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 – 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:
Asst. Corporation Counsel Ramon Sous
Paul Hiller, City Finance Director

Also in Attendance:
Attorney Kevin Blake

PUBLIC PORTION

Pam Dimartino, 22 Rodia Ridge Road, Shelton, CT

I live in White Hills. A few years back I have tried to get a scenic road petition for East Village Road, to protect the character of the road. I wanted to take this opportunity to say we need to protect the character around the area of East Village Road. I see a lot of trees coming down, especially old pine trees. We just lost an old 300-year-old tree not too long ago during Hurricane Sandy, at the head of Longfellow Road. So I did the scenic road petition a while back, and I tried to protect the area against the road refinement, which went through, and it was a nice job. As you come into that area there is a lot of
character that we should try to steward a little better, and to protect as residents. I am really here to speak on behalf of anyone, really. Maybe I am representing some of the residents in that area that feel the same way that I feel about the area, and how we should protect it more. I was just a little dismayed about the trees coming down, and to be sure that it was considered of the ramifications of taking all of those trees down with drainage and that sort of thing. I just want us to appreciate the vistas, the farms and the side slopes that we have across from East Village.

If the town owns that piece of property along that road, I believe that they should be responsible for maintaining it and making it look good. Connecticut is a special area, and it has a lot of draw in it for that reason. In that respect, that is what I am looking for, because little by little we are taking out pieces of this and that. I do not think everyone is looking at the big picture. I do not think we have a steward that is trying to protect it. I wanted to say since the City owns that property, especially on the corner, as you are coming off of Route 110 and take a right on to Maple Avenue, where East Village Road starts. There were trees that were cut down five years ago, that there was no regard for the trees and for the scenic area.

**Lori Lichtenberg, 152 Prospect Avenue, Shelton, CT**

I think Shelton is deplorable on how it treats their street trees. I live on Prospect Avenue, and we have been raped of trees and there is nothing left. When I bought my house, we had an array of trees that added a lot of value to the house and that is the reason I bought my house. Through time, the trees have come down and have not been replaced. The road looks like a pigsty because there is nothing to block it. It depreciates the value of my house, and I agree that we should do more to protect the trees and to bring back more trees into town.

The reason that I came here tonight is because of the snow removal practices that are happening here in town. We had another winter full of snow, and because you allow people to park on the streets during a snowstorm, I have double the work with the snow removal effort. I have to shovel from the end of my driveway to the twelve feet to the road where all of those cars are parked. Later on after I shoveled, the town goes back to remove the snow and puts it all back in my driveway. I have an elderly parent that cannot go out of the house, because she is trapped with the snow that gets pushed back in our driveway. After every snowstorm for the next four days, I have to clean my driveway again. This is all street snow; this is not snow that I have shoveled manually. I am not pushing the snow onto the street. It is all your snow that keeps coming back onto my driveway. If you enforce a no parking ban on the street so the cars are out of the way, then the Highway and Bridges Department could then clean the snow in a proper manner. Then, I would just have to shovel the initial time that I did and one other time.

The way the program is now, you allow the cars to park on the street and the guys cannot plow the roads properly. Then they have to come back again two or three times later to clean up the snow. When you have an overabundance of snow, then you have to pay someone else to remove the snow off the street.
Finally, it upsets me the most is when you push this wall of snow in front of my driveway. Again, I am sure that the snowplow truck does not return to the garage in the same condition that it is left. Now, as a taxpayer, I have to pay for the truck to be repaired. I have to shovel my driveway four times. What do I gain from this? If the town would just enact a no parking ban during a snowstorm, everyone will be happy. I would just like to remind you that taxpayers are not the ones that are parked on the street. I am sure that all of the taxpayers are parked in the garage. Most people that are parked on the streets are all rental units; they are not paying taxes to the City. As a taxpayer I have to shovel four times and I think it is unfair.

Add-Ons

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

FINANCIAL BUSINESS- OLD

8.1 ADDITIONAL FUNDING FOR PROMETHEAN BOARDS
8.2 ALARM NEW ENGLAND LLC CONTRACT- SCHOOL SECURITY CAMERAS

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

Agenda Items

MINUTES FOR APPROVAL

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

1. Public Hearing on Ordinances- January 28, 2014
2. Special Meeting- February 11, 2014
3. Regular Full Board Meeting- February 19, 2014

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

Minutes can be viewed on the city website: www.cityofshelton.org.

5.1 FINANCE COMMITTEE

No items
5.2 PUBLIC HEALTH & SAFETY COMMITTEE

5.2.1 APPROVAL OF STREETLIGHT CORNER OF DOUGLAS COURT & BROOKWOOD LANE- U.I. POLE #5144

Alderman Papa MOVED, per the recommendation of the Public Health & Safety Committee, to approve the installation of a streetlight of 50 Watts/4000 lumens at the corner of Douglas Court and Brookwood Lane on U.I. Pole #5144 at a cost of $86.00 per year with funding to come from Streetlight Account #001-4600-716-3503.

