Aldermen present:
  John Anglace, President
  Cris Balamaci
  Jim Capra
  David Gidwani
  Stanley Kudej
  Noreen McGorty
  Eric McPherson
  Anthony Simonetti

Also present:
  Corporation Counsel Fran Teodosio

Aldermanic President John Anglace called the meeting to order at 7 p.m. All those present rose and pledged allegiance to the flag.

Public Portion

Tom Harbinson, 15 Soundcrest Drive

Mr. Harbinson would like the Aldermen to ensure that the flags on City properties are flown properly. He specifically noted that the flag was flown improperly at Veterans’ Memorial at Riverview Park on Memorial Day, that at noon they should have returned to full staff at midday from half-staff.

Alderman Anglace noted that Constitution Park was another issue that came up. Ron Herrick receives communication from the State and through his office all the flags are attended to.

He noted that any person can go to ct.gov and see the flag status at the bottom of the page every day, and the people responsible for maintaining the flag should do it properly.

Donald Willanen, 145 Canal Street, Unit 401

Mr. Willanen is concerned that there is not adequate parking for the residents of the Birmingham Condominiums, and it has gotten worse since he’s been there. According to the plans approved by Planning & Zoning, the parking plan is 170 spaces including 65 grade spaces, 43 deck spaces, 19 from the Department of Transportation lease under the bridge, and an additional 47 spaces which do not appear on the plans, and in fact have never existed by the railroad area. He believes the plan was approved with less than the intended amount of spaces.

There are only 104 spots in the garage, the Department of Transportation did not renew the lease. With Spongex in play some street parking that was available before is now prohibited by some fences being up. Once that project is finished they will be competing for available parking spaces.

Since the City approved the Birmingham, its residents are fighting for parking spaces. Mr. Willanen often has to park in the municipal parking lot across the tracks.
Alderman Anglace asked Mr. Willanen if he is saying the City of Shelton needs to provide the additional parking spaces.

Mr. Willanen explained that since the Birmingham was originally approved by…

Alderman Anglace interjected, Planning & Zoning. This Board does not approve the parking places and doesn’t approve plans to build. Aldermen McPherson and Kudej are the Aldermen in that ward. The Chromium Process lot is expected to open up in a week or so and be open to everybody.

Mr. Willanen stated, that is my issued, previously we had dedicated spaces and that’s not happening.

Alderman Anglace referred Mr. Willanen back to the developer of the project.

Alderman Capra noted that there are a lot of renters there that take up two or three spots, which is why there isn’t enough parking on Canal Street. There will be some relief with the Chromium parking lot being available in the next couple of weeks. We’re looking to explore some other options for parking down there as well.

Judson Crawford, 8 Jordan Avenue

In regard to the item for Executive Session, if someone has violated the City Charter, isn’t that a matter for the Board of Ethics and not the Board of Aldermen?

Alderman Anglace replied no. It’s the responsibility of the Board of Aldermen to address that.

Shawn Sullivan, 2 Horse Stable Circle

It seems as if the City is no longer going to be leasing the buses to the Board of Education. Because of that, the Board of Education is taking on additional expense because it has to lease them elsewhere. If the City is not going to lease the buses to the Board of Education to transport the City’s children, what do you intend to do with the 60 school buses?

Alderman Anglace replied, stay to the end of the meeting. He asked if any other member of the public wished to speaking, being none, he declared the public portion closed.

Minutes for Approval

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

Regular Full Board Meeting – May 10, 2018
Special Meeting – May 29, 2018

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

5.1 Finance Committee
5.1.1 New Depository Reconciliation Policies and Procedures

**Alderman McPherson MOVED, per the recommendation of the Finance Committee, to accept the report of the Depository Reconciliation Project Committee; SECONDED by Alderman Kudej.**

Alderman Anglace stated, the process was explained in detail at the Finance Committee meeting. The issue that occurred several years back when some money was missing and it was discovered, hopefully the way it’s set up now, the City side is protected. Every account is going to be reconciled to the bank statement and to the general ledger. We move on to the Board of Education next. We are the fiscal authority of the City of Shelton and everybody that has accounts is going to do the same thing.

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

**5.2 Public Health & Safety**

No items.

