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 Noreen McGorty – present
Alderman John P. Papa – present
Alderman Eric McPherson - present
Alderman Anthony Simonetti – excused

Alderman Anglace noted that Alderman Simonetti is not present because his father passed away.

Administration:

Corporation Counsel Tom Welch

There was a quorum present.

Agenda Items

1. Funding for Removal of Debris at North Oak Avenue

Alderman Papa MOVED to approve the agreement between the City of Shelton and Environmental Services, Inc. for the removal of debris at 161 North Oak Avenue with funding in the amount of $19,530 to be transferred from Contingency General Account #001-9900-900.99-00 to Emergency Services Account #001-3100-713.80-03; and further,

MOVED to authorize Mayor Mark A. Lauretti to sign any and all documents necessary to effectuate said agreement. SECONDED by Alderman Kudej.

Alderman Finn stated, this is long overdue and I’m pleased to see the City is moving on this. I strongly believe we should have acted on it when the house was demolished. The residents of that neighborhood have put up with rodents and the pile of debris. People
have been dumping additional items on the debris pile. I’m sure they’ll be happy to see it gone. Now we have to address the inlet roadway which is deteriorating.

Alderman Anglace asked, Counsel, could you explain to us why the City is responsible for the $19,530?

Corporation Counsel Welch explained, the City has the right to lien the property. As you are aware, this is a building that collapsed. There was an insurance issue of which the City would have been entitled to the insurance proceeds. There was also a foreclosure action that was pending by the first mortgage holder. There was a foreclosure sale pending. There was also a tax lien and tax foreclosure pending. Currently there is not any insurance money for the landowner has walked away from the property. Any lien in a standard situation, the City would be permitted to file a lien on the property and seek reimbursement from that. But based upon the value of the property, any lien, we certainly have the right to be reimbursed from the landowner for the value of the property. The question then is, what is the value of the property? With this, the City will lien the property. Then we get to the subsequent question – in any type of situation where there’s a public health and safety issue, if the proper landowner is not rectifying the issue the City has the right to protect the public health and safety.

Alderman Finn asked, do you have any idea how much asbestos is exposed to the neighbors?

Corporation Counsel Welch replied, no.

Alderman Finn stated, I’m curious what that is. There is asbestos there as well as lead and the neighbors will be happy to see it go. The faster we can move on it the happier they’ll be.

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

2. Valley Council of Governments (VCOG) EPA Brownfields Grant Appropriations – Rolfite (126 Canal Street)

Alderman Papa MOVED to rescind Item 9.3 from the June 10, 2010 Full Board of Aldermen meeting due to a clerical error listing the incorrect address and name of the subject property; and further,

MOVED to adopt the following resolution:

Be it resolved that the Board of Aldermen hereby approves an agreement entitled the “Recovery Act Brownfields Cleanup Revolving Loan Fund Subgrant Agreement” between the Valley Council of Governments and the City of Shelton. The Mayor is further authorized to execute said document and all related document submissions in accordance with proposed Work Plan.
Further, the Board of Aldermen appropriates $40,000, which represents the estimated cost of the project for ineligible costs not covered by the VCOG (this includes administrative, testing, reporting requirements and related items) grant which is in the amount of $200,000. The total cost of the program is $240,000 with $40,000 to come from bonding pursuant to Section 7.16 of the City Charter and $200,000 to come from the US EPA grant. And be it further resolved that the Shelton Economic Development Corporation, the implementing agency for the City of Shelton, is authorized to provide contractual management services for this program on behalf of the City of Shelton.

Further be it resolved that the SEDC is authorized to amend their existing agreement with their Licensed Environmental Professional, AE.COM to provide services related to the implementation of this project, including remediation related services, engineering related services and miscellaneous related services as may be required.

SECONDED by Alderman Finn.

Alderman Anglace stated, it is pursuant to Section 7.16 of the Charter. The $200,000 is to come from the US EPA grant.

Corporation Counsel Welch stated, in June when you passed this motion, it just listed Axton Cross and Celastic as the property, when in fact it is Rolfite.

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

3. Executive Session – Gherlone Excavating

At approximately 7:12 p.m., Alderman Papa MOVED to enter Executive Session to discuss Gherlone Excavating and invite Corporation Counsel Welch to remain in the auditorium; SECONDED by Alderman McPherson. A voice vote was taken and the MOTION PASSED 7-0.

Return to Regular Session

At approximately 7:19 p.m., Alderman Papa MOVED to return to Regular Session; SECONDED by Alderman Kudej.

Motion – Gherlone Excavating

Alderman McPherson MOVED to approve the stipulation by and among Louis Gherlone Excavating, Inc. and the City of Shelton resolving Louis Gherlone Excavating’s motion for turnover of property of the Estate and the City of Shelton’s objection thereto; SECONDED by Alderman Kudej. A voice vote was taken and the MOTION PASSED 7-0.

ADJOURNMENT

Alderman Papa MOVED to adjourn; SECONDED by Alderman Kudej. A voice vote was taken and the MOTION PASSED 7-0.
The meeting adjourned at approximately 7:21 p.m.

Respectfully submitted,

Patricia M. Bruder, Clerk
Board of Aldermen

Date Submitted: _____________________________

DATE APPROVED: ________________________BY: _________________________________________

Mark A. Lauretti
Mayor, City of Shelton