AUGUST 8, 2013
BOARD OF ALDERMEN
FULL BOARD MEETING

BOARD OF ALDERMEN
SHELTON, CONNECTICUT
FULL BOARD MEETING
THURSDAY, AUGUST 8, 2013

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 – excused
Alderman John P. Papa – present
Alderman Eric McPherson - present
Alderman Anthony Simonetti – present

Mayor Mark A. Lauretti
Assistant Corporation Counsel Ramon Sous

Public Session

Judson Crawford, 8 Jordan Avenue

It was proposed by Alderman Anglace in 2010, would someone please inform me what is the status of the proposed political sign ordinance? It was the 7.1a Proposed Political Sign Ordinance. What is the status of that?

Then, per, the date is August 15th, we have to fund the Open Space Account. Yet when you gentlemen and ladies did that last year, all I will say is one word, “Alderman Anglace stated, I don't know what the Mayor is going to do.” But on August 16th 2012, he made his decision and is now under a letter sent to the Board of Aldermen. My question to you is, when the ordinance states we have to fund it by August 15th, here it is August 8th. Where do we stand on that?

Mr. Mayor, thank you.

Mayor Lauretti asked if any other member of the public wished to speak. Being none, he declared the public session closed.
Add-Ons

Alderman Anglace MOVED to add the following items to the agenda:

9.5 Sunnyside School Neighborhood Sidewalk Improvements
9.6 Motorola Solutions Inc. – Initial Payment – Fire Department Communications Lease
10.6 Operating Agreement for School Buses between the City of Shelton and Landmark Student Transportation, Inc.

SECONDED by Alderman Papa. A voice vote was taken and the MOTION PASSED 7-0.

Agenda Items

MINUTES FOR APPROVAL

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

1. Regular Meeting – July 11, 2013

SECONDED by Alderman Papa.

Alderman Anglace stated, there is one slight change in the July 11, 2013 minutes. Item 9.2 – the title reads “restoration” and it should read “renovation.”

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

5.1 FINANCE COMMITTEE

No items.

5.2 PUBLIC HEALTH & SAFETY COMMITTEE

5.2.1 REMOVAL OF STREEIGHT-ACCESS ROAD

Alderman Anglace MOVED to approve the removal of the streetlight on Pole #3548 on Access Road at no cost to the City per United Illuminating. SECONDED by Alderman McPherson.

Alderman Anglace stated, we abandoned that road; it’s a private road now.

A voice vote was taken and the MOTION PASSED 7-0.
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 Anglace MOVED to authorize a total payment of $2,221.50 to Corporation Counsel Welch, Teodosio, Stanek and Blake, LLC, for services rendered per statement dated August 1, 2013, with funds to come from the following Legal Services Accounts:

<table>
<thead>
<tr>
<th>Description</th>
<th>Account Number</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legal Fees</td>
<td>001-1900-411.30-03</td>
<td>$1,912.50</td>
</tr>
<tr>
<td>Foreclosure Fees</td>
<td>001-1900-411.50-01</td>
<td>$300.00</td>
</tr>
<tr>
<td>Court Costs</td>
<td>001-1900-411.80-84</td>
<td>$9.00</td>
</tr>
</tbody>
</table>

SECONDED by Alderman Kudej. A voice vote was taken and the MOTION PASSED 7-0.

6.2 Assistant Corporation Counsel

Alderman Anglace MOVED to authorize a total payment of $1,045 to Assistant Corporation Counsel Ramon Sous for services rendered per statement dated August 1, 2013 with funds to come from the following Legal Services Accounts:

<table>
<thead>
<tr>
<th>Description</th>
<th>Account Number</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legal Fees</td>
<td>001-1900-411.30-03</td>
<td>$937.50</td>
</tr>
<tr>
<td>Miscellaneous Services</td>
<td>001-1900-411.80-03</td>
<td>$108.26</td>
</tr>
</tbody>
</table>

SECONDED by Alderman Kudej. A voice vote was taken and the MOTION PASSED 7-0.

