEGISLATIVE - NEW

10.1 PROPOSED REVISIONS TO CITY OF SHELTON ORDINANCE - #782

Alderman Anglace stated, the change in that ordinance is the order of doing things. We are changing the ordinance so that we get the appraisal after the bids come in as opposed to doing it before. Because, if you do it before and you get the appraisal on the property and want to sell, it becomes a target and that’s all, nobody is going to offer you more than that. This way, you get all the bids in, you see where the prices are, and then you have it appraised. Then we know if it’s a good offer or not. And that’s going to public hearing.
PUBLIC HEARING SCHEDULED FOR JANUARY 27, 2008 AT 7 P.M. AT SHELTON CITY HALL.

**Mayor Lauretti stated, I just wanted to go back and revisit Item 9.3 again.**

**See comments at the end of Item 9.3**

10.2 AMENDMENT TO COST SHARING AGREEMENT EMERGENCY VEHICLE PRE-EMPTION SYSTEM EQUIPMENT ROUTE 108 (NICHOLS AVENUE) AT CHURCH STREET STATE PROJECT NO. 173-382

Alderman Anglace MOVED to approve the amendment to the agreement between the State of Connecticut and the City of Shelton for sharing the cost of the installation of Emergency Vehicle Pre-emption System Equipment State Project No. 173-382 and adopt the following resolution:

Be it hereby resolved that the Board of Aldermen of the City of Shelton hereby adopts as its policy to support the nondiscrimination agreements and warranties required under Connecticut General Statutes 4a-60(a)(1) and 4a-60a(a)(1), as amended in State of Connecticut Public Act 07-245 and sections 9(a)(1) and 10(a)(1) and Public Act 07-142.

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

10.3 APPROVE CHANGE ORDERS #23 THROUGH #27 FOR SHELTON HIGH SCHOOL RENOVATION AND BUILDING PROJECT

Alderman Anglace MOVED to approve Change Orders 23 through 27 submitted by Fusco Corporation for the Shelton High School Renovation and Building Project and to authorize the SHS Renovation and Building Committee to expend $53,051 from the Shelton H.S. Fusco Corporation Construction Contingency Account; and further, MOVED to authorize Mayor Mark A. Lauretti to execute any and all documents necessary to effectuate same; SECONDED by Alderman Perillo. A voice vote was taken and the MOTION PASSED 8-0.

11 EXECUTIVE SESSION

At approximately 7:50 p.m. Alderman Anglace MOVED to enter into Executive Session to discuss the following items:

11.1 Tortora Litigation
11.2 Sosnoff Litigation

and invited Assistant Corporation Counsel Sous to remain in the Auditorium; SECONDED by Alderman Simonetti.

Mayor Lauretti stated, the only item we’re taking up in Executive Session is 11.1.

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

Return to Regular Session

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

Mayor Lauretti noted that there were no votes taken in Executive Session.
MOTIONS FROM EXECUTIVE SESSION

11.1 TORTORA LITIGATION

Alderman Anglace MOVED to adopt the following Resolution:

... Be it Resolved that the City of Shelton shall indemnify the individual defendants in the matter entitled, “Tortora v. City of Shelton Board of Fire Commissioners, et al” to the extent permitted pursuant to Connecticut General Statutes 7-465 and 7-101a; SECONDED by Alderman Perillo. A voice vote was taken and the MOTION PASSED 6 Yes, 1 Abstention (Finn).

11.2 SOSNOFF LITIGATION

No action.

ADJOURNMENT

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

The meeting adjourned at approximately 7:55 p.m.

Respectfully submitted,

Patricia M. Bruder, Clerk
Date Submitted: ____________________________
Board of Aldermen

DATE APPROVED: _______________ BY: _________________________________________
Mark A. Lauretti
Mayor, City of Shelton