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

Alderman Anglase: This fee of $86.00 per year does not include generation costs. U.I. said the city uses an alternate supplier, per Larry Mai.

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 Papa MOVED to authorize a total payment of $1,850.00 to Corporation Counsel Welch, Teodosio, Stanek and Blake, LLC, for services rendered per statement dated March 5, 2014, with funds to come from the following Legal Services Accounts:

| Legal Fees          | 001-1900-411.30-03 | $1,850.00 |

SECONDED by Alderman Kudej. A voice vote was taken and the MOTION PASSED 8-0.
6.2 ASSISTANT CORPORATION COUNSEL BILLING

Alderman Papa MOVED to authorize a total payment of $1,387.50 to Assistant Corporation Counsel Ramon Sous for services rendered per statement dated March 1, 2014 with funds to come from the following Legal Services Account:

| Legal Fees              | 001-1900-411.30-03 | $1,387.50 |

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

7 LEGISLATIVE - OLD

7.1 ITEMS FROM PUBLIC HEARING

7.1 A. AMENDMENTS TO CHAPTER 14 OF THE CODE OF ORDINANCES- STREETS, SIDEWALKS AND OTHER PUBLIC PLACES (SEC. 14-9; 14-15; 14-51; 14-64; 14-65)

Alderman Papa MOVED to adopt the amendments to Chapter 14 of the Code of Ordinances- Streets, Sidewalks and other Public Places (SEC. 14-9; 14-15; 14-51; 14-64; 14-65), which is included by reference.

Further, move 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 voice vote was taken and the MOTION PASSED 8-0.

Public Hearing took place on January 28, 2014.

Discussion:

Alderman Anglace: I would like to briefly summarize: I felt like a mediator in this situation. We have referred this to Public Hearing by the Board of Aldermen, on January 9, 2014. It went to Public Hearing on January 28, 2014 and it then came back to our Regular Full Board Meeting on February 13, 2014, when it then was referred to the Street Committee.

The Street Committee held their meeting, had discussion on it but had no recommendation. They did ask for further administrative review because this is primarily an administrative ordinance. Last Tuesday, the Mayor asked Alderman Papa and me to come over to City Hall to meet with him, and the City Engineer, Bob Kulacz. There were differences amongst the Public Works Director and what the City Engineer was recommending. The Mayor did listen to all sides, and he arbitrated the differences between the City Engineer and Paul DiMauro. There are no absolute rights or wrongs about this. There is a good way to do it, a better way of doing it and the only way to find out is to do it, and possibly make changes down the road.
The City Engineer and the Public Works Director are in agreement with that document; the Mayor agrees as well. I do not think you can get that to be more solidified.

Chapter 14 STREETS, SIDEWALKS AND OTHER PUBLIC PLACES

Sec. 14-9. - Sidewalk repair and construction.

(a) Definitions. As used in this section, the following words and phrases shall have the following meanings:
Director or director of public works shall mean the director of public works for the city or his designated agent. Public sidewalk shall mean that sidewalk located within a city street right-of-way, or such other sidewalk for which the city bears responsibility under the general statutes.

(b) Sidewalk maintenance required. The owner of land abutting a public sidewalk shall maintain that sidewalk which fronts their property in a safe condition at all times. Whenever a sidewalk is found to be unsafe and in need of repair or replacement, the director of public works shall notify the abutting landowners, in writing, of the defect and order the landowners to repair or replace the sidewalk within thirty (30) days of such notification, or such longer time as may be specified in the notice. Such order and notification shall be either personally served by an indifferent person or sent by certified mail, return receipt requested.

(c) Appeal of order to repair. Such landowner shall have the right to appeal such order to the board of aldermen, which appeal shall be filed with the clerk of the board of aldermen within twenty (20) days of the mailing of the original notice. The board of aldermen shall conduct a hearing on the appeal within thirty (30) days of the receipt of the appeal. The decision of the board of aldermen shall be final.

(d) Repair of sidewalk by city. If the landowner does not appeal or does not comply with the order to repair a sidewalk or request an extension of time to complete the ordered repairs, the director of public works is authorized to repair or replace the sidewalk. The director may extend time to complete ordered repairs upon request.

(e) Assessment upon repair by city. Whenever an abutting landowner fails to complete an ordered sidewalk repair and the city, pursuant to subsection (d) of this section performs the repairs, either by itself or by others, upon the completion of the work, the director of public works shall send a full and complete report to the board of aldermen which report shall contain among other things a complete breakdown of all costs incurred and a description of the property and condition of the sidewalk as it existed before and as it exists after the work. The board of
aldermen shall make an assessment of benefits, if any, and the city shall notify, in writing by certified mail, the abutting landowner as to the amount of the assessments, provided that the liability of the abutting landowner shall be limited to the actual cost of repairs or the assessment of actual benefits whichever is lesser. The city may recover such costs in an action at law.

