Call to Order / Pledge of Allegiance
Alderman 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 – present
Alderman John P. Papa – present
Alderman Eric McPherson - present
Alderman Anthony Simonetti – excused

Administration:
Corporation Counsel Tom Welch
Attorney Kevin Blake

PUBLIC SESSION
Alderman Anglace asked if any member of the public wished to speak to raise their hand and address the podium.

Judson Crawford, 8 Jordan Avenue, Shelton
I would just like to find out, the Mayor was not in attendance but was any member of the Board of Aldermen invited to be in attendance at the ceremony at the school? The high school? It was for the National Honor Society.

Alderman Anglace: I don’t believe any one of us were invited, Judson.

Judson Crawford: There were 59 students who were inducted into the National Honor Society. Thank you.

No one further wished to address the Board, thus Alderman Anglace closed the public portion at this point.

Alderman Finn MOVED to amend the agenda to move Item 11 to the top of the agenda and enter into Executive Session to discuss Items 11.1, 11.2 and 11.3.

SECONDED by Alderman Papa. A voice vote was taken and THE MOTION PASSED 6-0.

EXECUTIVE SESSION
At approximately 7:05 p.m., Alderman Anglace MOVED to enter Executive Session to discuss the following:

11.1 Anderson – Workers Compensation
11.2 Purchase of Property
11.3 Murad – Workers Compensation
DECEMBER 13, 2012
BOARD OF ALDERMEN
FULL BOARD MEETING

and Attorney Thomas Welch and Attorney Kevin Blake to remain in the auditorium during the Executive Session and making an amendment to the agenda; SECONDED by Alderman Papa. A voice vote was taken and the MOTION PASSED 6-0.

RETURN TO REGULAR SESSION

At approximately 7:30 p.m. Alderman Anglace MOVED to return to Regular Session; SECONDED by Alderman Papa. A voice vote was taken and the MOTION PASSED 6-0.

It was noted that no votes were taken in Executive Session

Attorney Welch makes a recommendation for Item 11.1 – Anderson- Worker’s Compensation

Attorney Welch: Mr. President, I would like to offer for the Board’s consideration to the following motion: MOVE to approve the permanent partial disability rating in the Worker’s Compensation matter of Stephen Anderson as set forth in a report from Dr. James Spock, dated May 4, 2012.

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

11.2: Purchase of Property

Attorney Welch: Mr. President, I would to offer to the Board’s consideration to the following motion: MOVE to approve the contract between the City of Shelton and Basil Dikovsky, for the purchase of 12.358 acres of open space, subject to the terms and conditions set forth in set contract. Further authorize Mayor Mark A. Lauretti to execute any and all documents necessary to effectuate this. Further, allocate the sum of $150,000 to the Open Space Account with funding to be provided by bonding pursuant to Section 7.16 of the City Charter, and further authorize the expenditure of the set $150,000 from the Open Space Account as the first deposit required pursuant of the terms of the set contract.

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

Alderman Anglace: What about the ensuing years? Is there a separate motion made through the ensuing years?

Attorney Welch: No, Mr. President, because you are not allocating the funds; so the contract provides for two additional payments of $150,000 to be allocated. So at this point in time, the contract provides for that, but you are not allocating those funds until those fiscal years.

Alderman Anglace: And the total price?

Attorney Welch: It will be $450,000.

Alderman Anglace: 12.3 acres, $150,000 and we are purchasing this as open space.

There was no further discussion on Item 11.2. Item 11.3 – Murad – Worker’s Compensation

Attorney Welch: I would like to offer to the Board’s consideration of the following motion: MOVE to approve the compromise permanent partial disability rating in the Heart & Hypertension Case of, David Murad, as set forth in Attorney Blake’s correspondence dated October 16, 2012.

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

MINUTES FOR APPROVAL

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

Regular Meeting of November 8, 2012
Special Meeting of November 27, 2012

SECONDED by Alderman Anglace. 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

5.3.1 ACCEPTANCE OF HUNTINGTON WOODS SUBDIVISION

Alderman McPherson MOVED, per the recommendation of the Street Committee, to accept the entire road system and other public improvements within the Huntington Woods Subdivision.

Alderman Anglace: I would suggest with the Board’s edification that an amendment to that would be in order, such as: further MOVE to waive the posting of a Maintenance Bond would be in order.

