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 Adam Heller – present
Alderman Stanley Kudej – not present
Alderman Noreen McGorty – present
Alderman Cris Balamaci – present
Alderman Jim Capra – present
Alderman Anthony Simonetti – present

Administration:

Attorney Francis Teodosio, Corporation Counsel

PUBLIC PORTION

JUDSON CRAWFORD, 8 JORDAN AVENUE

There was a comment in the paper this morning about the burlesque plan turned down. It was supposed to come up on the 14th for the Planning & Zoning Commission. I was hoping to bring before the Planning & Zoning Commission two ordinances that the Board of Aldermen passed, and signed by our Mayor, Mark A. Lauretti. One ordinance was #718 and the second one was Ordinance #820. It was for adult oriented business establishments, and these were passed back in 2007 but it did not state anything in the paper as to the ordinance # or why it was turned down. Just thought I would bring that to your attention. Thank you.

I would also like to bring to the attention of the Board of Aldermen of why there is still an eyesore on Sunnyside School. The top portion of the roof was replaced, then it has a molding at the top of a brown color. On the bottom section, the section is in white. Why is it in white? How long before it will be taken care of and remedied? Should this now be forwarded to the Shelton Building Committee? Thank you for your time.
Agenda Items

Add-Ons

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

EXECUTIVE SESSION:

11.1  REAL ASSETS LLC. VS. CITY OF SHELTON, HHB-CB17
11. 2 GRAND PRIX LLC. VS. CITY OF SHELTON, HHB-CB17

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

MINUTES FOR APPROVAL

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

1. Regular Full Board Meeting – October 12, 2017
2. Public Hearing on Ordinances – October 12, 2017

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

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 – The following letter was presented during the President’s Report:

October 20, 2017

Mr. Greg Tetro
281 Buddington Road
Shelton, CT 06484

Dear Greg:

RE: BUDDINGTON ROAD – HUNTINGTON STREET INTERSECTION IMPROVEMENTS

Thanks for speaking at the Public Portion of the BOA meeting on October 12, 2017 and thanks for your complimentary remarks regarding my attendance at the proposed Buddington Road - Huntington Street intersection improvements Public Hearing.

You asked why the City was spending $40 to $45,000 of taxpayer money for these improvements when the developer was supposed to make them as part of a subdivision approval.

I said I would research this and get back to you. My research shows that the developer (Blakeman Construction), at the request of the City, performed Animal Shelter site work estimated to be worth approximately $60,500 in lieu of making the above subject intersection improvements. I also found this quote from the Aldermanic Finance Committee Special Meeting of August 23, 2012 wherein Greg Raucy, President, Bismark Construction Company, the Animal Shelter Builder, is quoted. His reference is to Paul DiMauro, Director of Public Works: “…if it wasn’t for his expertise involvement with the offering of services to do the site work, this project would have cost well over or close to $3 million. …if I were a taxpayer in Shelton I would feel pretty proud that they’re getting a great bang for their buck.” The total cost for the Animal Shelter cost the City approximately $1.4 million.

There are other technical/legal reasons driving this decision but the bottom line is that the City did receive more value than originally anticipated. There were also other City/taxpayer benefits associated with the Huntington Woods approval, which have contributed to a better quality of life for our community.

I will include this letter in the next BOA meeting President’s Report. As you know, verbatim content of the issues raised is available at the City Website under the BOA minutes of October 12, 2017.

JOHN F. ANGLACE, JR.
6.0 LEGAL REPORT

6.1 CORPORATION COUNSEL BILLING

Alderman McPherson MOVED to authorize a total payment of $1,471.25 to Corporation Counsel Welch, Teodosio, and Stanek, LLC, for services rendered per statement dated November 1, 2017, with funds to come from the following Legal Services Accounts:

| Legal Fees          | 001-1900-411.30-03 | $1,471.25 |

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

6.2 ASSISTANT CORPORATION COUNSEL BILLING

Alderman McPherson MOVED to authorize a total payment of $371.25 to Assistant Corporation Counsel Ramon Sous for services rendered per statement dated October 1, 2017, with funds to come from the following Legal Services Accounts:

| Legal Fees          | 001-1900-411.30-03 | $371.25 |

SECONDED by Alderman Heller. 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 DISPOSAL OF SOLID WASTE AGREEMENT – WAIVER OF BID

Alderman McPherson MOVED, per the recommendation of the Purchasing Agent, to waive the bidding process to allow waste to be sent to the Winter Brothers facility in Danbury during periods that the Wheelabrator Facility in Bridgeport is experiencing delays accepting deliveries or otherwise causing economic harm to the City of Shelton.

Further move to approve the agreement between Winter Brothers and the City of Shelton subject to review and final approval of Corporation Counsel and the Mayor.

Further authorize Mayor Mark A. Lauretti to execute any and all documents necessary to effectuate same.
SECONDED by Alderman Simonetti. A voice vote was taken and the motion passed unanimously.

9 FINANCIAL BUSINESS NEW

9.1 NOVEMBER STATUTORY REFUNDS

Alderman McPherson MOVED that the report of the Tax Collector relative to the refund of taxes for a total amount of $3,156.16 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 Heller. A voice vote was taken and the motion passed unanimously.

