Call to Order / Pledge of Allegiance

Alderman Anglace called the meeting of the Board of Aldermen to order at 7:00 p.m. All those present stood and all rose to recite the Pledge of Allegiance to the flag:

Roll Call

Alderman John F. Anglace, Jr., President – present
Alderman Eric McPherson, Vice President – present
Alderman John “Jack” Finn – present
Alderman Stanley Kudej – not present
Alderman Noreen McGorty – present
Alderman Cris Balamaci (sworn in by Attorney Francis Teodosio, during the President’s Report)
Alderman Jim Capra – present
Alderman Anthony Simonetti – present

Administration:

Attorney Francis Teodosio, Corporation Counsel
PUBLIC PORTION

Diane Jowdie, Mill Street

I sent a letter but I am not sure that it came on time for each of you to read it. Do you have a letter there from me? No, okay then I will read my letter pretty quickly:

Dear Aldermen,

Here are some jobs for you and that old fashioned City officer, the Fence Viewer, and for the City Engineer, the Department of Roads, the Zoning Enforcement Officer, the Blight Enforcement Office and the Inland/Wetlands Office. In responding to my Mill Street neighbors to my anti-blight complaint about my collapsing fence. I uncovered a can of worms. Why was my fence falling down? I learned that a United Illuminating utility pole in the same area is also falling down. It is also falling down; it is holding up by the wires it carries. UI has begun the process of replacing it; they need to do some tree trimming and complete their field study before they replace it.

I address you, our aldermen, because the activities and the inactions of so many Shelton agencies and commissions have caused the wash out conditions behind the collapse of my fences support posts. Here is why: Despite my many complaints to the City Engineer, Robert Kulacz, and to the Inland/Wetlands Officer, John Cook, my fellow Conservation Commissioner member for many years, Planning & Zoning allowed the construction of 2 flag lots on Mill Street with two corresponding spill ways carrying rain and snow in great volume and into my pond. The City of Shelton also conducts the runoff from Judson Street, Judson Circle, Buddington Road, Great Oak Road and these two flag lots into my pond. This was designed to store water diverted from the Far Mill River to operate the water powered Mel forge that I live in.

My family and I became the owners and residents in 1956. Although we do not use water power, we do maintain and assiduously defend our rights. The pond was never meant to hold all of this water. It threatens the integrity of the earth and dam, and the eastern edge of the pond. I was forced to install two relief pipes to handle the unmanageable extra runoff. This water that should be actually be directed into the river through the Simonetti property or just above it, is instead conveyed into mine. My fence post washed out and the fence panels fall. What you would be the most interested in is that Mill Street itself is being undermined along the edge of the pond into two places, and also further east on the road. In the house formerly occupied many years ago, by Ms Upton, called Rockledge and you will see that the guardrails are being washed out seriously. This has been going on for years.

It is ironic that I am suffering the consequences of this long ago decision, which I understand would not be allowed today to put all of this water on one person’s land. It is further inttolerable that Mr. Simonetti, my neighbor, has taken down my privacy fence which is designed to keep swimmers out of my pond. His property is non-conforming, it is undersized at 6/10 of an acre in an R1 zone and the rest of us are R1. It occupies a much larger than usual footprint on the plot, which is hard scaped.
by large buildings and parking lot further increasing the volume and speed of the run off.

I will not go into all of the details but it is a problem. I ask you to look on this as part of the overwhelming development now proposed for the end of Mill Street, in Town Center which was approved. I think that we are being slammed in the Third Ward and I would like you to remove the culverts that convey all this water into my mill pond. Thank you.

Gregory Tetro, 281 Buddington Court

I was originally going to speak on this for Ms. Jowdie but she did come today. She has a bill to repair the fence for over $6,000. Right now if you try to go down her property you will see that she has repaired this fence many times. There was an oil tank that was dumped in, the garbage that was thrown in. As you replace a fence it looks like a different color; we understand that but fixed income. With a woman that does not have a big income can’t afford to keep fixing the fence when the City created a lot of the problems. We are hoping that they kindly look on this for Ms. Jowdie and come up with a plan to fix an actual fence that works when the road that starts to collapse also and it works all into the same budget.