(f) Construction specifications. The specifications for sidewalks constructed or repaired under the provisions of this section shall be as follows:

(1) All new sidewalks shall be constructed of concrete (Portland cement concrete). Existing asphalt (bituminous concrete) sidewalks located outside of downtown and Huntington Center may be repaired, overlaid or replaced with asphalt. Asphalt overlays, replacements or repairs are not permitted on existing concrete sidewalks or those concrete sidewalks previously overlaid with asphalt. Concrete or stone curbs shall be replaced by concrete curbs only.

(2) The construction of new and replacement sidewalks shall conform to the current sidewalk specifications of the department of public works. In general sidewalks shall be concrete (Portland cement concrete) and have a minimum width of four (4) feet and a minimum thickness of four (4) inches. The concrete shall have a twenty-eight-day compressive strength of three thousand (3,000) psi and an air entrainment of five (5) to seven (7) percent. Expansion joints shall be provided at least every twenty (20) feet. Asphalt sidewalks shall have a minimum compacted thickness of one (1) inch. Asphalt sidewalks shall be constructed of class 2 bituminous concrete.

(3) All curbs and sidewalks constructed or replaced at or within an intersection or crosswalk, shall include curb cuts or ramps to provide adequate access for the movement of physically handicapped persons.

(4) No public sidewalks shall be installed, repaired or replaced without a valid permit from the department of public works. All public sidewalk construction and repair is subject to inspection and approval by the department of public works.

(g) City financial responsibility. The city shall be responsible for a percentage of the cost of construction or replacement of concrete sidewalks and curbs constructed within the city right-of-way, which cost shall be calculated according to a unit price list which shall be established by the city engineer. If the actual unit cost of construction is greater than the items listed on the unit price established by the engineer, the city shall be responsible only for the established percentage of the unit cost as calculated from the city engineer's price list. The following percentages are established as the portion of the cost of construction or replacement of sidewalks and curbs which is the financial responsibility of the city:

(1) Concrete (Portland cement concrete) sidewalks—sixty (60)) percent;
(2) Curbing (all types)—thirty (30) percent.
Between November fifteenth and December thirty-first of each year, the city engineer shall prepare a unit price list which he proposes to use for the ensuing calendar year, January first to December thirty-first. He shall file the same with the street committee of the board of aldermen, with the city/town clerk and with the clerk of the board of aldermen, who shall place the list on the agenda of the board of aldermen during the month of January in each year. Unless the board of aldermen changes the price list at its January meeting of each year, the figures established by the city engineer shall go into effect and be effective for the calendar year immediately following. No sidewalk shall be replaced or constructed within the city right-of-way without the prior approval of the city engineer and without obtaining such other permits as may be required by law.

(h) Exception. The provisions of this section to the contrary notwithstanding, the public works director may approve new sidewalk construction of material other than concrete where the material used is of a quality and cost at least equal to the concrete and where the material is approved by the Public Works Director as safe for use by the general public on a public sidewalk. In such event, the cost of reimbursement by the city shall not be any greater than the reimbursement if the sidewalk had been constructed of concrete. Reimbursement to property owners installing such sidewalks is authorized if such sidewalks were installed after March 1, 1985.

(i) Sidewalk District Number One:

(I) Sidewalk District Number One is hereby established. The district shall include the public sidewalks within the state highway right-of-way on Howe Avenue (Route #110) from Hill Street to Beard Street on the south side and from Hill Street to Wooster Street North on the north side.

(2) All new or replacement sidewalks within District Number One shall be constructed of concrete (Portland cement concrete) with a brick paver accent strip. The width of the concrete sidewalk and brick paver accent strip shall be approved by the Public Works Director. All construction methods and materials shall conform to the current sidewalk specifications of the public works department.

(3) Existing asphalt (bituminous concrete) sidewalks located within sidewalk District Number One cannot be repaired or overlaid with asphalt. They must be replaced by concrete sidewalks with the brick paver accent strip.

(4) An abutting landowner whose existing concrete sidewalk does not require repair or replacement shall not be required to install the brick paver accent strip. However, the landowner may saw cut and remove a portion of an existing concrete
sidewalk and install the brick paver strip and still be eligible for reimbursement from the city.

(5) The following percentage is established as the portion of the cost of construction or replacement of sidewalks and curbs which is the financial responsibility of the city within Sidewalk District Number One:

a. Brick paver accent sidewalk strip: Forty (40) percent;

b. Concrete (Portland cement concrete) sidewalks: Sixty (60) percent;

c. New or reset curbing: Thirty (30) percent.

(6) All new or replacement curbing within Sidewalk District Number One shall be either precast or cast in placed concrete curbing. Existing granite curbing may be reset if in a condition acceptable to the public works department.

Sec. 14-15. - Obstructions on sidewalks and highway rights-of-way.

(a) Sidewalks.

(1) It shall be the duty of the occupant, owner, or of the person having the care of any building or land abutting any street in the city where there is a foot path or public sidewalk, whether the same be paved or not, to keep said sidewalk free from snow, ice, sleet, mud, stone, rubbish, or any fixtures or materials including, but not limited to, vending machines, dumpsters, retail merchandise, signs or any other obstruction, so as to permit the free and safe passage of pedestrians through the same.

