Call to Order / Pledge of Allegiance

Aldermanic President John Anglace called the meeting of the Board of Aldermen to order at 7 p.m. He stated, tonight I would like to start by calling upon our Administrative Assistant, Tom Taylor, to say a few words.

Mr. Taylor stated, tonight my friend, Randy Bowen, who is the newest Eagle Scout here in Shelton, he was awarded on Sunday, he is from Troop 1 in Huntington, sponsored by the Huntington Congregational Church, will lead us in the Pledge of Allegiance.

All those present rose and pledged allegiance to the flag, led by Eagle Scout Randy Boland.

Roll Call

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

Administration: Corporation Counsel Tom Welch

There was a quorum present.

Moment of Silence

The Board observed a Moment of Silence on behalf of the passing of former Alderman Dan Taylor.

Agenda Items
PUBLIC SESSION

Irving Steiner, 23 Partridge Lane

I would appreciate it if I could delay my speaking until the full Board is here, that would include the Mayor, if that is possible. Last time I spoke up here the Mayor wasn’t here and after I left there were some critical remarks made. I feel I would like to just delay my speaking, if I may, until the Mayor is here - unless he’s not coming.

Alderman Anglace stated, if the Board has no objections it would be alright, certainly. We’ll proceed with the meeting and call you back up when the Mayor gets here.

Mr. Steiner thanked Alderman Anglace.

Chris Panek, 19 Meghan Lane

I want to address an item, 8.2 - Funding for Library at Perry Hill School. When I sat on the Board a few years ago, items like this always concerned me because it’s Building Committee overspending it’s budget and then coming back to the Mayor and the Aldermen after the fact, seeking more money. The Perry Hill School Project obviously was a very large one, involved many millions of dollars and the Committee did a fantastic job bringing the project to completion. As I’m sure most of you have seen, we have a great end product. Two of my children attend there and it’s a great school thus far. It’s an educational facility that’s going to be used by our City’s 5th and 6th Graders for many years to come.

I can tell you that the library issue has been a concern for all the parents at Perry Hill School since the first day of school this year. Parents have been told that the components needed to finish the library, including shelving and furniture, were on order, and that the library would be finished soon. Here we are, eight weeks into the school year and there’s still no library for approximately 800 students. I’m certain the parents didn’t know it was a funding issue or they would have spoken up sooner about this. Parents are being urged to attend next week’s Building Committee meeting to voice their concerns about the library being completed. Hopefully we won’t have to wait for that since the issue will be addressed by you tonight.

While the funding problem is not this Board’s fault, it should be concerning to you as the fiscal authority of the City that we had $100,000 shortfall and that it took this long to get it before the Board of Aldermen. I thank you for adding this item to your agenda tonight at such short notice but obviously it’s a high-priority item for the children of Perry Hill School. While I urge you to do your due diligence as to why the shortfall came about I also ask that you support it and vote in favor of it tonight so the completion of the library can be expedited. I’m sure we all can agree that not having a library in one of our school buildings is simply unacceptable. Thank you.

Alderman Anglace stated, for clarification, I believe at the beginning you said that the Building Committee overspent their budget. I don’t think that’s the case. The shortfall
is because they didn’t overspend their budget - they didn’t spend money that they didn’t have. What happened was, there were contingencies that occurred on the project. The tunnel contingencies, that took money they didn’t expect they would have to spend for asbestos, mold, etc. That is why they’re short. One criticism that has repeatedly surfaced has been that they did a wonderful job in the courtyards and should have used that in the Media Center. They explained it as, unfortunately having made that decision before they knew that they wouldn’t have enough money for the Media Center. Our action tonight is at the request of the Mayor. I’m sure he’s going to speak more about it when we get to that item. I think everybody recognizes and understands that something must be done and we’re taking the money out of Board of Aldermen bonding.

Alderman Anglace asked three times if any member of the public wished to speak. Being none, he declared the public session closed.

**MINUTES FOR APPROVAL**

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

1. Special meeting of August 31, 2010
2. Regular meeting of September 9, 2010

SECONDED by Alderman McGorty. 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 $2,219.40 to Corporation Counsel Welch, Teodosio, Stanek and Blake, LLC, for services rendered per statement dated October, 2010 with funds to come from the following Legal Services Accounts:

| Legal Fees | 001-1900-411.30-03 | $1,752.20 |
| Foreclosure Fees | 001-1900-411.50-01 | $467.20 |

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 $1,050 to Assistant Corporation Counsel Ramon Sous for services rendered per statement dated October 1, 2010 with funds to come from the Legal Fees Account 001-1900-411.30-03; SECONDED by Alderman Kudej. A voice vote was taken and the MOTION PASSED 7-0.