7 LEGISLATIVE - OLD

No items.

8 FINANCIAL BUSINESS OLD

No items.

9 FINANCIAL BUSINESS NEW
Alderman Anglace MOVED that the report of the Tax Collector relative to the refund of taxes for a total amount of $2,102.77 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 Simonetti. A voice vote was taken and the MOTION PASSED 7-0.

Alderman Anglace MOVED to, in accordance with paragraph 5 and other provisions of the “Pine Rock Park Environmental Impact Fund,” approve the purchase of an aerator for Pine Rock Park per the recommendation of the two 3rd Ward Aldermen, Alderman Anglace and Alderman Farrell, with the expenditure of funding not to exceed $2,000 for the purchase, installation and funding to come from the Pine Rock Environmental Impact Fund. SECONDED by Alderman Simonetti.

Mayor Lauretti asked, are you sure you want to do this this late in the season?

Alderman Anglace stated, the aerator is in, and working, and it’s already showing signs of not working properly. It’s a brand-new aerator. It’s throwing up water maybe one foot high which means it’s clogged at the bottom and is going to burn out again. We’re going to do it until such time the people agree that we need to fill in that pond.

Alderman Simonetti asked, who is taking care of this aerator? I’d rather see it not burn out.

Alderman Anglace replied, Parks & Rec. It’s brand new. That shows you how much debris is in the pond. The pond is nothing but garbage. The neighbors in the immediate area keep asking me, “please fill it in.” The Association down there, we put this in front of them once before, and they voted not to close the pond, so we respected their decision. We’re going to bring it up again and talk about it again.

Alderman Papa stated, it might come before the full board to decide what we’re going to do with it.

Alderman Anglace stated, you want to respect the opinion of the neighbors, certainly.

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

Alderman Anglace MOVED to approve the Request for Reimbursement of Recording Fees from Michael T. Copertino in the amount of $56 with funding to come from Board of
Aldermen Contingency Account #001-9900-900.99-00; SECONDED by Alderman Papa. A voice vote was taken and the MOTION PASSED 7-0.

9.4 Appropriation of Funds for Interior Improvements at 40 Riverdale Avenue

Alderman Anglance MOVED to appropriate $85,000 for interior improvements at 40 Riverdale Avenue with expenditures subject to the approval of the Mayor and with funding to come from LOCIP; SECONDED by Alderman Papa.

Alderman Anglance stated, there is attached for everybody a description of the estimate of the cost associated and what is going to be done there.

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

9.5 Sunnyside School Neighborhood Sidewalk Improvements

Alderman Anglance MOVED to appropriate $223,938 with money to come from the General Fund Surplus for use as Sunnyside School Neighborhood Sidewalk Improvements Construction Funding with reimbursement to come from the Connecticut Department of Transportation and restored then to the General Fund; SECONDED by Alderman Papa. A voice vote was taken and the MOTION PASSED 7-0.

9.6 Motorola Solutions, Inc. Initial Payment for Fire Department Communications Lease

Alderman Anglance MOVED to approve the initial payment of five consecutive annual payments to Motorola Solutions Inc. in the amount of $313,219.53 and funding such payment to come from the General Fund Surplus (Unassigned Fund Balance) Account 001-0000=287.01-00. SECONDED by Alderman Kudej. A voice vote was taken and the MOTION PASSED 7-0.

10. - LEGISLATIVE - NEW

10.1 ITEMS TO PUBLIC HEARING

No items.

10.2 Housatonic Riverwalk – Phase Two

10.2A Tate & Associates, LLC – Landscaping

Alderman Anglance MOVED to waive the requirements of the Board of Aldermen Professional Services Resolution and approve the contract by and between the City of Shelton and Tate and Associates, LLC for the design, architect and project manager responsibilities for the Housatonic Riverwalk Phase II Project in the amount of $12,500
to be paid from the appropriation for Riverwalk Final Design approved and authorized by the Board of Aldermen on February 9, 2012; and further,

MOVED to authorize Mayor Mark A. Lauretti to execute any and all documents necessary to effectuate said agreement. SECONDED by Alderman Simonetti.

