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 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

PUBLIC SESSION

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

Regular Meeting of August 9, 2012
Special Meeting of September 4, 2012

Alderman Anglace noted that he had a few comments to make on the previous meetings, and he discussed these during the President’s Report [next page].

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

5.1 FINANCE COMMITTEE

No items.
5.2  PUBLIC HEALTH & SAFETY COMMITTEE

No items.

5.3  STREET COMMITTEE

5.3.1  Performance Bond Release: Hickory Acres Section II Subdivision

Alderman McPherson MOVED, per the recommendation of the Street Committee, to release the $45,000 Performance Bond for Hickory Acres, Section II Subdivision; and further,

MOVED to accept the 140 foot-extension of Frank Drive from Lisa Drive southerly to and including the new cul-de-sac; and further,

MOVED to authorize the developer to post a Maintenance Bond in the amount of $9,000 for a period of one year from the date of acceptance by the Board of Aldermen.

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

Alderman Anglace stated, there is another set of minutes for August 30th that we’ll be approving at the next meeting.

He continued, there was a question that Judson Crawford posed to the Board last month, and asked the Board, it was that he discovered that there was $161,000 thereabouts in other overages. So I told him at the time that we’d bring it to the Finance Director’s attention, but I didn’t with the Finance Director not being here. So I brought it to the Auditor’s attention, and the Auditor said yes. He looked at it, and there will be some further changes. We will take some further action, but he couldn’t give me any specifics at this point.

Mayor Lauretti stated, and that is not uncommon of any end of the fiscal year. Mr. Crawford has the tendency to take a snapshot in time, which is really meaningless in the big scheme and the big picture. It really has no meaning when you just look at one isolated thing on one particular day. There are transfers that are made internally in the Finance Department that are done constantly. And you know, for as long as he’s been around and nosing around, he should know these things. Sometimes I wonder if the comments are intended to be misleading.

Alderman Anglace continued, my other comments. On 9.1 the Waiver of Medical Insurance Benefits for non-union employees, I just want you to know that there was a
budget line item in this year’s budget to pay for this. So the Mayor has opted to implement this change immediately. Everyone benefits – the employee, the City. The money is there so he’s going to move forward. I just thought you should know. We are not waiting until next year to do it.

The appropriation for the Open Space Account, we’re going to be seeing in the next several years the purchases of property. The way that we are working to change the Ordinance, and we are working with our Conservation people so whatever we come up with will be positive. Our program will continue.

On the minutes of September 4, 2012, there are some comments in here about Item 9.6, the purpose of the Commission was not to make any additional work for anybody but to try and make more transparency in government. This is an example – the resignation of Chris Besescheck from Apportionment and Taxation – the City Clerk could not post that because she just learned of it. She couldn’t post it 30 days in advance of it happening.

You can expect that in the near future we’ll have a revised Open Space Ordinance for your consideration.

6.0  LEGAL REPORT

6.1  Corporation Counsel Billing

Alderman Anglace MOVED to authorize a total payment of $1,150 to Corporation Counsel Welch, Teodosio, Stanek and Blake, LLC, for services rendered per statement dated September 1, 2012, with funds to come from the Legal Fees Account 001-1900-411.30-03; SECONDED by Alderman Papa. 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 $1,237.50 to Assistant Corporation Counsel Ramon Sous, for services rendered per statement dated September 1, 2012, with funds to come from the following Legal Services Accounts:

<table>
<thead>
<tr>
<th>Account</th>
<th>Code</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legal Fees</td>
<td>001-1900-411.30-03</td>
<td>$600.00</td>
</tr>
<tr>
<td>Foreclosure Fees</td>
<td>001-1900-411.50-01</td>
<td>$637.50</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  Action Regarding Mayor’s Veto – Item 9.3 Appropriation – Open Space Account

The clerk read the Mayor’s letter as follows:

August 16, 2012

Mrs. Theresa Adcox, Clerk
Board of Aldermen
City of Shelton
54 Hill Street
Shelton, CT 06484

RE:  Veto Item 9.3 – Appropriation – Open Space Account

Dear Mrs. Adcox:

Per Section 4.8.3 of the City Charter, I hereby veto the action of the Board of Aldermen at its Regular Meeting of August 9, 2012, Item No. 9.3 – Appropriation – Open Space Account.