[Mayor Lauretti arrived and assumed the Chair at this point]

Alderman Anglace stated, Mr. Mayor, during the public portion, we granted a request to speak after you got here to Mr. Steiner.

Irving Steiner, 23 Partridge Lane

I would like to discuss two topics. One of them is the bonding question on the ballot. If the City chooses to ask for approval of bond money in November for over $4 million to repair streets, this could be a much-needed expenditure. But if the City doesn’t plan to provide some detail as to where this money will be spent, then I for one will not vote for the approval of such a bond. If the public recalls, the Mayor had an ongoing battle with the recently retired Public Works or Highways and Bridges Department over the Mayor’s decision to refuse the Public Works request for more money to upgrade the City’s roads. Highways and Bridges stated that they could not function properly with the budget amount offered by the Mayor. My main concern is that most of the bond money may end up being spent on streets involved in the downtown development. Such expenditures are usually the responsibility of the developer and should not be our financial burden. In addition, the new parking lot installed by the developer overstepped its footprint and wasn’t installed in the proper location. The parking lot imposes on the clearance needed by the Railroad for their rail traffic, necessitating the movement of the railroad tracks. Are we the taxpayers going to pay for this blunder? That is also a problem not of the taxpayers’ making and should be paid for by the developer who didn’t do due diligence and thereby made such a mistake. Five weeks ago in The Connecticut Post, Senator John McCain lambasted the City for improper use of stimulus money. By definition, stimulus money is meant to be used by municipalities to create jobs on shovel-ready projects. Instead our Mayor used the money to pay off a debt on past work which obviously is not stimulating new jobs but does make him look
good since the money does not have to be paid back and creates no new debt. The Mayor chose to respond to the Senator’s criticism by avoiding the Senator’s main complaint – failure to use the dollars to create jobs – and went into great detail explaining the nature of the past work. Unfortunately I did not buy his response to the Senator’s comments, by the way, where are the funds for upgrading the Shelton Police, Fire and EMS communications? Now, that money did have strings attached to it. Thank you.

PRESENTATION

Mayor Lauretti stated, before we go on I would like to make a presentation to Shelton’s newest Eagle Scout. He had his Court of Honor over the weekend, Sunday, and I was unable to attend, I was out of state for the day. I invited him to the Board of Aldermen to make that presentation to his distinguished achievement.

Some of you are familiar with the Scouting Program in Shelton and the Valley – Scouting - both Boy Scouts and Girl Scouts - is alive and well. They do many, many good things in terms of community service. You as a City and as a Board of Aldermen are involved. You choose to participate to help further the cause of both Girl Scouts and Boy Scouts. We do it through an annual appropriation and in other things that the City does in kind to help the scouts. Over the years I’ve made a serious effort to try to attend these Courts of Honor to recognize the accomplishments of the youth of our City for the fine work and to encourage them to continue on in that vein.

I also want to take the opportunity, before I recognize Shelton’s newest Eagle Scout, to recognize his sister, who is a Senior Airman in the U.S. Air Force, serving in Iraq as we sit here today. His sister, Jessica. There are Mom and Dad, just give her our best and we thank her for her service to her Country. I know there are many people in this room and in our City who appreciate that.

Traditionally we have recognized our Eagle Scouts with a Proclamation that details some of their accomplishments in being able to achieve that rank.

PROCLAMATION

Whereas, the rank of Eagle Scout is earned through the diligence and determination to the ideals of Scouting, an honor achieved by few; and

Whereas, Randall William Boland joined Pack 28 as a Tiger Cub in 2001 and continued in Cub Scouts in Den 4 of Pack 28 where he earned his Arrow of Light; and

Whereas, Randy joined Troop 101 in the 5th Grade and held positions of leadership as a Quartermaster, Order of the Arrow Representative, and Senior Patrol Leader. Randy also spent a lot of time with the Venturing Crew 65 in Oxford as his father is an advisor and his sister is a member. Randy is also a Brotherhood Member in the Paugasett Lodge 553, Order of the
Arrow. This past summer he attended the 2010 National Scout Jamboree at Fort A.P. Hill in Virginia and served as a Jamboree Troop 126 Quartermaster; and

Whereas, his Eagle Scout Project entailed landscaping a garden at the Huntington Congregational Church. This project was near and dear to Randy’s heart as he wanted to benefit his church where he has been a member his whole life, and also, where his Troop meets; and

Whereas, Randy is currently a sophomore at Platt Regional Vocational Technical High School where he is studying to be an electrician and is a member of the school’s Soccer Team.