Mayor Lauretti explained, this item and the next item deal specifically with Phase II Riverwalk Extension, which was approved. Under design and under contract is Rotondo Engineering. An inordinate amount of time has passed with a lack of production, so the City took the action to terminate the services of Rotondo Engineering and opt out of the State of Connecticut grant program for this portion and take on the project ourselves. So we feel that we can do it for significantly less money than the original proposed budget approved by the State in the amount of some $800,000 for a sidewalk and engineering fees and all the associated costs. We are going to try and do the construction in early fall. Hopefully we will have this completed for a significantly lesser amount and we will pay for it directly. That is the purpose of Tate and Associates, and the next item.

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

10.2B Milone & Macbroom, Inc.

Alderman Anglace MOVED to approve the contract by and between the City of Shelton and Milone and Macbroom for the Housatonic Riverwalk Phase II Project in the amount of $23,000; and further,

MOVED to appropriate the sum of $7,000, which sum shall be paid from the appropriation for Riverwalk Final Design, approved and authorized by the Board of Aldermen on February 9, 2013; and further,

MOVED to authorize Mayor Mark A. Lauretti to execute any and all documents necessary to effectuate said agreement; SECONDED by Alderman Simonetti.

Alderman Anglace stated, there’s a note here, the Board of Aldermen on June 13 allocated the sum of $58,000 for the services of an engineer, which funds shall be used to pay the balance of the contract of the Housatonic Riverwalk Extension and associated costs.

Alderman Anglace added, I think I’d like to ask where the $23,000 is coming from.

Mayor Lauretti stated, it’s coming from the amount appropriated in 2012 for the original project – the $77,000.

Corporation Counsel Tom Welch stated, last month you appropriated $15,000 for the engineer. Those minutes are attached to your motion as well, so you only needed a balance of $7,000.
Mayor Lauretti stated, there is going to be money left over from that $77,000 – there is a balance there. Obviously $12,500 and $23,000 is not $77,000. We will be back to you once we’re out to bid and want to award a contract for construction. Now, the original budget for this project as I said a moment ago was $800,000. We are reconstructing approximately the same length of road on Canal Street for some $600,000. This is what you’re dealing with. It’s a sidewalk. I just wanted to give you a little perspective on what it’s like to deal with the State and Federal government and how they unnecessarily drive up the cost on everything they get involved in. Everything.

Alderman Simonetti stated, and look at the time they’ve dragged out on it.

Mayor Lauretti stated, the times are always lengthy dealing with them; I wouldn’t saddle them with the blame on this one.

Corporation Counsel Tom Welch stated, there seems to be a slight mathematical error – it should be an additional $8,000 from the 2012 funding.

**Alderman Anglace MOVED TO AMEND THE MOTION** to appropriate the sum of $8,000 versus $7,000; SECONDED by Alderman Simonetti.

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

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

**10.2C Administrative / Survey**

Alderman Anglace MOVED to appropriate the sum of $8,000 for SEDC administrative costs and survey update - administrative costs are $3,500 and survey update is $4,500 - relative to the Housatonic Riverwalk Extension which sum shall be paid from the appropriation for Riverwalk Final Design approved and authorized by the Board of Aldermen on February 9, 2012; and further,

MOVED to authorize Mayor Mark A. Lauretti to execute any and all documents necessary to effectuate the same. SECONDED by Alderman Kudej. A voice vote was taken and the MOTION PASSED 8-0.

**10.3 Contract with United Construction and Engineering Services, Inc. – 40 Riverdale Avenue**

Alderman Anglace MOVED to rescind the Board of Aldermen’s approval of Item 9.2 on the July 11, 2013 Agenda; and further,

MOVED to approve the contract by and between the City of Shelton and United Construction and Engineering Services, Inc. relative to 40 Riverdale Avenue, Shelton, CT in the amount of $183,000; and further,
MOVED to allocate the sum of $183,000 with funding to be provided by bonding pursuant to Section 7.16 of the City Charter; and further,

MOVED to and authorize Mayor Mark A. Lauretti to execute any and all documents necessary to effectuate said agreement; SECONDED by Alderman Papa.

