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 stood 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 - present

Administration: Mayor Mark A. Lauretti
Corporation Counsel Tom Welch
Administrative Assistant Tom Taylor

Agenda Items

PUBLIC SESSION

Alderman Anglace asked 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 minutes of the Regular Meeting of June 9 and Special Meeting of June 28, 2011, PHO June 28, 2011; SECONDED by Alderman Simonetti.

Alderman Anglace stated, if you look at the special meeting of June 28, item #6 on the list of projects, the Open Space Purchase, my comment on that is to Counsel – whether or not that needed further identification. I only reference that because tonight we’re going to act on the other half of this purchase – the other authorization.

Corporation Counsel Welch stated, no, because the minutes at the time, we approved the contract and I know Theresa talked about it last week with me and the Board had the
contract. That’s why I amended the motion tonight so it’s very clear as to what it is. The open space purchase, #6, for the record, is 36.22 acres identified in Tax Assessor map #84, Lot 21 and Tax Assessor map #97, Lot 23.

A voice vote was taken and the MOTION PASSED 8-0.

At this point Alderman Anglace turned the Chair over to Mayor Lauretti.

5.1  **FINANCE COMMITTEE**

No items.

5.2  **PUBLIC HEALTH & SAFETY COMMITTEE**

No items.

5.3  **STREET COMMITTEE**

5.3.1  **Wells Avenue Phase 4 – Release of Maintenance Bond**

Alderman McPherson MOVED to recommend to the Full Board, per the recommendation of the City Engineer, to release the $4,000 performance surety for Wells Avenue Phase 4 and accept the 50 foot extension of Wells Avenue from the former cul-de-sac at 72/73 Wells Avenue, to the new permanent cul-de-sac at 76/77 Wells Avenue subject to a positive 8-24 referral from Planning and Zoning. SECONDED by Alderman Kudej. A voice vote was taken and the MOTION PASSED 8-0.

**REPORT OF THE MAYOR**

None presented.

**REPORT OF THE PRESIDENT**

Mike Ullrich, 9 Allandayle Court appeared at the June 9, 2011 Board of Aldermen meeting and asked the Board of Aldermen, under their powers and duties in the Charter, to conduct an investigation into why he was denied appointment by the Mayor to the position of Fire Chief.

Subsequently, Alderman Finn wrote me a letter requesting that I honor his request.

Before responding to the immediate request, I would like to acknowledge and thank Mr. Ullrich, the Board of Fire Commissioners and the over 250 Shelton volunteer Firefighters and their families for the work they do on a day-to-day basis to provide our community with outstanding voluntary fire service.

The Charter provides in section 6.9.3.2 that "the Board (Board of Fire Commissioners) shall appoint and may remove, subject to the approval of the Mayor, a Fire Chief and
such assistant chiefs, deputies and all other officers and employees of the Department as the Commissioners may deem necessary or convenient to the operation of the department."

The Board of Fire Commissioners has acted to make an appointment. Their appointment is "subject to the approval of the Mayor." The Charter does not require the Mayor to take any action if he does not "approve" of the Board of Fire Commissioners appointment. Neither does the Charter require the Mayor to explain the reasons for not approving of the Fire Commissioners’ choice.

Consequently, there is no probable cause to suggest to the Board of Aldermen that any wrongdoing or violation of the Charter has occurred. Therefore, with all due respect, as your President, I cannot recommend that a Board of Aldermen investigation is warranted as the power of approval is at the sole discretion of the Mayor.

Mayor Lauretti asked, are you going to forward that to the individuals that made the request – Alderman Finn and Assistant Chief Ullrich.

Alderman Anglace replied, yes.

6.0 LEGAL REPORT

6.1 Corporation Counsel Billing

Alderman Anglace MOVED to authorize a total payment of $1,793.50 to Corporation Counsel Welch, Teodosio, Stanek and Blake, LLC, for services rendered per statement dated July 1, 2011 with funds to come from the following Legal Services Accounts:

<table>
<thead>
<tr>
<th>Service Description</th>
<th>Account Code</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legal Fees</td>
<td>001-1900-411.30-03</td>
<td>$1,318.50</td>
</tr>
<tr>
<td>Foreclosure Fees</td>
<td>001-1900-411.50-01</td>
<td>$250.00</td>
</tr>
<tr>
<td>Miscellaneous Fees</td>
<td>001-1900-411.80-03</td>
<td>$225.00</td>
</tr>
</tbody>
</table>

SECONDED by Alderman Kudej. A voice vote was taken and the MOTION PASSED 8-0.

6.2 Assistant Corporation Counsel Billing

Alderman Anglace MOVED to authorize a total payment of $3,263.07 to Assistant Corporation Counsel Ramon Sous for services rendered per statement dated July 1, 2011 with funds to come from the following Legal Services Accounts:

<table>
<thead>
<tr>
<th>Service Description</th>
<th>Account Code</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legal Fees</td>
<td>001-1900-411.30-03</td>
<td>$2,885.00</td>
</tr>
<tr>
<td>Miscellaneous Fees</td>
<td>001-1900-411.80-03</td>
<td>$378.07</td>
</tr>
</tbody>
</table>

SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 8-0.
7    LEGISLATIVE - OLD

No items.