The Open Space Ordinance does not reflect the provisions made to open space over the past 10/12 years and needs to be revisited.

Sincerely yours,

Mark A. Lauretti
Mayor

The Aldermen took no action on the veto.

Alderman Anglace explained, the Board of Aldermen action taken at our August 9, 2012 meeting was technically incorrect. We transferred $250,000 from General Fund Surplus to the Open Space Trust Account. We should have transferred the $250,000 to the Open Space Ordinance Account, line item 001-6100.80-58. The Finance Department pointed this out, that we transferred the money into the line item, and then the Finance Director through a journal entry puts the money in from the line item account to the General Fund Trust Account. It doesn’t go in via anybody else. So consequently, the Mayor’s veto of our action voids this error and his veto should stand to correct it.

Expectations of the next several years are that we’re going to be spending money for open space far in excess of the $250,000. We are working with Conservation and we’re going to come up with a revised ordinance.
9.2 Funding for Recycling and Trash Carts

Alderman Anglace MOVED to appropriate $977,974.00 for the purchase of the recycling and trash carts for single-stream recycling and trash collection with funding to come from General Fund Surplus #001-0000-301.10-00 to Capital Improvement Fund #401-0000-390.00-00; SECONDED by Alderman Simonetti.

Alderman Papa asked, can people apply to have a 64-gallon trash container instead of having a 96-gallon container?

Mayor Lauretti asked, what has that got to do with the motion?

Alderman Papa stated, I just wanted a bit of clarification on that. I’ve had a couple of people call me just to ask that question.

Mayor Lauretti stated, I know that when people see these containers and look at them, they say, “Oh my God, what am I going to do with this?” I would respond by saying two things. Number one, this is a well-accepted concept throughout the country, and the size. The size goes with the location, not with the household per se, but with the address. The number of residents in the household at the residence will change over the course of time. The containers have a 10-year or more life span. The other point that I would make is that we are going to wait and go through three months and re-analyze the different options that may be exercised by the City to accommodate certain properties. As an example, I will take The Views of Long Hill, which is a 55 and older community, and has a tendency to have one to two people in the household, and will always be that way. Those locations will probably get the smaller containers.

Alderman Papa stated, that is a good clarification.

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

9.3 Funding for Shelton High School Chiller

Alderman Anglace MOVED to approve the agreement between McKenny Mechanical Contractors, Inc. and the City of Shelton for the replacement of a new high efficiency chiller at Shelton High School with funding in the amount of $572,330.00 to be provided by bonding, pursuant to Section 7.16 of the City Charter; and further, MOVED to authorize Mayor Mark A. Lauretti to sign any and all documents necessary to effectuate said agreement. SECONDED by Alderman Simonetti.

Alderman Anglace stated, this is the first money we’re taking out of Board of Aldermen Bonding this year.

A voice vote was taken and the MOTION PASSED 8-0.
9.4 **Funding for Toro Groundmaster Mower**

Alderman Anglace MOVED to appropriate $19,037.60 for the purchase of the Toro Groundmaster Side Discharge Mower with funding in the amounts as follows:

- $15,000 to come from the Recreation Capital Equipment Account 001-6200-941.60-23
- $4,037.60 to come from Contingency General Account 001-9900-900.99-00

SECONDED by Alderman Papa.

Mayor Lauretti explained that the $15,000 is a budgeted amount. We’ve made it part of the motion so everybody will understand the total funding and where it’s coming from.

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

9.5 **Funding for Total Door Replacement at the Shelton Community Center’s Post Office Entrance – LOCIP Eligible**

Alderman Anglace MOVED to add the purchase of the total door replacement at the Shelton Community Center’s Post Office Entrance to the Capital Improvement Plan with funding in the amount of $8,512.00 to come from LOCIP; SECONDED by Alderman Papa. A voice vote was taken and the MOTION PASSED 8-0.