(2) No person shall place, store or display, on a public sidewalk, any object or material such as, but not limited to, vending machines, dumpsters, retail merchandise or signs. Temporary approval for the use of the public sidewalk for a special purpose may be authorized by the Board of Aldermen.

(b) Highway rights-of-way.

(1) No person, firm, corporation or company shall place, install, construct or store within the limits of a city street or state highway right-of-way any fence, wall, sign, structures, vending machine or earth materials, (including fill or boulders).

(2) Trees or shrubs may be planted within a city street right-of-way with the permission of the tree warden provided it is located at least three (3) feet from the
edge of pavement and it is of a species acceptable to the tree warden and such plantings will not hinder the line of sight on any city street or access to or from any private driveway of public road. Permission must be obtained from the Connecticut Department of Transportation in order to plant with the state highway right-of-way.

(3) No fence, wall, structure, hedge, shrubbery grading or other obstruction to vision at a street intersection in excess of three (3) feet in height above the centerline road elevation shall be placed or allowed to grow or exist within the area of a triangle formed by joining points on each streetline fifty (50) feet from the point of intersection of the two (2) streetlines, and the two (2) streetlines. No hedge, shrub, tree or other growth shall be maintained so as to create an unsafe condition to the general public.

Enforcement and penalty.

(1) The Shelton Police Department shall be responsible for enforcing the provisions of this section (subsection (a)(1) and (2)) relative to keeping sidewalks free from snow, ice, sleet, mud, stone rubbish, fixtures, materials, vending machines, retail merchandise, signs or any other obstructions. Any person willfully refusing to remedy and such conditions when notified by the city shall be guilty of a misdemeanor and upon complaint by the Shelton Police Department to the superior court and upon conviction of the same shall not be fined more than two hundred fifty dollars ($250.00) for such offense. The penalty provided in this subsection shall not be in lieu of the collection of the cost of remedying such condition by the city.

(2) The City of Shelton shall have the right to order the removal from the city street right-of-way including sidewalks and areas near intersections, any and all objects including, but not limited to, those previously described in this ordinance which may create an unsafe condition to the general public. The director of public works or his agent shall notify the landowner of occupant in writing of the unsafe condition and order the responsible party to correct the condition within thirty (30) days of such notification or such time as may be specified in the notice. Said order and notification shall be either personally served by an indifferent person or sent by certified mail, return receipt requested. No notice shall be required for removing items including trees and shrubbery from a city right-of-way that hinder pedestrian or vehicular travel including any hedge, tree or shrub.

(3) Such landowner or occupant shall have the right to appeal such order to the board of aldermen, which appeal shall be filed with the clerk of the board within ten (10) days of the mailing of the original notice. The board of aldermen shall conduct a hearing on said appeal with thirty (30) days of the receipt of the appeal. The decision of the board of aldermen shall be final.

(4) In the event that the landowner or occupant does not comply with the order, requests an extension of time to complete the necessary remedy or appeals the order, the director of public works is authorized to remove the object and/or remedy such condition within the city street right-of-way, and charge the costs.
thereof to such person so failing, and such costs shall be a lien upon the property occupied by such person where the condition existed, and such lien shall date from the time such notice was served and may be foreclosed in the same manner as liens for taxes.

(5) The right of the city to order the removal of objects within a city street right-of-way and adjacent to intersections shall apply to all objects which existed in the right of way before the effective date of this ordinance that in the opinion and of the city creates an unsafe condition.
(Ord. No. 521, 4-9-87; Ord. No. 808, 4-12-07)

Sec. 14-51. Permit—Required

(a) No person shall make any opening, excavation, or construct any walk, curb, pavement, driveway, or perform other construction work within, on, through, or under any public street, highway or public right-of-way located in the city, including a state highway, for any purpose whatsoever, unless a permit has been obtained pursuant to this article from the director of public works or his designated agent. Any permit issued shall be valid for a period of ninety (90) days from the date thereof. Any work performed pursuant to such permit shall be subject to approval by the director of public works or his designated representative.

(b) On state highways located within the city, the city street opening permit must be obtained.- A $25.00 City Street Opening Permit shall be required where a public sidewalk within a state right-of-way is impacted by the excavation. A no fee City Street Opening Permit is required in all other cases. This article does not supersede any regulations as set forth by the State Department of Transportation with regard to excavation in state highways.

Sec. 14-64. Termination of permit; release of contractor's obligations.

No earlier than Six (6) months after completion of construction, the contractor shall apply for termination of the permit and release from any obligation involved thereafter. If in the opinion of the director or his agent the work is not satisfactorily completed or settlement is occurring, necessary repairs shall be undertaken by the contractor and an additional period of liability established by the director or his agent will be established before release. The installation of permanent repairs by the city to such opening shall terminate the permit and release the permittee from any obligations thereafter.
(Ord. No. 454, n, 2-9-84; Ord. No. 715, 10-9-97; Ord. No. 791, 4-14-05; Ord. No. 818, 4-12-07.)
Sec. 14-65. - Driveways, walks and curbs.