Alderman Anglace stated, there’s a note here that says, “please note that on Item 9.2 on the July 11, 2013 the Board of Aldermen moved to add this project to the Capital Improvement Plan and allocate a sum of $150,000 with funding to come from LOCIP.”

Alderman Finn stated, I don’t have that item in my packet so I will have to abstain.

Mayor Lauretti stated, I don't know why you didn’t say something earlier today.

Alderman Finn stated, I only got the packet today. It was only made available to us last night.

A voice vote was taken and the MOTION PASSED 6 Yes, 0 No, 1 Abstention (Finn).

10.4 Lease with Landmark Student Transportation, Inc.

Alderman Anglace MOVED to approve the lease agreement with Landmark Student Transportation Inc. for use of a portion of 40 Riverdale Avenue and other such properties as described in the attachments to the lease; and further,

MOVED to authorize Mayor Mark A. Lauretti to execute any and all documents necessary to effectuate the same. SECONDED by Alderman Papa.

Alderman Anglace stated, Counsel has viewed the lease. The lease is available for viewing in the Mayor’s Office. Everybody has copies of the maps.

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

10.5 Contract with Hocon Gas Inc. for Pumping Station and Propane Gas for City School Buses and Other City Vehicles

Alderman Anglace MOVED to authorize the Mayor to enter into a contract with Hocon Gas, Inc. substantially in compliance with the term sheet attached; SECONDED by Alderman Papa.

Alderman Anglace stated, I’d like to highlight a couple of items on the term sheet. The net cost to the City is $107,500. They outline the propane supply pricing. At this point we’re authorizing the Mayor to enter into a contract. I assume when that contract is finalized it will come back to us for approval?
Mayor Lauretti stated, no.

Alderman Anglace stated, then the terms will be no less or no more that what is on the term sheet.

Mayor Lauretti stated, it will be incorporated into lease form.

Alderman Anglace stated, the lease will include the items mentioned in the term sheet.

Mayor Lauretti explained, this is a lease purchase and at the end of five years the City will own it. It is a filling station for the buses. You go to the gas station to put gas in your car. You’re going to pull up to the pump and put propane in.

Alderman Finn stated, [inaudible] there’s an option for dual fuel or gas. It says for the Mayor’s vehicle and other City vehicles of choice. You could also use gasoline.

Mayor Lauretti stated, yes, dual fuel. Either gas or propane.

Alderman Papa asked, how much would we save, how much is the diesel fuel compared to the propane. How much could we save on this per gallon?

Mayor Lauretti replied, diesel is $3 and change per gallon less the taxes that we don’t pay, Propane will be approximately $1 because we’re going to get a .50 rebate from the federal government for every gallon we buy. We anticipate we’re going to save $200,000 per year in the fuel differential between diesel and propane.

Alderman Finn stated, this item didn’t go out to bid and we also don’t have a bid waiver from the Purchasing Agent as required by Charter, so how are we voting on this tonight?

Mayor Lauretti replied, it did not go out to bid, and we did get a bid waiver, it was item 10.3 last month.

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

10.6 Operating Agreement for School Buses between the City of Shelton/Landmark Student Transportation, Inc.

Alderman Anglace MOVED to approve the Operating Agreement for the school buses between the City of Shelton and Landmark Student Transportation Inc. and further, MOVED to authorize Mayor Mark A. Lauretti to execute any and all documents necessary to effectuate the same. SECONDED by Alderman Papa.

Alderman Finn asked, who is responsible for the security of the school buses down there on that lot?

Mayor Lauretti stated, we all are.
Alderman Finn stated, when they had the ground breaking for the Dog Pound I was able to gain access to the buses. The doors were not locked. If I could gain access then anybody who is homeless down there, or children, or anybody down there is gaining access to the buses. They should be locked.