Now therefore I, Mark A. Lauretti, Mayor of the City of Shelton, am proud to congratulate Eagle Scout Randall William Boland, who, by his achievements, exemplifies the true spirit of Scouting and wish him continued success in his future endeavors.

Randy, congratulations. I am pleased to present you with a token of the City’s appreciation for your involvement in Scouting.

[Applause rang throughout the forum].

7 LEGISLATIVE - OLD

7.1 ITEMS FROM PUBLIC HEARING

7.1 A. Amendment to Ordinance #817 – Open Burning

Alderman Anglance MOVED to adopt the proposed amendment to Ordinance #817 – Open Burning, as amended and provided by Corporation Counsel, which is included by reference; and further,

MOVED that this ordinance be published in summary form with a full copy available for review in the office of the City/Town Clerk. SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 7-0.

8 FINANCIAL BUSINESS OLD

8.1 Funding for Rec Patch Construction – Rescission of Action and Reappropriation

Alderman Anglance MOVED to rescind the action made at the September 9, 2010 meeting regarding Item 9.3 Funding for RecPath Construction; and further,

MOVED to appropriate funding in an amount not to exceed $225,309 for design and construction of the RecPath with $152,159 to come from bonding pursuant to Section 7.16 of the City Charter and $73,150 to come from the Connecticut DEP grant and
authorize Mayor Mark A. Lauretti execute a contract with the lowest responsible bidder as provided for in section 7.14 of the City Charter and to sign any and all documents necessary to effectuate said agreement. SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 7-0.

### 8.2 Funding for Media Center at Perry Hill School

Alderman Anglace MOVED to appropriate the sum of $100,000 to the Perry Hill School Project for purchases for the Media Center at Perry Hill School with funding to be provided by bonding, pursuant to Section 7.16 of the City Charter; SECONDED by Alderman Papa.

Alderman Papa asked, what items are we purchasing?

Mayor Lauretti stated, I got a copy of an itemized description of all of the things they’re looking for that was in their original budget and not able to be funded. That totals $163,000. I’ve asked them to prioritize the items so that we would purchase in order of priority. The majority of it is shelving, tables, chairs, dictionary stand, study corral. While the budget called for $163,000, I think $100,000 will get them on their way right now and then as this project comes to a close there may be some available money left in the bond and they’ll be able to make up the difference there. If not, as we get into 2011 we’ll have a better understanding of where we are in this year’s financial situation for this year’s budget, and if need be I’ll be back to ask for more. I went up there, it is a beautiful Media Center but it is empty. The Building Committee will decide what is purchased. They’ve done an outstanding job running this project so far and we certainly can trust their judgment on something like this.

Alderman Finn asked, when did the Building committee know the money was short and why didn’t it come to the Board of Aldermen sooner to request the additional $100,000? It’s my understanding the parents, now we’re in the 9th week of school, the parents have been told various times that these items were already on order and we were just waiting for them to come in. Now all of a sudden it’s discovered the money wasn’t there to purchase them in the first place.

Mayor Lauretti stated, there is nothing to discover all of a sudden. If you were paying attention to this issue you would know this has been an ongoing problem, and I would refer you to the Building Committee to get that answer.

Alderman Finn stated, I was hoping they’d be here tonight to answer our questions. But they’re not. And I have been paying attention.

Mayor Lauretti stated, then you would know the answer to it. You would know that there’s a shortfall.

Alderman Finn stated, there’s been a shortfall since the beginning of the construction at the Building Committee.
Mayor Lauretti stated, so, you’ve answered your own question.

Alderman McGorty stated, just one clarification – Alderman Anglace was explaining the details of how this came about because it wasn’t a shortfall of their budget, it was more that, at the time they were able to spend it, it wasn’t there because of other items, is that right? What were you stating?

Alderman Anglace stated, what I said was, they did not over-expend their budget, they ran into contingencies in the tunnel – asbestos and mold, etc. where they had to spend the money or shut down the project. They spent the money there that was going to be spent for other things, and when they got to this point they were short the money to do the furniture items. The minutes of the Perry Hill School Building Committee reflect ongoing the difficulties they incurred. The October 12 minutes talk specifically about the furniture and the difficulties with the furniture – the 8-week order time. They go into everything - they’re thorough. They never thought to come to us to remedy that until the Mayor came up with the idea that you can’t have an empty media center, and why don’t we take $100,000 out of Board of Aldermen bonding. I thought that was an excellent idea that the Board would embrace.

Mayor Lauretti stated, this is not a request from the Board of Education or the Building Committee. This request came from me to the Board of Aldermen. I think it’s something we should do.