No driveway, walk or curb shall be constructed and no alteration or repair shall be performed on any driveway, walk or curb, paved or otherwise within the public highway right-of-way of the City of Shelton, until the required permit has been obtained. Permittees shall conform to the following regulations:

(a) No driveway shall extend into the street further than the curb line or within any regularly constituted crosswalk and shall not be closer than twenty (20) feet to a driveway on the same property.

(b) No private driveway shall be constructed in excess of twenty (20) feet in width not shall it extend beyond the extension of the side property line of an abutting property.

(c) No public or commercial driveway shall be constructed in excess of thirty (30) feet in width without approval of the chief of police and the director of public works or his authorized representative, nor be closer than five (5) feet from a side property line nor shall the flare of the approach extend beyond the extension of the side property line of an abutting property.

(d) Before a permit for a driveway can be issued, the applicant shall demonstrate to the satisfaction of the office of the city engineer that adequate sightline will be available and that the installation of the driveway will not cause any adverse condition. In the event of a dispute the final decision will be made by the public works director.

(e) All driveways, walks and curbs shall be constructed in accordance with the specifications of the city and as on file in the office of the city engineer.

(f) All portions of new driveways within the city street right-of-way (including new subdivisions) shall be paved a minimum distance of ten (10) feet as measured from the edge of street pavement in a manner approved by the city engineer.

(g) All curbs shall be constructed of concrete, machine laid asphalt or granite in accordance with the specifications of the city engineer and as on file on his office. Location and elevation shall be obtained from the office of the city engineer.

(h) All phases of the work involved in the construction or repair of driveways, walks and curbs shall be subject to the inspection and supervision of the director of public works or his authorized agent.

(i) A permit to construct a driveway and other required improvements on a city street shall be obtained prior to the issuance of a building permit. All work required under the permit shall be completed or bonded to the satisfaction of the city prior to the issuance of a certificate of occupancy.
(j) The city reserves the right to require a driveway permittee, for a new home, to install curbing along the front of the lot on an existing city accepted street and maintain pre-existing discharges of storm water from the street onto the property. (Ord. No. 520, 4-9-87; Ord. No. 800, 2, 8-10-06)

7.1 B PROPOSED PENSION BOARD ORDINANCE

Alderman Papa MOVED to adopt the proposed Pension Board Ordinance, which is included by reference.

Further, move that this ordinance be published in summary form with a full copy available for review in the office of the City Town Clerk.

A. The Pension Board shall consist of five voting members, who shall be the following: the Mayor, The Finance Director and three members shall be appointed by the Mayor which members have experience in financial services and pensions. Such members appointed by the Mayor shall serve for terms of two years.

B. All action taken by the Pension Board shall be by majority vote.

C. The Pension Board members shall serve without compensation and shall have charge of the general direction and management of the pension and retirement funds managed by the City. The City shall furnish such advisors, brokers, clerical, legal, or actuarial as the Pension Board members shall consider necessary to carry out the purpose of this article, subject to such appropriations as shall be made in the manner provided for other City appropriations.

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

Public Hearing took place on January 28, 2014.

Discussion:

Alderman Anglace: When they get going, they are going to have to come back to us for funding if they want to hire some professionals or anything like that for their support.

8 FINANCIAL BUSINESS OLD

8.1 ADDITIONAL FUNDING FOR PROMETHEAN BOARDS

Alderman Papa MOVED to appropriate an amount of $99,655 for the purchase of Promethean Boards with funding to be provided by bonding, pursuant to Section 7.16 of the City Charter.

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

Alderman Anglace: This is additional funding for the Promethean Boards.

Alderman Finn: These boards have already been ordered, and have already been installed in the schools. Why was this item not in front of us before tonight to approve the funding? Why did the Board of Education go ahead to purchase them and have them installed, and then come to us for funding?

The boards have already been ordered, they are in the schools and they have already been installed. They realized that the monies were not there to pay the invoice, so now it is back in front of us.

Alderman Anglace: If you go back and look on November 8, 2012, the original allocation for this item was $199,975. At that time, the Mayor has committed to them to have them billed and built throughout the entire school system. He gave them the okay to go ahead, and then told them to come back to us for the rest. They did not come back to the Board of Aldermen; they might have talked to other people in the administration but they did not come back to us until the job was completed. The original commitment from the Mayor was to fully fund the Promethean Boards; whether he knew the approximate total cost, I do not know that.

Alderman Finn: I believe that the boards should be used in schools for the children. My concern is the fact that the Board of Education ordered, had them installed and the money was not there to pay for them. They should have done that in reverse; put the cart before the horse.

Alderman Anglace: Jack, I think you make a good point and I cannot disagree with it. I think all of us were surprised that this was done, but in principle, I think we all agree on what was done. Yet it was the manner in which it was done. In the future, do not spend a dime unless we approve it in advance. The City Charter does not allow you to spend money, unless we appropriated it.