The reason I say that is if you look at the letter, given to us by Richard Schultz, Planning & Zoning Administrator, it says, “The Planning & Zoning Commission voted unanimously to approve the release of the $270,000 Performance Bond subject to the following: the Board of Aldermen accepting the entire road system and other public improvements of the subdivision, which your motion covers; and the posting of a Maintenance Bond unless waived by the Board of Alderman. This subdivision is ten years old and the roads are more than ten years old. I think it is ludicrous to require a maintenance bond, so if you do not put in saying to waive the posting of the maintenance bond, then we will not have done it and they will require it. I think it is unfair to require it so accept that to the amendment to the motion.

Alderman Anglace notifies the Board that they will be voting on the motion as amended.

Alderman Anglace MOVED, per the recommendation of the Street Committee, to accept the entire road system and other public improvements within the Huntington Woods Subdivision, further MOVE to waive the posting of a Maintenance Bond.

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

REPORT OF THE MAYOR

None presented.

REPORT OF THE PRESIDENT

Alderman Anglace: I have some good news tonight. The Planning & Zoning Commission has approved a zone change for the old Spongex Property on the map that is shown in blue. The applicant is going to submit a proposal to the Board of Aldermen, to construct a new street in the back of their building that will connect Center Street Extension and the Derby/Shelton Bridge, which is part of the Downtown Master Plan. That proposed
road that Planning & Zoning has part of their Master Plan would like to get this in. To get that in, the developer has to make a proposal to us. He is going to do this; I am going to try to schedule that for a Special Meeting for sometime in early January so he could come in and what he is proposing is in red on the map. What he is proposing is asking us, to give him an exchange for putting in the road. Then, give him that old commercial property and which he will then provide additional parking. The additional parking will not be given to us as a city, but it will be available during the off-hours. As a downtown alderman, I have said that we need additional parking downtown. He is going to come in, in January to make his proposal to us explaining the just of it. You can decide on whether it will make sense or not, so we will schedule a Special Meeting. I wanted everyone to have a copy of the map so you can study it and make any further questions on it.

6.0 LEGAL REPORT

6.1 Corporation Counsel Billing

Alderman Papa MOVED to authorize a total payment of $1,537.50 to Corporation Counsel Welch, Teodosio, Stanek and Blake, LLC, for services rendered per statement dated December 1, 2012, with funds to come from the following Legal Services Accounts:

| Legal Fees                  | 001-1900-411.30-03 | $1,250.00 |
| Foreclosure Fees            | 001-1900-411.50-01 | $287.50   |
| Court Costs                 | 001-1900-411.80-84 | $         |

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

7 LEGISLATIVE - OLD

No items.

8 FINANCIAL BUSINESS OLD

No Items.

9 FINANCIAL BUSINESS NEW

9.1 Cel-Lastik Grant – Agreement & Appropriation

Alderman Anglace: This is lengthy, but it is part of a state and federal process that must be read into the minutes.

Alderman Papa MOVED to approve the following resolution:

Be it resolved that the Board of Aldermen hereby authorizes and approves an agreement entitled the Assistance Agreement by and between the State of Connecticut acting by the Department of Economic and Community Development and City of Shelton regarding the City of Shelton, Cel-Lastik Site Remediation and Re-Use Project. The Mayor is further authorized to execute said document and all related document submissions in accordance with proposed Work Plan and as may be required by the State.

Further, the Board of Aldermen appropriates $38,000.00 which represents the estimated cost of the project for ineligible costs not covered by the CT DECD (this includes state and local legal costs, administrative, reporting requirements and related items) grant which is in the amount of $325,000.00. The total cost of the program is $363,000.00 (Exclusive of US EPA funding) with $38,000 to come from bonding pursuant to Section 7.16 of the City Charter and $325,000.00 to come from the CT DECD grant.

Further, the Shelton Economic Development Corporation, the implementing agency for the City of Shelton, is authorized to provide 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.

Whereas, pursuant to 32.9cc of the CT Department of Economic and Community Development is authorized to assistance to Economic Development projects and

Whereas, desirable in the public interest that the City of Shelton make an application to the State of $325,000 in order to undertake the City of Shelton Cel-Lastik Site Remediation and Reuse project to execute the assistance agreement.