**5.3 Street Committee**

No items.

**Report of the Mayor**

No report.

**Report of the President**

I want to remind everyone, especially the Board of Education decision makers, that the City-run bus service can still happen at little or no cost increase for the Board of Education next year. Therefore I wish to read into the record two items. One, Corporation Counsel’s ruling on the bus situation, and two, the latest offer that’s on the table from the Mayor to the Board of Education to make this happen.

Of significance to us is, we want to reach out, we want to make sure that they understand this is not competition. We entered into this with their consent and with their cooperation and we want to see it come to fruition because it’s going to save them like $800,000 a year that they can use for other educational needs. We don’t want to see this opportunity missed. I’m reading it into the record just to emphasize where we are and let them know that our arms are still open. We still want to work with them, we still want to make it happen.

The letter dated June 11 from Corporation Counsel Fran Teodosio was sent to Christine Chinni, Esq. from Chinni & Meuser, LLC.

_Dear Attorney Chinni,_

_Your letter of June 1, 2018 requests an offer from the City regarding the City buses, facilities and propane during the three-year Durham contract. Given that the contract by its terms can be set aside in 90 days by either party for any reason, the City considers the contract to be of 90 days duration. Any longer period is due to the insistence of the Board of Education and not the terms of the contract._
The City’s offer, therefore, is key to the 90-day period. During the next 90 days the City will prepare to, on the 91st day, take over the management and operation of the Shelton School District transportation responsibilities. To do this, the Board of Education must engage with the City in sincere, honest and open discussion, ending with a mutually-acceptable written agreement.

Should the Board of Education choose not to negotiate with the City, please note that the Durham contract is void, and the process by which it was negotiated is also in violation of the Shelton Charter.

Earlier in my letters of May 10, May 16, and May 23, I alerted the Board of Education of this failed process and contract - Charter violations by Board of Education and agents. The Board of Education and its agents have been in violation of the Shelton Charter since May 10, 2018 when the Board of Education acting through Mr. Edward Drapp advised bidders that, “Shelton Public Schools is soliciting bids” [emphasis added,] “for proposal two as amended.” Mr. Drapp’s actions in changing bid specifications from propane to diesel, soliciting bidders for new proposals, changing the Director of Transportation, and establishing a new bid period, are all in violation of Section 7.114b of the Charter. That section makes clear that, “the City Purchasing Agent, Mr. Gene Sullivan, shall let to bid all purchases including those made by the Board of Education.” [emphasis added]. The entire process Mr. Drapp initiated, which culminated with a signed, three-year contract with Durham, is in violation of the Shelton Charter. Durham contract is void. Not only does this process which ended with the signing of Durham contract render the contract void, the document itself in final form is void. The document is absent a non-collusion form. The original bid package stated, “Failure to include the non-collusion form will result in rejection of the bid.” No such document was provided to the City on June 1, 2018 with the claimed Durham contract.

Rebid waiver – the Board of Education can remedy all the violations and remain the distance it prefers from the City by providing rebidding the bus contract under Section 7.14. Alternately, or initially, the Board of Education can also ask the Board of Aldermen for a waiver of the bidding process. Such should have occurred prior to the Drapp action, but the effect of such action would be a way to resolve this confusion and violation of the Charter.

In addition to all of the above legal violations, the Board of Education by failing to accept the low bidder, B&B Transportation, has cost the Shelton taxpayers $450,000 per year for three years at three percent per year. Once again, the City awaits a response to its offer. It is ready, willing and able to make use of the next 90 days. I await your response.

That was Counsel’s letter. Subsequent to that, the Mayor put in writing on June 12 to Dr. Clouet, this is his cover memo:

Dear Chris,

Attached please find the City’s proposal for conducting Shelton’s student transportation services in response to your recent call and e-mail. I would hope the Board considers this proposal as the start of a cooperative venture.

Please get back to me as soon as you and the Board consider this matter.
The Shelton Student Transportation Services proposal of June 12 reads:

The City will lease the City-owned buses to the selected vendor for one year at $1 per year.

In addition, the City will lease to the selected vendor the bus terminal, garage, fueling station and parking areas for one year at $1 for the year.