8.2 ALARM NEW ENGLAND LLC CONTRACT

Alderman Papa MOVED to amend the contract price between City of Shelton and Alarm New England, LLC for surveillance camera/recording systems for various schools from $327,763.43 to $335,551.43 and allocate an additional $7,788 with funding to come from General Fund Surplus.

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

9.1  MARCH STATUTORY REFUNDS

Alderman Papa MOVED that the report of the Tax Collector relative to the refund of taxes for a total amount of $18,056.48 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 Statutory Refunds Account 001-0000-311.13.00.

SECONDED by Aldermen Kudej. A voice vote was taken and the MOTION passed 8-0.

9.2  FUNDING FOR CARPETING IN THE COMMUNITY CENTER- LOCIP ELIGIBLE

Alderman Papa MOVED to add the replacement of carpeting at the Community Center to the Capital Improvement Plan with funding in the amount of $14,330.17 to come from LOCIP.

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

Discussion:

Alderman Finn: Throughout the building, there is no question about it that the carpeting needs to be replaced. It is worn out, and people could fall and get hurt. I am surprised with only one bidder that it did not go back out to get re-bid, to get a better price on the carpeting.

Alderman Papa: The Bartholomew Company has done carpeting in our area before. It went out to bid and the only bid that came back was Bartholomew; he was the only one who came out to see it and measured. The carpeting is needed and I would hate to hold it up.

There are two different rooms that need it: Meeting Room 3, the Main Lobby and the stairwell.

Alderman Anglace: Usually one bid is questioned, but the Purchasing Agent advertised for this and that was the only vendor.

9.3  ADDITIONAL FUNDING FOR PRE-EMPTION CONTROL DEVICES SYSTEMS FOR SHELTON FIRE DEPARTMENT

Alderman Papa MOVED to appropriate an amount of $12,982.00 for the installation of traffic pre-emption control devices (Opticom) systems for use by the Shelton Fire Department with funding to be provided by bonding pursuant to Section 7.16 of the City Charter.
Further, authorize Mayor Mark A. Lauretti to execute any and all documents necessary to effectuate same.

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

Discussion:

Alderman Finn: Not only will the White Hills Fire Department thank you voting in favor of this. It will not only benefit Company 5, but as well as Company 3 and Company 1 when they respond up to White Hills. Three companies will have a benefit from this.

Alderman Anglace: Will all companies have pre-emption devices?

Alderman Finn: Yes. Company 5 has them but they have not been installed on the trucks. Companies 3 and 1 already have them.

Alderman Papa: The Fire Department came to the Public Health & Safety meeting, and explained to us how important this would be for these to be applied to all of the trucks, as well as the lights during a fire so they will be adjusted so they can go on the main roads without having any sort of situation.

Alderman Anglace: Does this apply to the one traffic light? If we wanted to do this on other traffic lights throughout the City, would we have to do it separately?

Alderman Finn: Yes. We have done various traffic lights on Bridgeport Avenue, Downtown Shelton and also Huntington Center.

Alderman Anglace: Where is this light located?

Alderman Finn/ Alderman Papa: East Village Road.

Alderman Finn: There was an accident over there with the fire apparatus vehicles two years ago.

Alderman Anglace: Just as a procedural question, this request came from Fire Chief Jones. Did it come through the Finance Committee?

Alderman Papa: Chief Jones comes to the Public Health and Safety meetings, and he explained to us why it is so important for this device to be installed at that light.

Alderman Anglace: So the reason the request came directly to me was because of the finances?

Alderman Papa: Exactly.

9.4 FUNDING FOR REPLACEMENT OF FIRE DEPARTMENT COMMAND VEHICLES
Alderman Anglace: I am going to recommend no action on this item. The Mayor wants to review it; he has some money for public health vehicles and he wants to see how much is left over, and apply that balance to this. He is not opposed to this, but he wants to use the other money left over. He said to hold off.

Discussion:

Alderman Finn: That leaves to question if there is money to purchase public works vehicles. I know the Fire Marshal was requesting a 4-man cab pickup truck.

Alderman Anglace: I think that is part of the $82,000.

Alderman Papa: He just wants to check to see what money he has available. That is all he wants to do; he is not opposed by it.

Alderman McGorty: Is there going to be a timeframe in which he is going to address this?

Alderman Anglace: No, he just said to hold off on this because he wants to see how much money he has left over.

Alderman Papa: I am sure he will do it before the budget year is over in June.

Alderman Anglace: The reason why we are being as careful as we go through these things because as we exercised approximately $1.6 million out of our roughly $2 million that the Board of Aldermen can bond. We have until the end of June, so we are watching where the money is coming from; that is the issue.

9.5  ADDITIONAL FUNDING FOR FIRE DEPARTMENT LENGTH OF SERVICE AWARDS PROGRAM

Alderman Anglace: This is another item that the Mayor wishes to not take action at this point. He said that when the Pension Board meets and gets started, one of the things they are going to do is hire a Broker of Record, who will take a look at this and some other things. As I understand it, the $32,404.00 is the actuarial report for that length of service pension benefit. If the Broker of Record has another way around this, or sees something that we do not see-

Benefits are not going to be paid out of that account; that money is in there to build the future benefits. The $100,000.00 has been paid, and the $32,404.00 has not yet been paid. So, this is the balance that has to go in, according to the actuary for this year. The Mayor is saying to have a Broker of Record look at it before we act on it.