I also want to bring up a point again about Buddington Road. It is around 295. Going way back I moved in around 18 years ago. About 16 years ago, a car ran into our culvert drain bridge; this beautiful colonial stone bridge. My wife trying calling for years to have it fixed. It was tipped over for years. I came to an alderman’s meeting around a year and a half ago and brought it up and it was fixed immediately. What was fixed was the beautiful stone wall that was torn to the ground and a flat sewer drain was put in. Also, it seemed like it was a great time for them to remove just about every other traditional colonial stone bridge, and replace it with either a grate or with a guardrail. I understand that it may be cheaper but it would be nice to put back what was originally there.

Around the next thing, 295 Buddington Road, there was a sewer drain that was put it. The sewer drain did not collect any water; the water filled half of the road by 5 feet away from the drain that was put in, causing a great danger. I brought it to the aldermen and something was done immediately. There was a sign that said “water in road”. The sign sat half way into the roadway making us still go out in the other lane, into a blind corner. It also sat there whether it was a foot of water or a bone dry, so we were always in danger of going around that sign. Finally, they came back with their next repair which was digging out a section of the road to put a perforated pipe in and covering it with gravel. So now we do not have the flooding in the road, but we have around one foot to 18 inches of gravel and a torn up road that has not been repaired that makes go into the other lane to go around it so we do not pop a tire, or accidentally slide off and hit the rock. It is so close. I do not understand why there is so much disrepair? I really do not quite get it. Who manages a job when it is finished to make sure that it is done right? Things like this run off: when we see this over there, we worry about what the next big plan is, what the next big building is and what
is going to happen with that run off? We cannot get something as simple as a Mill Street fence fixed and a Buddington Road fixed? How are we going to do on these bigger projects? I am very concerned on who is managing these issues and how they get repaired. Thank you very much.

*John Esposito, 5 Lexington Court*

I am up here in regards to an issue that is being addressed currently. It is the waste pile on Independence Drive. There has been a lot of discussions, and as I understand it is in the process of being addressed. When this issue first came up, there was a discussion of trying to keep the area safe. It was determined to put up a barrier around the property, in which they did do that. It was an orange fabric fence, in which in my estimation, not a true barrier because it does not prohibit anyone from getting in there. As a concern two nights ago as I was coming home, there were kids that were playing in the lot. Obviously it is an issue because there is a hole there, there is waste material there and knowing what the dangers are at that point. I think that is a concern that needs to be addressed. I think that fence should be more of a construction fence, or something that would prohibit younger kids from going in there. I am not naïve to understand that if someone wants to go in there, then they are going to want to do it. A little more of a barrier would cause people to think twice, or perhaps any signage that prohibits any intruders from going in there. It is just a heads up to try to avoid any accident waiting to happen in that area. Thank you.

Alderman Finn: Just to follow up on Lexington Court, I went up there the other day on my way home. There is a fence up there and there is a sign that says “No Trespassing”. Prior to the foliage coming about, you were able to see into where the so-called pond is. You cannot see that anymore so if you see kids playing down there, nobody is ever going to see it. That has to get addressed for the safety of the children in the area. You have to look at what Alderman Simonetti said about what had happened in Branford because we do not want that happening here.

Alderman Anglace: I do not know that I can respond to you.

Alderman Finn: We just want you to forward it to the person that is handling the case, and to get ahold of the property owners to see what can be done to keep the kids out of that so-called pond.