The administration will recommend the waiver of bids by the Board of Aldermen for a one-year term for the Board of Education Transportation Services for the selected vendor.

The Board of Education will exercise the 90-day contract cancellation provision with notification to the selected vendor that the contract is for a one-year term.

During the one-year vendor service term, the City administration will prepare a detailed Memorandum of Understanding document outlining the services and operation of the student transportation system for the Board of Education to be provided by the State.

The Board of Education will designate the City as the student transportation provider effective July 1, 2019.

We need your designation to work with the union; that’s why you do that.

It is recommended that the Board of Education continue to employ a Director of Transportation for the Board of Education to act as their agent, etc.

Both parties sign a letter of intent outlining the above blueprint of a cooperative system.

That’s pending. So meanwhile, we haven’t received a response.

Corporation Counsel Teodosio stated, in response to the letter that Chairman Anglace read both from myself and from the Mayor, there was a response back from Counsel for the Board of Education. It’s a rather lengthy letter but the point is the Board of Education at this time is not interested in the offer. I must say I’m not sure that the attorney for the Board of Education saw the Mayor’s letter, but I assume that she did.

Alderman Anglace stated, so where we are right now is that we haven’t heard but we’re still ready, willing and able to work with the Board of Education so we can save them the money and none of the scare tactics of layoffs and other stuff, they just go away.

Corporation Counsel explained, the contract says that after it’s signed and in place, that either party with a 90-day notice can get out of the contract for any reason. It’s a floating escape clause in the contract.

Alderman Anglace stated, when B&B was called in, they were the low bidder, and they were called in by the Board of Education. Subsequent to that meeting, they left on very unfavorable terms and they wrote a letter to the Mayor, and
that got the Mayor involved that something was wrong. B&B withdrew their bid, so the Board of Education then went to the next low bidder, which was Durham. Durham was not the low bidder; B&B was. The difference from last year to the Durham bid was $600,000 per year. The fact of the matter is that what we’re going to talk about in executive session has to do with enforcing the terms of the Charter.

6 – Legal Report

6.1 Corporation Counsel Billing

Alderman McPherson MOVED to authorize a total payment of $1,297.50 to Corporation Counsel, Welch, Teodosio, & Stanek, LLC, for services rendered per statement dated June 8, 2018 with funds to come from the following Legal Services Account:

| Legal Fees           | 001-1900-411.30-03 | $1,297.50 |

SECONDED by Alderman Simonetti.

Alderman Simonetti asked if we have an assistant corporation counsel as Ray Sous has retired.

Alderman Anglace replied no. The Board of Aldermen have to appoint an assistant counsel. None have been recommended at this point.

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

7 – Legislative Old

No Items.

8 – Financial Business – Old

No items.

9 – Financial Business – New

9.1 – June Statutory Refunds

Alderman McPherson MOVED that the report of the Tax Collector relative to the refund of taxes for a total amount of $8,099.64 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 8-0.

9.2 – 2018 Neighborhood Assistance Tax Credit Program

Alderman McPherson MOVED to approve the three proposals for the Neighborhood Assistance Tax Credit Program as submitted by the Community Development Director and authorize the proposals to be submitted to the State of CT Department of Revenue Services.

| SHELTON ECONOMIC DEVELOPMENT CORPORATION | $15,000 |
| BOYS & GIRLS CLUB OF LOWER NAUGATUCK VALLEY | $50,000 |
| JUNIOR ACHIEVEMENT OF WESTERN CONNECTICUT, INC. | $25,000 |
| SOUTHWESTERN AHEC, INC. (AREA HEALTH EDUCATION CENTER) | $10,000 |
9.3 – Funding for Riverwalk Lights behind the Avalon – LOCIP-eligible

Alderman McPherson MOVED to add the lighting along the Riverwalk behind the Avalon to the Capital Improvement Plan with funding in the amount of $2,500 to come from LOCIP; SECONDED by Alderman Capra. A voice vote was taken and the MOTION PASSED 8-0.

