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 - excused
Alderman John “Jack” Finn – present
Alderman Stanley Kudej – present
Alderman Noreen McGorty – excused
Alderman John P. Papa – present
Alderman Eric McPherson - present
Alderman Anthony Simonetti - present

Administration: Corporation Counsel Tom Welch

PUBLIC SESSION

Alderman Anglace asked if any member of the public wished to speak.

Judson Crawford, 8 Jordan Avenue

Two questions. The Board of Apportionment and Taxation this evening had to look at the awarding of a bid – Surplus Equipment. Under Ordinance 747 it states that the procedures for disposal of City Surplus Scrap Equipment having an anticipated selvage value of $5,000 or greater is as follows.

Sections 1, 2, 3, 4 have been adhered to. Section 5, I am asking, states the Board of Apportionment and Taxation shall make a recommendation to the Board of Aldermen who will by majority vote accept or reject said recommendation. The decision of the Board shall be forwarded to the Finance Committee. My question to you is, the way it is written, is that Board the Finance Committee of the Apportionment and Taxation or the Finance Committee of the Board of Aldermen?

Alderman Finn replied, Board of Aldermen due to the fact it is $20,000.

When we were looking at this, this evening, because it states, “turned over to the Finance Committee”, it doesn’t state which Finance Committee.
Number 2. Back on June 30, 2012 the Board of Aldermen moved to increase the fiscal year end budget, and then it gives the certain line items, and a certain amount of $290,400. As of 8/8 there is an additional $161,388 in accounts still overdrawn making a total of $451,788. My only question is, was when you received this report from Finance, is that the final transaction for the year or do you still have to add in those amounts that are still overdrawn?

Alderman Anglace stated, we will refer your questions to the Finance Director.

Mr. Crawford stated, I would like to receive an answer from the Board. Thank you.

Alderman Anglace thanked Mr. Crawford, stating, it's always good to hear good solid questions that are pertinent to the business of the City. We thank you for that.

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

**Agenda Items**

**MINUTES FOR APPROVAL**

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

Regular Meeting of July 12, 2012
Special Workshop Meeting of July 19, 2012

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

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

We are awaiting word from the Charter Revision Commission regarding their activities and that will determine the schedule if we’re going to get it on the ballot. They’ll give us their recommendations - they have to hold a public hearing before they do, and we will go from there. I haven’t received any information from them. We’ll wait and see what happens. If I do get something I will have to call meetings to expedite.

The Canal Street Road Improvement funding agreement from CDOT that we’ve had on the agenda a couple of times will be on the September Board of Aldermen agenda. I expect next week we will probably have to hold a 5:30 special meeting to act on the Shelton High School Chiller funding. That is critical to moving ahead. That shouldn’t take long to do; we’ll try to get everything together as soon as we get all the information together. I just wanted to give you a heads up. And I think there might be one other thing to take up there – there might be 2 items on that agenda – the second thing might be the Merit System increases. We have received the recommendation from the Administrative Assistant and we should be ready to get that out to you.

6.0       LEGAL REPORT

6.1       Corporation Counsel Billing

Alderman Papa MOVED to authorize a total payment of $400 to Corporation Counsel Welch, Teodosio, Stanek and Blake, LLC, for services rendered per statement dated August 1, 2012, with funds to come from the following Legal Services Accounts:

| Legal Fees                   | 001-1900-411.30-03 | $400.00 |

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

7       LEGISLATIVE - OLD

7.1       ITEMS to PUBLIC HEARING

7.1.A       Amendment to Ordinance #859 – Garbage, Trash and Refuse

Alderman Papa MOVED to adopt the amendment to Ordinance #859 – Garbage, Trash and Refuse 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 public hearing was held June 26, 2012.

Alderman Anglace stated, our workshop session resulted in grammatical changes and some good suggestions. They expanded on the description of what constitutes recycling materials. If you haven’t seen it, Mr. DiMauro and Mrs. Gannon developed a flier that
shows the new trucks and a good explanation of the recycling. Shelton Life will discuss this again in an article that is more picture-oriented.

Alderman Papa asked if there will be any more newspaper advertising to make people aware of the recycling information.

Alderman Anglace stated, I don't know what we will or won’t do – it is on the City website, in Shelton Life, the media is covering it and will continue to cover it. We said in the beginning there will be some challenges and difficulties along the way, and we’ll probably run into some difficulties. So far with the difficulties we’ve run into, Paul DiMauro has responded personally, and we’ve made good progress with all the condominiums being knowledgeable of what we’re going to do. It’s moving along well so far. You just don’t know what’s around the next corner. You try to be ready for it and respond to it.

A voice vote was taken and the MOTION PASSED 6-0.

8 FINANCIAL BUSINESS OLD

No items.

9 FINANCIAL BUSINESS NEW

9.1 Waiver of Medical Insurance Benefits for Non-Union Employees

Alderman Papa MOVED to adopt the following Resolution:

WHEREAS, on June 12, 2003 the Board of Aldermen approved the attached Resolution with regard to the Waiver of Medical Insurance Benefits for Non-Union Employees; and

WHEREAS, said Resolution has not been amended since said date; and

WHEREAS, the City of Shelton wishes to amend the same as follows:

“An employee waiving medical insurance coverage shall be eligible for one of the following payments during August following the fiscal year for which the waiver was effective. If the employee signs for the waiver in December, a prorated payment will be made in August for the first year.