Alderman Anglace: I think the most that we can accomplish tonight is to put what you said on the record so it is done.
Agenda Items

Add-ons:

Alderman Finn MOVED to add on the following items to the July 13, 2017 Regular Meeting agenda:

8 – FINANCIAL BUSINESS – OLD
8.1 RESCISSION OF ACTION - FUNDING FOR AERATOR FOR PINE ROCK PARK AND REAPPROPRIATION

9 – FINANCIAL BUSINESS – NEW
9.6 APPROPRIATION FOR BOOM LIFT FOR MAINTENANCE DEPARTMENT

11 – EXECUTIVE SESSION
11.2 DEMARCO WORKER’S COMPENSATION

SECONDED by Alderman Simonetti. A voice vote was taken and the motion passed unanimously.

Minutes for Approval

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

1. Regular Full Board Meeting – June 8, 2017
2. Special Meeting – June 29, 2017

SECONDED by Alderman Simonetti. A voice vote was taken and the motion passed, with one abstention made by Alderman Anglace.

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

5.1 FINANCE COMMITTEE

5.1.1 NO ITEMS
5.2   PUBLIC HEALTH & SAFETY COMMITTEE

5.2.1 NO ITEMS

5.3   STREET COMMITTEE

5.3.1 NO ITEMS

REPORT OF THE MAYOR – None presented.

REPORT OF THE PRESIDENT – Sadly I announce the resignation of Dr. Lynne S. Farrell from the Board of Aldermen, after 12 years of service. I am going to read her statement:

It is with regret that I must resign my position from the Board of Aldermen for the City of Shelton, for personal reasons. I have enjoyed my time on the board and have loved serving the people of the Third Ward as their alderman. My resignation is effective immediately. That is June 21, 2017. Thank you for this wonderful opportunity.

-Lynne Farrell

I said sadly I announce this because Lynne has been a wonderful person to work with throughout the 12 years that she has been here, and I am sure that you all agree. She has contributed more than her share to making Shelton what it is today.

With that, I want to announce that the remaining Republican aldermen hereby appoint, Cris S. Balamaci, as the alderman from the Third Ward replacing Lynne Farrell. Her address is 15 Cottage Street, Shelton, CT. Cris, congratulations! Please stand up and come up to the front so you can get sworn in. (Round of applause)

The appointed Third Ward Alderman, Cris S. Balamaci, gets sworn in by Attorney Francis Teodosio at the Regular Full Board meeting, held on on July, 13, 2017.

6.0   LEGAL REPORT

6.1   CORPORATION COUNSEL BILLING

Alderman McPherson MOVED to authorize a total payment of $2,871.00 to Corporation Counsel Welch, Teodosio, and Stanek, LLC, for services rendered per statement dated July 1, 2017, with funds to come from the following Legal Services Accounts:
6.2 ASSISTANT CORPORATION COUNSEL BILLING

Alderman McPherson MOVED to authorize a total payment of $825.00 to Assistant Corporation Counsel Ramon Sous for services rendered per statement dated July 1, 2017, with funds to come from the following Legal Services Accounts:

- Legal Fees 001-1900-411.30-03 $825.00

SECONDED by Alderman Simonetti. A voice vote was made and the motion passed unanimously.

7 LEGISLATIVE - OLD

7.1 ITEMS FROM PUBLIC HEARING

7.1 A – NO ITEMS.

8 FINANCIAL BUSINESS OLD

8.1 RECISSION OF ACTION - FUNDING FOR AERATOR FOR PINE ROCK PARK AND REAPPROPRIATION

Alderman McPherson MOVED to rescind the action taken at the January 12, 2017 Board of Aldermen Regular Meeting regarding Item 9.2 Funding for Aerator for Pine Rock Park.

Further, in accordance with paragraph 5 and other provisions of the “Pine Rock Environmental Impact Fund”, to approve/disapprove the purchase of an aerator for Pine Rock Park, per the recommendation of the two aldermen in the Third Ward, with the expenditure not to exceed $3,000.00 for the purchase and installation with funding to come from the Pine Rock Environmental Impact Fund.