Now, therefore, be it resolved by the Board of Aldermen of the City of Shelton

1. That it is cognizant of the conditions and prerequisites for the state financial assistance imposed by Section 32-9cc of the CT General Statutes
2. That the filing of an application for State financial assistance by the City of Shelton in an amount not to exceed $325,000 is hereby approved and that Mayor Mark A. Lauretti is directed to execute and file such application with the Connecticut Department of Economic and Community Development, to provide such additional information, to execute such other documents as may be required, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an agreement is offered, to execute any amendments, decisions, and revisions thereto, and to act as the authorized representative of the City of Shelton.

Discussion:

Attorney Welch: Mr. President, for the Board’s avocation, I do anticipate this closing before the end of January.

Alderman Anglace: In the Cel-Lastik Site, we are attempting to do in this agreement is to remediate the site, so it could be used?

Attorney Welch: That is correct.

Alderman Anglace: Is the total amount of $325,000 and $38,000 all of the money that needs to remediate the site? Or is there more money coming from other sources?

Attorney Welch: I do not have the answer to that. The Cel-Lastik Site is to the left of the Veteran’s Memorial Park, which has the very nice grass.

Alderman Anglace: The reason why I brought this up was because not only the Board members, but I didn’t want the public to be misled to think that to remediate a site would cost $363,000. It doesn’t say that in the motion so I didn’t want them to be misled.

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

9.2 December Statutory Refunds

Alderman Papa MOVED that the report of the Tax Collector relative to the refund of taxes for a total amount of $18,225.05 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 6-0.

9.3 Energy Agreement for Community Center
Alderman Papa MOVED to approve the agreement between the City of Shelton and The United Illuminating Company (UI) for the retrofitting of the Community Center located at 41 Church Street. Further authorize Mayor Mark A. Lauretti to sign any and all documents necessary to effectuate said agreement.

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

Discussion:

Alderman Anglace: If it follows any of our past energy audits, then we could look forward to auditing based upon spending some money to fix, we will be reimbursed.

Alderman Papa: Is there a cost to this?

Alderman Anglace: At this point, no, there is no cost.

9.4 Bond Refunding Resolution

Alderman Anglace MOVED to adopt the following resolution:

RESOLUTION WITH RESPECT TO THE AUTHORIZATION, ISSUANCE AND SALE OF NOT EXCEEDING $20,000,000 CITY OF SHELTON GENERAL OBLIGATION REFUNDING BONDS

RESOLVED:

Section 1. Not exceeding $20,000,000 General Obligation Refunding Bonds (the "Refunding Bonds") of the City of Shelton, Connecticut (the "City") may be issued in one or more series and in such principal amounts as the Treasurer and the Director of Finance shall determine to be in the best interests of the City for the purpose of achieving net present value savings and/or to moderate debt service payments. The Refunding Bonds are hereby authorized to refund all or any portion of any one or more series of the City’s outstanding General Obligation Bonds (the “Refunded Bonds”). The Refunding Bonds shall be issued and sold either in a negotiated underwriting or a competitive offering, and at such time or times as the Treasurer and the Director of Finance shall determine to be most opportune for the City. If the Refunding Bonds are sold in a negotiated underwriting, the Treasurer and the Director of Finance shall approve and designate the managing underwriter. Each series of Refunding Bonds shall mature in such amounts and on such date or dates as shall be determined by the Treasurer and the Director of Finance provided that no Refunding Bonds shall mature later than the final maturity date of the last maturity of any Refunded Bonds being refunded by such series. The Refunding Bonds shall bear interest payable at such rate or rates as shall be determined by the Treasurer and the Director of Finance. The Refunding Bonds shall be executed in the name and on behalf of the City by the manual or facsimile signatures of the Treasurer and the Director of Finance, bear the City seal or a facsimile thereof, and be approved as to their legality by Robinson & Cole LLP, Bond Counsel. The Refunding Bonds shall be general obligations of the City and each of the Refunding Bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon. The aggregate denominations, form, details, and other particulars thereof, including the terms of any rights of redemption and redemption prices, the designation of the certifying, paying, registrar and transfer agent, shall be subject to the approval of the Treasurer and the Director of Finance. The net proceeds of the sale of the Refunding Bonds, after payment of underwriter's discount and other costs of issuance, shall be deposited in an irrevocable escrow account in an amount sufficient to pay the principal of, interest and redemption premium, if any, due on the Refunded Bonds to maturity or earlier redemption pursuant to the plan of refunding. The Treasurer and the Director of Finance are authorized to appoint an escrow agent and other professionals and to execute and deliver any and all escrow, investment and related agreements necessary to provide for such payments on the Refunded Bonds and to provide for the transactions contemplated hereby. The Treasurer and the Director of Finance, are authorized to prepare and distribute preliminary and final Official Statements of the City for
use in connection with the offering and sale of the Refunding Bonds, and they are hereby authorized to execute and deliver on behalf of the City a Bond Purchase Agreement, a Continuing Disclosure Agreement, a Tax Regulatory Agreement and such other documents necessary or desirable for the issuance of the Refunding Bonds and the payment of the Refunded Bonds.