9.4 – Funding for LED Lighting System at Shelton High School Athletic Complex – LOCIP-eligible

Alderman McPherson MOVED to approve the agreement between the City of Shelton and Musco Sports Lighting LLC. for the purchase and installation of an LED lighting system at the Shelton High School Athletic Complex; and further,

MOVED to add the LED lighting system for SHS Athletic Complex to the Capital Improvement Plan with funding in the amount of $382,181.00 to come from LOCIP; and further,

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

Gary DeFilippo is coordinating this project for the City. He explained, we’ve been working on improvements for the Athletic Complex. When we first started we wondered what the condition of the lights were. During construction we found several problems, the original wires were buried in orange burg pipe and we ended up with some drainage problems and we found that some of it was crushed. We thought this was a problem and we should explore going for some new lights.

We talked to the Mayor. We were able to use Musco Lighting who does lights nationally and are on the State bid list. We believe it is needed. There is a 25-year warranty on the lights and we’d be using state of the art LED lights and the cost savings from our understanding will be about 85% savings on electrical costs in an ongoing basis. The project will include four walkway lights at the entrance of the complex, as you enter the stadium – it’s usually very dark by the ticket booth. The wood poles are falling over and they will come down. The new poles will withstand 135 mph wind velocity.

Alderman Simonetti stated, I’ve been told that putting them in now is the time to do it because to put them in after the fact, the equipment would ruin what you’re working on now.

In response to several questions from the Aldermen, Mr. DeFilippo explained, now is the time to put them in. Musco was chosen from the State bid list. The 25-year warranty covers the lights, the poles, the wiring. The lights that are there now do work and we looked at the possibility of putting lights on the existing poles, but it was not recommended because some of them are leaning and could fall over. The big cost of a lighting project is the lights themselves; it’s not that big of a savings for the poles.

Alderman Capra would like to know how often the lights are left on; how many hours per year.
Alderman Simonetti stated, the reason for having done the field the way we did was because we were using it eight times a year. Now the field is used 250 times a year for different events between sporting events, band practice and competitions, it really gets a lot of use and is a very big part of the Athletic Department and the school program. There is at least one set of lights left on every day in the evening until about 10 p.m. for people to go up there and walk the track. At this time of year they’re not on as long because of the daylight. The new LED lights will also light the stadium in a better light for everyone using it. The idea of lighting the walkway going down to make it easier for seniors to see their way back to their cars. This is a very worthy cause and something we should do, because doing it later on will ruin what we’re already doing bringing heavy equipment in. The poles are leaning, you can go see them; they’ve been there quite a while. They’ve been there since day one. I’ve been there when lights have popped out during games. The new lighting system is well worth the investment for the stadium.

Alderman McPherson stated that since January people have been speaking time and time again during the public portion talking about the education budget, the roads are bad, sidewalks are bad, parks are bad, we don’t repair anything. LOCIP funding of $382,000 can be used for additional lighting in the municipal parking lot, for sidewalks on both sides of Huntington Street, for sidewalk extension on Meadow Street, sidewalk repairs in the downtown, for upper Riverview Park upgrading.

Alderman Capra added that the seniors in his ward expressed a desire for better roads, sidewalks, curbing, lighting. A developer that wanted to put apartments in Huntington Center offered to put in some beautiful sidewalks – we don’t need his money, we can do it ourselves probably at a much better rate and better quality. He feels we should explore the items on the Capital Improvement list.

Alderman Kudej noted that he cannot believe how expensive it is, that he has some experience lighting the baseball fields, and would like to see other bids.

Alderman Gidwani asked if it could be put to bid to other vendors. Is there a deadline?

Mr. DeFilippo stated, I’m sure you can, but I need to know what’s going on so that I can get the field completed on time. To keep the construction schedule going I had to make some provisions and when I found out we were going to add the lights to the schedule, but if I don’t get the go ahead I’m not sure I could incorporate the lights for the beginning of the season.

Alderman Balamaci asked, can the project be done using the existing poles or reusing any items, or perhaps not using LEDs? Another way of addressing the lighting issue that’s not so expensive and fully-encompassing.

Mr. DeFilippo replied, I did research that and when they looked at the status of our poles they would not warranty the lights on those poles. You can purchase the lights and put them on the existing poles, but there’s no warranty.

A lengthy and sometimes heated discussion with the major concern that LOCIP funding is being used and there are other projects that could benefit from the $382,000.