9.2 FUNDING FOR BELDEN CULTURAL CENTER ROOF REPLACEMENT

Alderman McPherson MOVED to approve the agreement between Goldseal Roofing and the City of Shelton for the replacement of the roof at the Belden Cultural Center located at 54 Grove Street with funding in an amount of $238,500 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 Heller. A voice vote was taken and the motion passed unanimously.

9.3 FUNDING FOR DONOVAN LANE STORAGE FACILITY ROOF REPLACEMENT

Alderman McPherson MOVED to approve the agreement between Elite Roofing and Restoration and the City of Shelton for the replacement of the roof at the central storage building on Donovan Lane with funding in an amount of $89,400 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 said agreement.

SECONDED by Alderman Heller.

Discussion:
Alderman Anglace: My reaction to this was that this is not a big building; it might be a bit larger than my house. Am I going to have to pay $89,000 to replace my roof? What drives the cost of this one so high? I see there were a lot of bidders and they were all up there.

Alderman Simonetti: This one has a metal deck, so there may be some welding that needs to go on. The wood needs to be replaced, the metal deck needs to get replaced, so that is why the cost is probably so high.

A voice vote was taken and the motion passed unanimously.

9.4 MERIT SYSTEM WAGE REVIEW

Alderman McPherson MOVED to increased the total compensation for non-union Merit System employees by an amount not to exceed $39,350, which is allocated pursuant to Section 5.6 of the Merit System and Personnel Rules retroactively to July 1, 2017.

Further move to amend the Merit System salary schedule for non-union employees by an increase of 2.5% to the minimum and maximum rates for all classes effective July 1, 2017.

SECONDED by Alderman Heller.

Discussion:

Alderman Anglace: I think everyone understands that the money is coming from the Increments Account.

A voice vote was taken and the motion was approved unanimously.

9.5 BOND REFUNDING RESOLUTION

Alderman McPherson MOVED to approve the following resolution:

RESOLUTION WITH RESPECT TO THE AUTHORIZATION, ISSUANCE AND SALE OF NOT EXCEEDING $5.0 MILLION CITY OF SHELTON GENERAL OBLIGATION REFUNDING BONDS, AUTHORIZING COMBINING INTO ONE ISSUE AND MAKING DETERMINATIONS WITH THE REFUNDING BONDS ANY OTHER AUTHORIZED BUT UNISSUED BONDS OF THE CITY, AUTHORIZING AGREEMENTS FOR THE INVESTMENT OF REFUNDING ESCROW AND ITS REINVESTMENT OVER ITS TERM
Section 1. $5.0 Million principal amount of refunding bonds of the City of Shelton, or so much thereof as shall be necessary, are hereby authorized to be issued to achieve net present values savings or debt restructuring, and the proceeds therefrom appropriated for the purpose of refunding, including advance refunding, all or any portion of the aggregate principal amount of any issue of City of Shelton (hereinafter, the “City”) General Obligation Bonds now or hereafter outstanding or hereafter authorized, issued and outstanding, (the “Prior Bonds”), and for the payment of all fees and expenses incurred in connection therewith, including redemption price, legal, fiscal advisor, underwriting, accounting, escrow verification, investment broker, printing, rating agencies, registrar, transfer and paying and escrow agents, printing, and such other costs and expenses, and those necessary, appropriate or customarily incurred in connection with the refunding of bonds.

Section 2. The bonds shall be in the denomination of $1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the City by the manual or facsimile signatures of the Treasurer and Director of Finance (the “City Officials”) and be approved as to their legality by Joseph Fasi LLC, Bond Counsel. They shall bear such rate or rates of interest or sold at such price or prices, including discount or premium with respect to par, as shall be determined by the City Officials pursuant to Section 7-370 of the General Statutes. The bonds and notes shall be general obligations of the City, and each bond and note shall recite that every requirement of law relating to its issue has been duly complied with, that it is within every debt and other limit prescribed by law, that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon, and will be paid from property taxation to the extent not paid from other sources. The aggregate principal amount of refunding bonds to be issued, the particular issue or portion thereof they shall refund, the annual installments of principal, redemption provisions, if any, the date, time and manner of issue and sale, interest rate on the bonds, designation of registration transfer and paying agent, financial advisor, underwriter, verification agent or other service providers to facilitate the issuance of the bonds and the transactions herein authorized, and other terms, details and particulars of such bonds, and their issuance and the use and investment of proceeds, including issuance premium, if any, shall be determined by the City Officials in accordance with the General Statutes of the State of Connecticut, as amended, including but not limited to 7-370 et. seq. The refunding bonds authorized herein may be issued in one or more series, at one or more times and from time to time, provided that, the aggregate principal amount of all such refunding bonds issued shall not exceed $5.0 Million.