Section 2. This resolution shall be effective until January 1, 2014.

Attorney Welch: If I may for the Board’s consideration: MOVE to approve the resolution with the respect to the authorization, issuance in sale of not exceeding $20,000,000 City of Shelton General Obligation Refunding Bonds and to adopt and incorporate herein a resolution as set forth and be printed in its entirety as part of the minutes.

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

Discussion:

Attorney Welch: I would have to ask Mr. Hiller if that is okay.

Paul Hiller: Yes that is fine.

Alderman Anglace: Other discussion is to allow me to state that this is not something that is going to be refinanced for $20,000,000. It’s a motion that puts us in a position with the market as it is today; to take advantage of the opportunity, shall it arise. That is my understanding.

Alderman Finn: That would be a potentially large savings as well.

9.5 Stormwater Pollution Prevention Plan Proposal

Alderman Papa MOVED to authorize Milone & MacBroom, Inc. to prepare Stormwater Pollution Prevention Plan for Highways and Bridges Facility, Task 1.0-SWPPP, in the amount of $8,300.

SECONDED by Alderman Kudej.

Discussion:

Alderman Anglace: The money is already in the budget and they will be spending it from there.

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

9.6 Appropriation – Board of Education Vehicle

Alderman Papa MOVED to appropriate $40,462.00 for a 2013 GMC Rack Body Truck for the Board of Education with funding to be provided by bonding pursuant to Section 7.16 of the City Charter.

SECONDED by Alderman McPherson.

Discussion:

Alderman Finn: Mr. President has the Board of A&T awarded the bid? Mr. Crawford is indicating no, the Board of A&T hasn’t awarded the bid as of tonight.

Alderman Anglace: The awarding of the bid is not critical to whether or not we appropriate the money to buy the truck.

Alderman Finn: We could always amend the motion to have the Board of A&T to award the bid.
Alderman Anglace: It appears Jack, on page 2, contract awarded document, and is that the only bidder?

Alderman Finn: That was the only information that was provided to us by the Purchasing Department. It seems that there was a lone bidder.

Alderman Anglace: Mr. Crawford, can you come to the microphone so we can hear what you have to say.

Judson Crawford: This afternoon was the first meeting of the bid openings, under the new charter under 12.1. There was an addition that was put on by the Purchasing Agent, awarding a bid - 33.25, to D'Addario Buick in the amount of $40,462.00 but it was not brought before the Full Board of A&T.

Alderman Anglace: For this position, what this Board is being asked to do is to appropriate the $40,462.00 for this vehicle described in the motion, in accordance with the City Charter – Chapter 7.16, in which we are going to bond it out of Aldermanic Bonding. However, your action is the Board of A&T, who you award it to. It is a separate action.

Attorney Welch: Mr. President, I will certainly inquire however, all of the issues raised as of December 1st are new issues and everyone has to deal with the changes to the Charter. My understanding is that the role of Apportionment & Taxation in the opening and awarding of bids was deleted. It is now up to the Purchasing Agent to determine the lowest bidder. I will take the comments made tonight, and do that to see where we all stand.

Alderman Finn: In the future then, with the change of the Charter, effective December 1st, 2012, when something is added on at the last minute the Purchasing Department awarding the bid, the Purchasing Agent should notify our clerk so she could notify us that it has been awarded; so we would not be asking any questions.