SECONDED by Alderman Finn.

Discussion:
Alderman Anglace: To add to the record, this action was taken back in January of this year with the hope that this would get ordered in, and installed by this time. It was not done so in checking, I found a price. It went up a little bit from $2,000 to $3,000, so we had to redo it.

A voice vote was taken and the motion passed unanimously.

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**9 FINANCIAL BUSINESS NEW**

**9.1 JULY STATUTORY REFUNDS**

Alderman McPherson MOVED that the report of the Tax Collector relative to the refund of taxes for a total amount of $1,130.88 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 unanimously.

*(Supporting documentation from the Tax Collector is on file with the Board of Aldermen Clerk or Town Clerk’s Office.)*

**9.2 ADMINISTRATIVE SERVICES FOR 267 CANAL STREET DEPARTMENT & COMMUNITY DEVELOPMENT GRANT**

Alderman McPherson MOVED to approve the following grant:

Whereas, on May 11, 2017 the Board of Aldermen approved the execution of an Assistance Agreement by and between the City of Shelton and the Connecticut Department of Economic and Community Development to undertake the 267 Canal Street Assessment Project, and

Whereas, the Shelton Economic Development Corporation provides administrative services to administer the grant and oversee activities related to said grant and

Now therefore be it resolved that the City of Shelton agrees to provide administrative funding in an amount of $25,000 to come from Contingency General Account #001-9900-900.99-00. to the Shelton Economic Development Corporation to support the administrative expenses in carrying out the Brownfield Assessment activities related to this grant and to further designate the Shelton Economic Development Corporation as the implementing agency for the program.

SECONDED by Alderman Simonetti. A voice vote was taken and the motion passed unanimously.
9.3 ASBESTOS CONSULTING SERVICES SUNNYSIDE SCHOOL ROOF PROJECT

Alderman McPherson MOVED to approve the agreement between Mystic Air Quality Consultants, Inc. and the City of Shelton for asbestos consulting services for the Sunnyside School Roof Project.

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

SECONDED by Alderman Finn.

Discussion:

Alderman Finn: We are talking about the asbestos. Are we talking about what bonds onto the roof-is that where the asbestos is? It does not say in the contract. I read it several times. It is basically a regular contract.

Alderman Anglace: You have the July 5, 2017 letter from Mystic Air Quality Consultants?

Alderman Finn: Yes that is on the back.

Alderman Anglace: I was going to explain to you a few things: This is a necessary service, in conjunction with the roof replacement. It is required by the law. It may or may not be used as proposed in the proposal, on that July 5, 2017 letter. You will note some things on that letter that say if needed, this would be the cost of the charges. There are some things that they may be asking to do. They may be working weekends; they may be not but they put everything into the quote. They came up with $27,000 until we made a few things: like page 2 in the contract you will note Item #10 – The City shall compensate the contractor (there is no number there). I would suggest putting a sum not to exceed $27,000, as needed.

Alderman Finn: I understand what you are trying to indicate to me, but the letter, the contract, the motion does not specify what asbestos that they are removing. I was the Chairman of the Asbestos Removal Committee for the Community Center, so that is why I am looking at the flashing.

Alderman Anglace: My understanding is that they may/may not be asbestos. That is why this firm is called in to look at any questionable situations. These are not the roof people. They are separate from, and they are there as consultants. If the group is doing the roof repair and thinks there is something wrong, they get called in and check it out.

Alderman Finn: When we were first discussing this Sunnyside School roof over the library, there was mention of the fact that there was asbestos. Will we be addressing the removal of that asbestos over the library? We were not addressing it at that time. My question is
this project going to address the asbestos that we know of, over the Sunnyside School roof library?

Alderman Anglace: As many of you know, many old homes have asbestos in them. As long as you do not disturb it, it does not pose a threat. That is the situation there and that is why we bring the consultants on board to be there to do something if they suspect that there is a threat. Then they would come in and work with the person who is doing the roof.