9.6 **Funding for Work associated with Chromium Process Company**

Alderman Anglace MOVED to pay the Shelton Economic Development Corporation the sum of $9,840 relative to the work associated with the Chromium Process Company property and All Appropriate Inquiry and Planning Level Cost Site Assessment Estimate with funds to come from Contingency General Account #001-9900-900.99-00; SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 8-0.

9.7 **September Statutory Refunds**

Alderman Anglace MOVED that the report of the Tax Collector relative to the refund of taxes for a total amount of $26,786.40 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.

Alderman McPherson noted that he is on the list for $7.

A voice vote was taken and the MOTION PASSED 8-0.
Funding for Shelton High School Baseball Field

Alderman Anglace MOVED to appropriate $23,630.32 for additional work related to the Shelton High School Field Renovation Project with funding to be provided by bonding, pursuant to Section 7.16 of the City Charter; SECONDED by Alderman Papa.

Alderman Papa asked, this motion is for the additional irrigation repairs? They were having drainage problems up on the field.

Mayor Lauretti stated, it’s for irrigation and other work, but not drainage.

Alderman McGorty stated, it states, “existing irrigation system, rock removal, and a parking area.

Alderman Anglace stated, for the record, Jim Tate, I met him outside earlier this evening, he was coming into the meeting in case we had any questions on this. I told him that he did such a great job of explaining it, and we removed $4,500 from his request, so I told him he didn’t need to be here, as long as he could live without the $4,500, and he said “fine.” So off he went.

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

CT DOT Agreement

Alderman Anglace MOVED to adopt the following Resolution:

Be it hereby resolved by the Board of Aldermen of the City of Shelton, that Mark A. Lauretti, Mayor, is hereby authorized to sign the agreement entitled “Agreement between the State of Connecticut and the City of Shelton for the Construction, Inspection and Maintenance of Canal Street Infrastructure Improvements utilizing Federal Funds under the Transportation and Community System Preservation Program.”

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

Litigation – City of Shelton v. KBE

No action.

Mayor Lauretti explained, we’re not going to take this item up tonight because I’m not quite ready. This item has to do with the Perry Hill School Renovation Building Project and the disputes that we have with our contractor on that job. The request to the Board will be to ask for funding and to enter into contract with an outside professional who will help represent our attorney when we get to court. We think that we have an inferior product by this contractor and that we’ve got to just stand behind it and call the question. That is what we’re going to do. There will probably be a special meeting next week with respect to that.
10. - LEGISLATIVE - NEW

10.1 ITEMS TO PUBLIC HEARING

No items.

10.1.A  Federal Road Water Main Extension (Sorel Drive to Booth Hill Road)

A Public Hearing to be held on October 23, 2012.

10.2 Appointment to Water Pollution Control Authority

Alderman Anglace MOVED, per the recommendation of the Water Pollution Control Authority, to appoint Joseph Frolish (D) of 32 Birchbank Road and Donald Ramia (R) of 195 Birdseye Road to the Water Pollution Control Authority effective immediately; SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 8-0.

10.3 Reappointments to the ADA Committee

Alderman Anglace MOVED to appoint Ron Hiznay (U) of 11 Fairview Lane, and Lynne Farrell (R) of 25 Buddington Park to the ADA Commission, effective immediately; SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 8-0.

11 EXECUTIVE SESSION

At approximately 7:28 p.m., Alderman Anglace MOVED to enter Executive Session to discuss the following items:

11.1 – Roach v. City of Shelton

and invited 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 7:31 p.m., Alderman Papa MOVED to return to regular session; SECONDED by Alderman McPherson. A voice vote was taken and the MOTION PASSED 8-0.

Mayor Lauretti noted that there were no votes taken in Executive Session.

11.1 Roach v. City of Shelton

Alderman Anglace MOVED to approve the Workers Compensation agreement with Brian Roach dated August 15, 2012 as presented in executive session;
SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 8-0.

ADJOURNMENT

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

The meeting adjourned at approximately 7:32 p.m.

Respectfully submitted,

Patricia M. Bruder, Clerk
Board of Aldermen

Date Submitted: ___________________________

DATE APPROVED: ______________BY: _______________________________________

Mark A. Lauretti
Mayor, City of Shelton