Alderman Anglace: I do not have a problem with the questions. I understand everyone’s apprehension about the change in the Charter, but we are all going to have to get used to it, but what I am trying to point out is that the motion that we are being asked to approve, is to approve the money for the purpose of buying a truck. The awarding and following the Charter; etc we could leave up to others in the administration to do. That has no varying on us appropriating the money. If we may proceed, let us vote on the motion on how it is written. You will be appropriating $40,462.00 for a new Rack Body Truck for the Board of Education.

Alderman Finn: Then, are we just approving the funding, not the purchase?

Alderman Anglace: Correct. We are not approving the procedure or anything else, just the funding.

Alderman Papa: I have a question: Do we buy vehicles for the Board of Education? Or does that come out of their budget?

Alderman Anglace: The Board of Education and all other capital items are appropriated expenditures that are coming from the City. The City owns any assets that are used by the Board of Education, so this is an appropriated expenditure.

Alderman Kudej: What is the need for the Rack Body Truck?

Alderman Anglace: My understanding is that they have a rack body truck now and the vintage condition of the truck is such that they had to tow it in and they could no longer use it.

Alderman Kudej: So this is a replacement vehicle?

Alderman Anglace: Yes it is. It is a replacement vehicle.
A voice vote was taken and the MOTION PASSED 6-0.

10. - LEGISLATIVE - NEW

10.1 ITEMS TO PUBLIC HEARING

No items.

10.2 Multi-Jurisdiction Hazard Mitigation Plan

Alderman Papa MOVED to approve the following resolution:

WHEREAS, the Disaster Mitigation Act of 2000 encourages communities to prepare a Hazard Mitigation Plan to outline natural hazard vulnerability and potential mitigation measures; and

WHEREAS, the city developed an individual Hazard Mitigation Plan several years ago to understand local conditions and plan accordingly; and

WHEREAS, in light of recent natural disasters that severely impacted public infrastructure and private properties in the city of Shelton, the city participated in the development of a Multi-Jurisdiction Hazard Mitigation Plan through the Valley Council of Governments, and

WHEREAS, the primary goal of the plan is to reduce the loss of or a damage to life, property, infrastructure, and natural, cultural, and economic resources from natural disasters; and

WHEREAS, the Hazard Mitigation Plan recommends many hazard mitigation actions that will protect the people and property affected by the natural hazards that potentially face the city; and

WHEREAS, some of the recommended mitigation actions may qualify for federal funding but only if the City of Shelton officially adopts the Hazard Mitigation Plan; and

WHEREAS, the public information meetings were held to solicit public input and recommendations and to review the updated plan as required by law;

BE IT RESOLVED by the Board of Aldermen of the City of Shelton that the Multi-Jurisdiction Hazard Mitigation Plan (Shelton portions) is hereby adopted as an official plan of the City of Shelton and that the Mayor and Board of Aldermen shall implement the provisions of the plan relevant to Shelton; and that all municipal departments will report regularly on their activities, accomplishments, and progress relative to the plan for the City of Shelton.

BE IT FURTHER RESOLVED that the City of Shelton is authorized to apply for and accept any future federal or state grant assistance to accomplish the goals of the plan.

SECONDED by Alderman Finn

Alderman Anglace: Has anyone had a chance to read that plan? I give a lot of credit to the people who stayed up to write it, because it must have taken hours, days, weeks even months to put this together. It is comprehensive and I must say that multijurisdictional plan, having read it, bills on the exemplary job, done by the local Shelton plan- it is well done and it is going to serve a purpose.

A voice vote was taken and the MOTION PASSED 6-0.
10.3 Anti-Litter Committee Appointment

Alderman Papa MOVED to appoint Teresa Cassone-Glick to the Anti-Litter Committee effective immediately.

Teresa Cassone-Glick - R
56 Wakelee Ave. Ext Unit #52
Shelton, Ct 06484
Tel. 203-924-1938

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

10.4 Conservation Easement – River Run Subdivision at 1017 Howe Avenue

Alderman Papa MOVED to accept the conservation easement on Lots 22 and 22a located within the River Run Subdivision at 1017 Howe Avenue and as shown on the River Run Subdivision Map. Further authorize Mayor Mark A. Lauretti to sign any and all necessary documents to effectuate same.

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

ADJOURNMENT

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

The meeting adjourned at approximately 8:10 p.m.

Respectfully submitted,

Brittany Gannon, Clerk
Board of Aldermen

DATE APPROVED: ___________________ BY: _______________________
Mark A. Lauretti
Mayor, City of Shelton