Alderman Finn: That is why I was looking at the flash. Once you remove the flash, then it becomes airborne.

Alderman Capra: This was actually done last year, and they were repairing it over the library. They did the air quality testing and everything did turn out fine, so I would assume doing it again after the roof is complete they can do that testing. I do not think there is anything alarming right now in that school that would harm the kids.

Alderman Simonetti: We will ask the Clerk of the Works to get back to us.

Alderman Balamaci: It is typical. I have been involved in asbestos abatement in the healthcare and corporate fields, and typically you do the monitoring post replacement of anything. If that has any alarming values, then you would have to negotiate an asbestos abatement company to come in. This is more precautionary; it does not mean that it is an alarming issue. It is just to rule it out; it is standard procedure. All shingles have asbestos in them. When you disrupt it, and the people that are removing it follow protocol it really does not raise an issue. Per the state, don’t they have to follow to do the monitoring for an “x” number of days?

Alderman Finn: You are absolutely right because when we were doing the Shelton Community Center, the roofing was fine but then when we started removing the flashing, that was where the problem was. Thank you.

Alderman Anglace: Incidentally, we will be billed for the services that will be performed. That is why we do not want to put in $27,000. We put in a number with a sum not to exceed $27,000, so it will be somewhat up to that number.

A voice vote was taken and the motion passed unanimously.

9.4 PLAN PROVISION CHANGES TO CITY OF SHELTON 401A MONEY PURCHASE PLAN

Alderman McPherson MOVED to approve, per the recommendation of the Pension Board, to modify the 401A Money Purchase Plan in accordance with the summary of desired plan changes to the 401A plan, approved and recommended by the Pension Board. A copy of which is attached as follows:
1. Remove the 12-month waiting period in calculating service time, for vesting purposes for employees who are rehired by the City.
2. Remove the one-year hold out rule pertaining to the tracking of vesting, related to Item 1.
3. Modify the plan definition of compensation to ensure operational compliance with current day to day operations.
4. Modify language regarding handing out a post severance compensation for contribution purposes, and for 415 compensation purposes.
5. To allow rollovers into the plan.
6. Add a loan provision to the plan.
7. Change plan entry date from semi-annual to a quarterly entry.

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

SECONDED by Alderman Simonetti.

Discussion:

John DiMatteo: Good evening, I am John DiMatteo, of DiMatteo Group. I am the Pension Advisor to the Pension Board, and I have provided you with a document that tries to clarify some of these things, since they may be confusing.

Alderman Anglace: I understand that our plan is migrating into the Prudential plan. Would you explain that process and what it means to our people in the plan. These appear to be all positive changes. Prudential is going to manage the plan?

John DiMatteo: They are going to provide the document. We are migrating so they are going to maintain it to make sure that it stays in compliance going forward, rather than us maintaining our own document and paying our own legal fees to take care of that. It is pretty typical for this environment, to have the record keeper, which is Prudential, also maintain the Plan Document. In doing so, we want to update the plan at the same time to bring it up to date. Some of the earlier changes are designed to make it easier for Prudential to oversee the plan.

Alderman Anglace: When you say up to date, do you mean up to date with government regulations? Or up to date with other employers’ plans?

John DiMatteo: The latter: up to date as to modern plans today.

Alderman Balamaci: Is that related to public sector plans, or cross the board private and municipal plans?

John DiMatteo: These are pretty much across the board.

Alderman McGorty: I have a comment: I just think these are all positive things to streamline the process. Allowing a loan provision is a nice option, especially allowing
more entry points is just going to increase solid participation, so I think these are all positive things.

Alderman Finn: How is this going to affect the firemen?

John DiMatteo: It has no effect on the firemen.

A voice vote was taken and the motion passed unanimously.