Alderman Finn stated, I agree this is something we should do. The only people that are actually being penalized are the 800 students at the Shelton Intermediate School. When you have a Building Committee, I sat on various building committees, you have a budget in front of you and the budget outlined how much money is set aside for each part of the project. There was money set aside for the furniture for this media center, so they spent it on other items. That’s the point I’m bringing up.

Mayor Lauretti stated, let me interject here. Alderman Finn does this all the time. This is an effort on his behalf to try to make someone look bad. He should know by now, after all these years. He’s said he’s served on building committees. Things don’t always go according to the way your budget is originally set. We know that through our City budget. So why even get into this with him?

Alderman Anglace stated, the minutes of the Perry Hill School Building Committee are online and reflect the difficulties the Committee had along the way. They reflect the problems with the tunnels and they reflect the decisions that they had to make. The decisions they had to make said, if we don’t handle these things, we shut down the project and we don’t complete it in time for school starting. So they took the money that was available to them in the bond issue and spent it to get the problems taken care of so they could continue. They knew then that some things at the end – the money would probably not be there for them. This was one of them. That’s the best I can explain it.

A voice vote was taken and the MOTION PASSED 7-0.
9.1 *October Statutory Refunds*

Alderman Anglace MOVED that the report of the Tax Collector relative to the refund of taxes for a total amount of $7,812.56 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 Kudej. A voice vote was taken and the MOTION PASSED 7-0.

9.2 *Church Street / Ripton Road Sidewalk Reconstruction Funding – LOCIP Eligible*

Alderman Anglace MOVED to add the reconstruction of sidewalks on Church Street (from Nichols Avenue to Ripton Road) and sidewalks on Ripton Road (from Church Street to Centerview Drive) to the Capital Improvement Plan with funding in the amount of $24,500 to come from LOCIP; SECONDED by Alderman Papa. A voice vote was taken and the MOTION PASSED 8-0.

10. - LEGISLATIVE - NEW

10.1. A *Political Sign Ordinance*

*Public Hearing set for October 26, 2010*

10.1. B *Ethics Ordinance – Proposed by the Board of Ethics*

*Public Hearing set for October 26, 2010*

10.2 *Agreement between the City of Shelton and GOVDEALS, Inc.*

Alderman Anglace MOVED to approve the agreement between the City of Shelton and GovDeals, Inc., and authorize Mayor Mark A. Lauretti to sign any necessary documents to effectuate said agreement; SECONDED by Alderman Papa.

Corporation Counsel Welch stated, as part of the standard form of agreement that you have, each time you're going to put something up for sale, you will be entering into a separate agreement. This is authorizing the Mayor and Purchasing Agent to sign this agreement each time. As you can see in the agreement, the Purchasing Agent, I would think the Department Head, and the Mayor would make a determination as to the fee structure we have with Govdeals in terms of, you put something up to auction, they take a fee for it, and there are certain flexible pricing options as detailed in there. That determination would be made on a case by case basis as you put it out to auction or bid.

A voice vote was taken and the MOTION PASSED 7-0.
10.3 Appointment to the Public Improvement Building Committee

Alderman Anglace MOVED to appoint Bernie Simons – R, of 23 Elizabeth Street to the Public Improvement Building Committee effective immediately; SECONDED by Alderman Papa.

Alderman Anglace stated, Ken Lacroix is resigning but wants to remain as an ex-officio member. Is an action required to grant this request?

Mayor Lauretti stated, Ken could attend as their representative. He does not need to be appointed as an ex-officio.

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

11 EXECUTIVE SESSION

At approximately 7:37 p.m. Alderman Anglace MOVED to enter into Executive Session to discuss the following items:

11.1 Casertano Workers Compensation
11.2 Sebourne Workers Compensation
11.3 Norris Workers Compensation

and invited Corporation Counsel Welch to remain in the Auditorium; SECONDED by Alderman Kudej A voice vote was taken and the MOTION PASSED 7-0.

Return to Regular Session

At approximately 7:47 p.m., Alderman McGorty MOVED to return to Regular Session; SECONDED by Alderman McPherson. 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 Walsh Workers Compensation

Alderman Finn MOVED to approve the permanent partial disability rating in the Workers Compensation matter of Richard Walsh as set forth in his treater’s report dated August 26, 2010; SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 7-0.
11.2  **Bhatia v. City of Shelton**

Alderman Anglace MOVED to consent to a resolution of the case of Ajai Bhatia v. City of Shelton as set forth in correspondence from Frank Szilagyi dated September 22, 2010; SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 7-0.

**ADJOURNMENT**

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

The meeting adjourned at approximately 7:48 p.m.

Respectfully submitted,

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

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