RECESS TO CAUCUS FOR FIVE MINUTES. 8:05 P.M. CALLED BACK TO ORDER AT 8:10 P.M.
Alderman Anglace stated, we will hold this decision in abeyance until the end of the meeting.

[The following vote occurred after the executive session:]

A voice vote was taken and the MOTION FAILED 2 Yes (Simonetti, Anglace), 4 No (Capra, McPherson, McGorty, Gidwani), 2 Abstentions (Balamaci, Kudej).

9.5 Funding for Belden Center Roof Change Orders

Alderman McPherson MOVED to approve an amount of $11,925 for change orders regarding the repair of the roof for the Belden Cultural Center with funding to come from Aldermanic Bonding pursuant to Section 7.16 of the City Charter; SECONDED by Alderman Simonetti.

The Board of Aldermen bonding we’re doing tonight wipes out all the bonding we’ve done for the entire year.

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

9.6 Funding for Asphalt for Shelton High School Parking Lot

Alderman McPherson MOVED to approve an amount of $162,436 for asphalt for the paving of Shelton High School Parking Lot with funding to come from Aldermanic Bonding pursuant to Section 7.16 of the City Charter; SECONDED by Alderman Simonetti.

Alderman Anglace explained, this motion buys the asphalt. The Public Works Director will coordinate what’s done. It will be the entire parking lot. It has to be coordinated with the field. We don’t want heavy equipment coming in and ruining a parking lot they just paved. The City will do the labor as an in-kind service.

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

10.1 – Items to Public Hearing

No items

10.2 – Appointments and Reappointments to the Permanent War Memorial Committee

Alderman McPherson MOVED to appoint Walter Bills to the Permanent War Memorial Committee for a three-year term with expiration on June 14, 2021; and further,

MOVED to reappoint Guy Beardsley to the Permanent War Memorial Committee for a three-year term with expiration on June 14, 2021.

Walter Bills – D
283 River Road
Shelton, CT 06484
Tel. (203) 924-8184

Guy Beardsley - R
276 Leavenworth Road
Shelton, CT 06484
Tel. (203) 929-3080

Walter Bills is Chaplain of the American Legion Post and is replacing Al Sabetta.

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

At approximately 8:16 p.m., Alderman Simonetti MOVED to enter Executive Session to discuss the following agenda items:

11.1 Walmart v. City of Shelton
11.2 Consideration of Legal Action regarding Violations of Shelton Charter

and invited Corporation Counsel Teodosio to remain in the auditorium; SECONDED by Alderman McPherson. A voice vote was taken and the MOTION PASSED 8-0.

Return to Regular Session

At approximately 9:20 p.m., Alderman Simonetti MOVED to return to regular session; SECONDED by Alderman Balamaci. A voice vote was taken and the MOTION PASSED 8-0.

Alderman Anglace noted that no votes were taken during the Executive Session.

11.1 Walmart v. City of Shelton

Alderman Simonetti MOVED to accept the recommendation of the Tax Assessor to settle the matter of Walmart v. City of Shelton for the fair market value of $12 million; SECONDED by Alderman Capra. A voice vote was taken and the MOTION PASSED 8-0.

11.2 Consideration of Legal Action regarding Violation of Shelton Charter

Alderman McPherson MOVED to authorize the Mayor to take the appropriate legal action to address the Board of Education’s Charter violations; SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 8-0.

BACK TO ITEM 9.4 - FUNDING FOR LED LIGHTING SYSTEM FOR Shelton High School

A voice vote was taken and the MOTION FAILED. The votes were as follows:

YES: Simonetti, Anglace
NO: Capra, McPherson, McGorty, Gidwani
ABSTAIN: Balamaci, Kudej

ADJOURNMENT

At 9:23 p.m., Alderman McPherson MOVED to ADJOURN; SECONDED by Alderman Kudej. A voice vote was taken and the MOTION PASSED 8-0.

Respectfully submitted,

Trish Bruder

Patricia M. Bruder
Administrative Secretary
City of Shelton

DATE APPROVED: __________ BY:_______________________________________________
Mark A. Lauretti
Mayor, City of Shelton