Discussion:

Alderman Finn: By Broker of Record, are you referring to the Ned Miller Agency?
Alderman Anglace: No, he said the Broker of Record is going to be a pension broker of record; they are going to hire one once they get organized.

Alderman Finn: Are you anticipating that this is going to be paid off by the end of the year? The $32,404.00 is from all of the new members that have joined the fire services.

Alderman McGorty: Plus, there is an increase in call volumes.

Alderman Anglace: The Mayor has said to have the pension broker look at it, because maybe we are putting new members into the pension system, and maybe there is another way to do it that will not raise the cost right away. He wants them to take a look at it.

Alderman Finn: What is it going to do with the existing fire members that are already in the pension plan? Those firemen are depending on that pension plan once they retire from 30, or 35 years of service. How is it going to affect them once they decide they want to retire?

Alderman Anglace: The corollary to that is the State, which has the Teacher’s benefit, in which they have been funding billions of dollars. This is $32,404.00, and we are fully funded up to this year. We put $100,000 into the budget, and the surprise came after we have approved the budget. When the surprise came, the actuary said that new members primarily drive our numbers, which is a good thing. So, this is for future benefits that this money is being put in for; it does not have to be paid out this year. There is enough money in the pension fund, and this is what the Mayor is saying. Let us get someone with the expertise and the knowledge that can concentrate on these things, and help us as we go through it. Let us get a recommendation before we can make the payment.

9.6 WAIVER OF BID- FIRE DEPARTMENT PHYSICAL EXAMS AND MEDICAL MONITORING PROGRAM

Alderman Anglace: My recommendation and the Mayor’s recommendation are to take no action at this time, and to go out to bid. Allow me to explain why:

There are three hospitals that operate out of Shelton; clinics out of Shelton that are capable of doing these physical exams. The recommendation is to extend the contract with Griffin Hospital for another two years, at the same price at which we currently have it. The Mayor’s position: How do we say to two other hospitals that have clinics that operate in Shelton, that we are not even giving them a chance to bid? He thinks the right thing to do is to go out to bid. I think the smoother way to do it is to take no action, and have them go out to bid.

Discussion:
Alderman Finn: I can tell you from personal experience from going through the physicals. I have gone to two of the three facilities that we have in the City, and the current provider is much more thorough. Everything is more into depth, and it gets sent back to the hospital for evaluation before they make a final decision. I find that Griffin is more thorough.

Alderman Papa: I do not think it would hurt to go out to bid, just to find out where they stand.

Alderman Anglace: I do not have any personal experience, but what I can tell you is that I am having difficulty saying to the other two providers, that if they are doing what they are supposed to do and how they are doing it; they should be given the opportunity.

Alderman Finn: The first provider does not send anything to the hospital. Griffin sends everything to the hospitals for the doctors to diagnose, and then they send the information back for a recommendation.

Alderman McGorty: Perhaps we can ensure that is part of the process when we go out to bid.

Alderman Anglace: Chief Jones has explained to me that there are difficulties with changing vendors. The difficulties generally fall upon the Fire Department and the individuals that are going for the physicals. One of the difficulties is providing privacy. Another is providing personal information, medical history that the Fire Department has to follow-up on. My response is maybe we should go out to bid for a longer period than two years. Maybe it should be three, four years or something like that so you do not have to put that burden on our volunteers.

The other thing that I wanted to point out is that our current existing contract charges $161.00 as basic, but depending on the individual and the status of the individual’s health, etc., it could be as much as $392.00. They have a lot of latitude in there to charge us, so I think that we should address that when we go out to bid as well. We should be paying a flat fee; not something where they can charge as they please.

Alderman Finn: I have no problem going out to bid, but I just wanted to share the experiences that I have had with those two vendors.

Alderman Anglace: So without objection, we will go out to bid.

9.7 FORMER MAS PROPERTY/ CONSTITUTION BLVD NORTH

Alderman Papa MOVED to authorize Mayor Mark A. Lauretti to:

1.) Enter into discussions for the sale of the former Mas property and development of Constitution Boulevard North from Exit 13 to Route 108.
2.) To get land appraisal(s).
3.) To pursue the property needed to be acquired to construct Constitution Boulevard North.

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

Discussion:

Alderman Anglace: The City Engineer has provided us a map that shows where the properties are. Two segments of the road have to get acquired. The discussions are general in nature, and you can see that the road from Exit 13, that goes to the existing terminus of Constitution Boulevard North, which comes down from Route 108. We will authorize him to get going, and has to come back to us if he wants to get appraisals.

Alderman Finn: Do we have the ordinance on the books for the sale of City property? Have we received a letter from a developer interested in purchasing the property from us? That is step one of selling City property.