Single Plan  $3,500.00
2 People Plan $4,000.00
Family Plan  $4,500.00

Effective January 1, 2013 for administrative reasons. All other terms as set forth in the Resolution dated June 12, 2003 shall remain in full force and effect.

SECONDED by Alderman Simonetti.
Alderman Anglace stated, we have already set the budget for the coming year. It can’t be done retroactively, that is why it’s effective 1/1/2013, so we’d have the money to do it. You don’t know what you’re going to get.

Alderman Finn stated, my daughter is a non-union Merit System employee so I will abstain and recuse myself from voting on this matter.

Alderman Anglace noted that Corporation Counsel Welch has indicated in the past that abstaining from voting on such matters is not necessary.

In this case, Corporation Counsel Welch deemed it appropriate. He explained, the law is clear, if the motion that’s being made, for example, it usually comes up when you talk about the budget. In that if you’ve got someone, and everybody is being treated the same, that someone can vote on it, for example, the budget, because you’re voting on an overall package, not for a specific individual. You do have to weigh it on case by case basis. We have these discussions all the time.

A voice vote was taken and the MOTION PASSED 5 Yes, 0 No, 1 Absention (Finn).

9.2 Appropriation – Automated Refuse Trucks

Alderman Papa MOVED to appropriate $1,041,184.00 from General Fund Surplus #001-0000-301.10-00 to Capital Improvement Fund #401-0000-390.00-00 for the purchase of four automated refuse trucks with options selected from Bid #32-63; SECONDED by Alderman Kudej. A voice vote was taken and the MOTION PASSED 6-0.

9.3 Appropriation – Open Space Account

Alderman Papa MOVED to appropriate $250,000 from General Fund Surplus #001-0000-301.10-00 to the Open Space Fund #202-0000-390-00-00 pursuant to Ordinance 802; SECONDED by Alderman Kudej.

Alderman Anglace stated, I can’t predict how the Mayor is going to react to this, but the Ordinance requires us to put $250,000 into the account by August 15th. Therefore, we’ve got to do it. If we want to change the law, and I have contacted the Chairman of Conservation Commission, Tom Harbinson, and I’ve told him I’d like to sit down and talk to him and see how we can amend this. We’ve done such a good job on this program over the years; we don’t want to impede the program, but we are making a lot of capital expenditures and if we could refrain from putting $250,000, just setting it on the side, as opposed to utilizing the capital, I would like to find a way to do it with the cooperation of the Conservation Commission. I’ll be presenting to him; he’ll be presenting to me, we will have a lively discussion. I don’t know where the Mayor is going on this.

A voice vote was taken and the MOTION PASSED 6-0.
10. LEGISLATIVE - NEW

10.1 ITEMS TO PUBLIC HEARING

No items.

10.2 Acknowledgement of Partnership Between the City of Shelton and the Derby-Shelton Rotary Club (Shelton Day)

Alderman Papa MOVED to authorize Mayor Mark A. Lauretti to sign an agreement between the City of Shelton and the Derby-Shelton Rotary Club to acknowledge the partnership between the City of Shelton and the Derby-Shelton Rotary Club during the Shelton Day activities to be held on Sunday, October 7, 2012; SECONDED by Alderman McPherson.

Alderman Anglace stated, this is boilerplate; we do it every year.

A voice vote was taken and the MOTION PASSED 6-0.

11 EXECUTIVE SESSION

At approximately 7:21 p.m., Alderman Finn MOVED to enter Executive Session to discuss the following items:

11.1 – Wakefern Food Corporation Tax Appeal
11.2 – Stop & Shop Supermarket Corporation and Shelton Square Limited Partnership Tax Appeal

and invited Corporation Counsel Tom Welch to remain in the Auditorium; SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 6-0.

Return to Regular Session

At approximately 7:30 p.m., Alderman Finn MOVED to return to regular session; SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 6-0.

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

11.1 Wakefern Food Corporation Tax Appeal

Alderman Finn MOVED to approve the confidentiality stipulation in the tax appeal titled Wakefern Food Corporation v. City of Shelton, and further, authorize Mayor Mark A. Lauretti to execute said stipulation. SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 6-0.
11.2 Stop & Shop Supermarket Tax Appeal

Alderman Finn MOVED to approve the confidentiality stipulation in the tax appeal titled Stop & Shop Supermarket Company and Shelton Square Limited Partnership v. City of Shelton and further authorize Mayor Mark A. Lauretti to execute said agreement. SECONDED by Alderman Papa. A voice vote was taken and the MOTION PASSED 6-0.

ADJOURNMENT

Alderman Papa MOVED to adjourn; SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 6-0.

The meeting adjourned at approximately 7:33 p.m.

Respectfully submitted,

Patricia M. Bruder, Clerk
Board of Aldermen

Date Submitted: ___________________________

DATE APPROVED: ___________________________BY: ________________________________________

Mark A. Lauretti
Mayor, City of Shelton