9.5 **FINAL EXPENDITURES FOR SECURITY UPGRADES FOR VARIOUS SHELTON PUBLIC SCHOOLS**

Alderman McPherson MOVED to approve the following:

A. **Mohegan Elementary School**

Move to appropriate a sum of $12,984 for final expenditures for security upgrades (fortification of doors) for Mohegan Elementary School with funding to come from General Fund Surplus.

B. **Elizabeth Shelton Elementary School**

Move to appropriate a sum of $17,562 for final expenditures for security upgrades (fortification of doors) for Elizabeth Shelton Elementary School with funding to come from General Fund Surplus.

SECONDED by Alderman Finn.

Discussion:

Alderman Anglace: The number in Mohegan Elementary School went from $12,982 to $12,984. Just to call your attention but it is only $2.

A voice vote was taken and the motion passed unanimously.

9.6 **APPROPRIATION FOR BOOM LIFT FOR MAINTENANCE DEPARTMENT**

Alderman McPherson MOVED to appropriate an amount of $28,000 for a boom lift for the Maintenance Department with funding to be provided by bonding pursuant to Section 7.16 of the City Charter.

SECONDED by Alderman Simonetti.

Discussion:
Alderman Anglace: I asked about this, and rental costs add up fast. The other thing that adds cost in this area is that the job gets delayed. Weather delays, etc. and you have the equipment sitting outside and everyday it is costing you money. They figure this is going to be used not only by the City, but the Board of Education as well. It should pay for itself within a short period of time. The boom lift is roughly 30 feet, and it will get plenty of good use.

A voice vote was taken and the motion passed unanimously.

10 – LEGISLATIVE - NEW

10.1 ITEMS TO PUBLIC HEARING

10.1A NO ITEMS

10.2 ACKNOWLEDGEMENT OF PARTNERSHIP BETWEEN THE CITY OF SHELTON & DERBY – SHELTON ROTARY CLUB – SHELTON DAY

Alderman McPherson MOVED to authorize Mayor Mark A. Lauretti to sign an agreement between the City of Shelton and the Derby-Shelton Rotary Club to acknowledge the partnership between the City of Shelton and the Derby-Shelton Rotary Club during the Shelton Day activities to be held on Sunday, October 1, 2017.

SECONDED by Alderman Simonetti. A voice vote was taken and the motion passed unanimously.

EXECUTIVE SESSION

11.A REQUEST TO GO INTO EXECUTIVE SESSION

EXECUTIVE SESSION

At approximately 7:40 PM, Alderman McPherson MOVED to enter into Executive Session to discuss the following items:

11.1 HUBYK WORKER’S COMPENSATION
11.2 DEMARCO WORKER’S COMPENSATION

and invited Corporation Counsel Francis Teodosio to remain in the auditorium during the Executive Session; SECONDED by Alderman Simonetti. A voice vote was taken and the motion passed unanimously.

RETURN TO REGULAR SESSION
At approximately 7:50 p.m. Alderman Simonetti MOVED to return to Regular Session; SECONDED by Alderman McPherson. A voice vote was taken and the motion passed unanimously.

It was noted that votes were taken in Executive Session

**11.1 Hubyk Worker's Compensation**

Alderman Finn MOVED to approve the payment of the compensation award of 11%, for John Hubyk.

SECONDED by Alderman Simonetti. A voice vote was made and the motion passed unanimously.

**11.2 Demarco Worker's Compensation**

Alderman Finn MOVED to approve the stipulation with regard to Thomas DeMarco, and authorize payment of the sum.

SECONDED by Alderman Simonetti. A voice vote was made and the motion passed unanimously.

**Adjournment**

Alderman McPherson MOVED to adjourn; SECONDED by Alderman Simonetti. A voice vote was taken and the motion passed unanimously.

The meeting adjourned at approximately 8:00 p.m.

Respectfully submitted,

*Brittany Gannon*

Brittany Gannon, Clerk
Board of Aldermen

DATE APPROVED: _________ BY: _________________________________________

Mayor Mark A. Lauretti