8    FINANCIAL BUSINESS OLD

No items.

9    FINANCIAL BUSINESS NEW

9.1 Appropriation – Open Space Trust Account

Alderman Anglace MOVED to appropriate the balance of the purchase price for property consisting of approximately 36.22 acres identified on Tax Assessor map #84, Lot 21 and Map #97, Lot 23 of $312,500 and costs not to exceed $2,500, with said funds to be paid pursuant to the Charter of the City of Shelton Section 7.16 to the Open Space Trust Account with said funds from the Open Space Trust Account to be used for the purchase of said property; SECONDED by Alderman Finn. A voice vote was taken and the MOTION PASSED 8-0.

Corporation Counsel Welch stated, my understanding is the purpose of funding the account is this money satisfies – your intent is to satisfy the August 15th requirement to fund $250,000 into that account by August 15th. My understanding is the purpose of this is, this is the money that is funding that Ordinance.

9.2 Merit System Employee Increases

*Alderman Finn recused himself from the discussion and vote.

Mayor Lauretti noted that he does not believe Alderman Finn needs to do this, as discussed for the last couple of years. He stated, it is your choice, you can do whatever you’d like; there is no need for you to recuse yourself.

Alderman Anglace MOVED to increase the total compensation for non-union Merit System Employees by an amount not to exceed $25,276.34, which is to be allocated pursuant to Section 5.6 of the Merit System and Personnel Rules, effective July 1, 2011; and further,

MOVED to amend the salary schedule for non-union employees with a recommended increase for all classes at two percent, effective July 1, 2011. SECONDED by Alderman Papa.

Alderman Anglace noted that the Merit System Non-Union salary schedule had a note recommending a 2.75 percent increase. We are increasing to 2 percent, not 2.75 percent.

A voice vote was taken and the MOTION PASSED 7-0*.
10. - LEGISLATIVE - NEW

10.1 ITEMS TO PUBLIC HEARING

10.1.A Amendment to Chapter 6 of the Code of Ordinances, Articles 1, 2 and 3

No items.

10.2 Reappointments to the ADA Commission

Alderman Anglace MOVED to reappoint the following people to the ADA Commission effective immediately:

Walter Drozec, R, of 11 Wilson Lane – 2-year term  
Colleen Finn, D, of 17 Princess Winonah Drive – 2-year term  
Gary Cahill, D, of 525 Bridgeport Avenue – 2-year term  
Dr. Jeff Forte, D, of 125 Nells Rock Road – 2-year term  
Ron Hiznay, U, of 11 Fairview Avenue – 1-year term  
Dr. Lynne Farrell, R, of 25 Buddington Park – 1-year term

SECONDED by Alderman Papa. A voice vote was taken and the MOTION PASSED 8-0.

10.3 Homeland Security Grant

Alderman Anglace MOVED to adopt 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 Management and Homeland Security any and all documents which it deems to be necessary or appropriate; and further resolved, that Mark A. Lauretti, as Mayor of the City of Shelton, is authorized and directed to execute and deliver any and all documents on behalf of the City of Shelton 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, including, but not limited to, executing and delivering all agreements and documents contemplated by such documents.

SECONDED by Alderman Papa. A voice vote was taken and the MOTION PASSED 8-0.
11 EXECUTIVE SESSION

At approximately 7:19 p.m., Alderman Anglace MOVED to enter into Executive Session to discuss the following items:

11.1 Dobbins v. City of Shelton
11.2 Purchase of Open Space
11.3 Cacchillo v. City of Shelton
11.4 Wakefern v. Shelton Tax Appeal

and invited Corporation Counsel Welch and Mayor Lauretti to remain in the Auditorium; SECONDED by Alderman Papa. A voice vote was taken and the MOTION PASSED 8-0.

Return to Regular Session

At approximately 7:28 p.m., Alderman Anglace MOVED to return to regular session; SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 8-0.

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

MOTIONS FROM EXECUTIVE SESSION

11.1 Dobbins v. City of Shelton

Alderman Anglace MOVED to accept the permanent partial disability rating as set forth in the report and recommended by Dr. Wochinsky; SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 8-0.

11.2 Purchase of Open Space

No action.

11.3 Cacchillo v. City of Shelton

No action.

11.4 Wakefern v. Shelton Tax Appeal

Alderman Anglace MOVED to settle the tax appeal of the Shop Rite, which is owned by Wakefern and agree to 100 percent value of $13,924,400; SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 8-0.
ADJOURNMENT

Alderman Anglace MOVED to adjourn; SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 8-0.

The meeting adjourned at approximately 7:29 p.m.

Respectfully submitted,

Patricia M. Bruder, Clerk
Board of Aldermen

Date Submitted: ______________________

DATE APPROVED: ____________ BY: ________________________________________________________________________________

Mark A. Lauretti
Mayor, City of Shelton