Alderman Anglace: I do not have the procedure in front of me, so I cannot verify with what you are telling me. Counsel has told me last time that this has been exempt from the procedure to sell City property.

Alderman Finn: Why is this City property exempt from a City ordinance?

Alderman Anglace: This Constitution Mas property is specifically exempt.

Atty. Sous: I remember speaking briefly with Tom about this, and I think that it is part of the ordinance, that was an ordinance change in which his property was exempted. I am not sure what the reason was.

Alderman Finn: One of the steps is getting an appraisal. One of the other steps is that we have to go to Parks and Recreation, the Conservation and the Open Space Commissions, to determine if they want to use it as a future reference or not. We have appraisals; have a public hearing on the property, etc.

Alderman Anglace: You are right on the procedure of selling City property, but this property was exempt from the procedure to sell City property. I just have to get that for you so you can see it.

9.8 SALE OF A PORTION OF MIDDLE AVENUE

Alderman Papa MOVED to approve the sale of a portion of Middle Avenue detailed on the attached quit claim deed for the sum of $5,750.00 to MJS Builders, LLC.

Further, authorize Mayor Mark A. Lauretti to execute said deed and any and all other documents necessary to effectuate same.
SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 8-0.

9.9 AGREEMENT WITH AIA SPIEWAK ARCHITECT- CODE COMPLIANCE SERVICES FOR SHS

Alderman Papa MOVED to approve the agreement between the City of Shelton and Bruce J. Spiewak, AIA Spiewak Architect, LLC. to perform code compliance services for Shelton High School as set forth in the contract.

Further, authorize Mayor Mark A. Lauretti to execute any and all documents necessary to effectuate the same.

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

Discussion:

Alderman Papa: In this contract, there are no conveyance taxes.

Alderman Anglance: There are no conveyance taxes necessary because we are exempt as a municipality. It is also going to be on an hourly basis, not to exceed $27,000.00 and the money has already been appropriated.

9.10 AGREEMENT WITH PRIMROSE COMPANIES REALTY, LLC. - SALE OF ROLFITE PROPERTY

Alderman Papa MOVED to authorize the Mayor to enter into contract with Primrose Companies, LLC., relative to the sale of property known as Lot 2 Canal Street on Assessor’s Map 130, consisting of approximately 1.67 acres.

Further, move to authorize Mayor Mark A. Lauretti to execute any and all documents necessary to effectuate the same.

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

9.11 WAIVER OF BIDS & FUNDING FOR FUEL MANAGEMENT & DISPENSER SYSTEM AT POLICE DEPARTMENT

Alderman Papa MOVED to waive the bids for the fuel management and dispenser system for the Shelton Police Department.
Further, move to add the replacement of the fuel management and dispenser system to the Capital Improvement Plan with funding in an amount not to exceed $13,000 to come from LOCIP.

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

Discussion:

Alderman Finn: This is long overdue at the Police Department. This past year, they used to call in say that their pipes were frozen and asked if they can gas up. At least the police cars will be able to gas up, even when it is cold outside.

10. - LEGISLATIVE - NEW

10.1 ITEMS TO PUBLIC HEARING

10.1 A PROPOSED AMENDMENTS TO CODE OF ORDINANCES – GARBAGE, TRASH AND REFUSE- CHAPTER 6- SEC. 6-5, 6-10, 6-12, 6-67

A Public Hearing to be held on March 25, 2014.

10.2 STATE OF CT DEPARTMENT OF EMERGENCY SERVICES & PUBLIC PROTECTION RESOLUTION

Alderman Papa MOVED the following resolution:

Be it hereby resolved that the City of Shelton Board of Aldermen may enter into with and deliver to the State of Connecticut Department of Emergency Services and Public Protection (formerly the Department of Emergency Management and Homeland Security) and any and all documents which it deems to be necessary or appropriate; and

Further resolve, that Mayor 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 Finn. A voice vote was taken and the MOTION PASSED 8-0.

EXECUTIVE SESSION
At approximately 7:55 PM, Alderman Anglace MOVED to enter into Executive Session to discuss the following items:

11.1 JAMES BROWN WORKER’S COMPENSATION

and invited Assistant Corporation Counsel Ramon Sous and Attorney Kevin Blake to remain in the auditorium during the Executive Session; SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 8-0.

RETURN TO EXECUTIVE SESSION

At approximately 8:06 p.m. Alderman Anglace MOVED to return to Regular Session; SECONDED by Alderman Kudej. A voice vote was taken and the MOTION PASSED 8-0.

It was noted that no votes were taken in Executive Session.

11.1 JAMES BROWN WORKER’S COMPENSATION

Alderman Anglace: Attorney Blake, what would you recommend the motion would be in this case?

Attorney Blake: Mr. President, I would recommend a motion to resolve all of Mr. James Brown’s open and closed Worker’s Compensation claims, per my recommendation from the letter dated March 3, 2014.

Alderman Papa MOVED to resolve all of Mr. James Brown’s open and closed Worker’s Compensation claims, as indicated from correspondence from Attorney Blake, dated March 3, 2014.

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

ADJOURNMENT

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

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