Mayor Lauretti stated, I will pass that one. As you can see there are many parts to this operation that took an extensive amount of time and research to put together. There are renovations involved, fuel conversion, systems involved, and tying it all in with a new Animal Shelter and Maintenance Facility really took a lot of thought and time on a lot of people’s part. I think we have a good situation put in place that will safeguard the public’s interest financially for many years provided the right things are done at the Board of Education in terms of how they select their service provider and overseen by City leases.

Alderman Anglace stated, I have a question about the operating agreement. It’s item 4H on page 3. I am confused about the words, in the fifth sentence down it reads, “it is the responsibility of the City to complete the documentation necessary to establish and maintain those warranties with the various manufacturers. Upon completion, all documentation shall be provided to the City.” If the City is responsible, I think the words they meant to put in and probably were “retained by the City.”

Mayor Lauretti stated, the City is the owner of the vehicles so we’re the ones that are ultimately responsible. The information is going to be provided to us by Landmark. This lease requires them to do maintenance and supply records to us.

Alderman Anglace stated, so it’s going to be provided to and retained by the City.

Mayor Lauretti stated, it’s going to be retained by both. The manufacturer is not going to recognize the service provider, they’re going to recognize the owner.

Alderman Anglace stated, it is the responsibility of the City to complete the documentation necessary to establish and maintain those warranties. So if we’re the ones responsible for developing it, then we’re going to provide it to ourselves?

Mayor Lauretti stated, no, we’re not developing it; Landmark develops it. We have to make sure that the correct paperwork gets submitted to the manufacturer. If you leased a car from Curran Volkswagen, you as the owner have to submit certain paperwork to make sure the warranties are held. There is nothing unusual about that at all.

Alderman Anglace asked, who is going to retain all the records?

Mayor Lauretti asked who retains all the records for all of the City vehicles now? The Purchasing Agent. The buses will be maintained at the facility on Riverdale; the bus company will be renting one bay in that facility. This lease agreement provides that Landmark will pay the City rent in the amount of $60,000 a year for a five-year term. So
that’s $300,000 total over the life of the lease. I think our investment is 183 plus 85 for the interior fit up and we own it. After five years we can put whomever we want in that facility. This whole moves puts us in a position of strength financially and operationally. I always felt it was important for us to try to control our own destiny as opposed to letting the marketplace, like the marketplace for school bus operation does in the State of Connecticut. This is not my concept; this is a proven concept all over the country. Just not in Connecticut.

Alderman Anglace stated, when we were going into developing the budget, the Board of Education came to us and said, “look folks you’ve got to pony up $3 million in new money next year and every year after because we went out to bid and it’s going to cost $3 million more each year. I think that’s what I remember them telling us. We’ve gone from that scenario to the one that we’re in now which is much different. Everybody is going to benefit from it.

Mayor Lauretti stated, I asked Al Cameron to give me the school bus contract every year for the last 10 years. It’s never gone down. I know that in year five it will go down by at least $1.1 million. As I said to some of the critics who responded early, at the end of the day there are big savings here - and here they are. It starts with the fuel differential of $200,000 a year, provided that propane holds it price, and secondly, we own the buses after five years; they have a lifespan of 10-12 years if they’re maintained properly. We’ll still be using these buses without paying principal. Lastly we’re going to save about $350,000 on sales tax that we don’t pay because we’re a municipality. If you bought these buses through a service provider, don’t you think he’s going to pass that cost on to you? That is built into the contract every year. So anybody who says we’re not saving money by doing this doesn’t understand the math of all these moving parts.

Alderman Simonetti stated, the buses are more efficient - they’re two to three times efficient than a diesel engine so you may get more mileage out of it.

Mayor Lauretti stated, and environmentally.

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

**ADJOURNMENT**

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

The meeting adjourned at approximately 7:40 p.m.

Respectfully submitted,