Section 3. The City Officials are hereby authorized on behalf of the City to enter into bond purchase contracts for the sale of the bonds, insurance or other credit enhancement contracts, investment contracts to invest the proceeds of the bonds pending their use for the purposes of the issue, including purchasing open market treasury securities, State and Local Government Series, or any investment permitted by law, to enter into interest rate swap agreements or other agreements and determinations authorized by Section 7-370b and 7-370c, and to execute and deliver such other contracts or certificates necessary or appropriate to consummate the issuance of bonds and transactions herein contemplated, to contract
with agents to act on behalf of the City with respect to any of the foregoing and to apply the proceeds of such bonds for the purposes herein authorized.

Section 4. The City Officials are hereby authorized, on behalf of the City, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to nationally recognized municipal securities information repositories or state based information repositories (the "Repositories") and to provide notices to the Repositories of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this resolution.

Section 5. The City Officials are authorized to combine with the issue of refunding bonds herein authorized, bonds for any other purpose which the City has authorized but, as of the issue date of the applicable series of refunding bonds, are unissued, including any bonds authorized subsequent to the date of adoption of this resolution. Solely in connection with such combined issue, the City Officials in addition to the authority conferred upon them by any bond resolution authorizing the issue of the bonds to be combined into one issue with the refunding bonds, are hereby delegated the authority to enter into contracts of purchase for such bonds and to determine their interest rate, and to exercise with respect to such combined issue of bonds the authority herein conferred.

Section 6. The City Officials are hereby authorized on behalf of the City to enter into contracts and to execute and deliver certificates necessary, appropriate or advisable in their determination to consummate the issuance of the bonds and the transactions authorized herein.

Section 7. It is hereby found and determined that it is in public interest to issue all, or a portion of, the Bonds, Notes or other obligations of the City as qualified private activity bonds, or with interest that is includable in gross income of the holders thereof for purposes of federal income taxation. The City Officials are hereby authorized to issue and utilize without further approval any financing alternative currently or hereafter available to municipal governments pursuant to law including but not limited to any “tax credit bonds” or “Build America Bonds” including Direct Payment and Tax Credit versions.

Section 8. This Resolution shall remain in full force and effect until December 1, 2018.

SECONDED by Alderman Simonetti. A voice vote was taken and the motion passed unanimously.
9.6 FUNDING FOR ELECTRONIC LOCK SYSTEM FOR THE FIRE DEPARTMENT
Alderman McPherson MOVED to appropriate funding in an amount of $37,718 for an electronic lock system for the four city fire stations and the fire department maintenance facility with funding to be provided by bonding pursuant to Section 7.16 of the City Charter.

SECONDED by Alderman Simonetti.

Discussion:

Alderman Capra: With the electronic locks, do we know if there is a power outage could they still get into the building?

Alderman Anglace: I do not know the answer to that.

Alderman Capra: They have electronics in my building; the Avalon has a tough time with that. Are there emergency doors?

Alderman Simonetti: They have generators in each of the facilities.

A voice vote was passed and the motion passed unanimously.

10 – LEGISLATIVE - NEW

10.1 ITEMS TO PUBLIC HEARING

10.1A NO ITEMS

10.2 APPOINTMENT OF THE PIBC TO OVERSEE THE MODIFICATION OF THE HUNTINGTON FIRE STATION AND CONSTRUCTION OF NEW ECHO HOSE FIRE STATION

Alderman McPherson MOVED to appoint the Public Improvement Building Committee (PIBC) to oversee and approve contract specifications for the modification of the Huntington Fire Station (Co. #3) and the construction of a new fire headquarters for Echo Hose Fire Station (Co. #1).

SECONDED by Alderman Simonetti. A voice vote was taken and the motion approved unanimously.
10.3 REAPPOINTMENTS TO WATER POLLUTION CONTROL AUTHORITY

Alderman McPherson MOVED, per the recommendation of the Water Pollution Control Authority, to reappoint the following members to the Water Pollution Control Authority upon completion of their terms on December 6, 2017 for a term of four years.

Joseph Frolish – D
23 Birchbank Road
Shelton, CT 06484
Todd S. Dowty – R
129 East Village Road
Shelton, CT 06484
Stephen K. Morse – R
8 Willard Road
Shelton, CT 06484

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

EXECUTIVE SESSION

11.A REQUEST TO GO INTO EXECUTIVE SESSION

EXECUTIVE SESSION

At approximately 7:20 PM, Alderman McPherson MOVED to enter into Executive Session to discuss the following items:

11.1  REAL ASSETS LLC. VS. CITY OF SHELTON, HHB-CB17
11. 2 GRAND PRIX LLC. VS. CITY OF SHELTON, HHB-CB17

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 7:40 p.m. Alderman McPherson MOVED to return to Regular Session; SECONDED by Alderman Simonetti. A voice vote was taken and the motion passed unanimously.

It was noted that votes were taken in Executive Session
11.1 REAL ASSETS LLC. VS. CITY OF SHELTON, HHB-CB17

No action taken.

11.2 GRAND PRIX LLC. VS. CITY OF SHELTON, HHB-CB17

Alderman McPherson MOVED to approve tax appeal settlement between Grand Prix LLC. and Shelton, with an assessed value of $6,160,000.

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 7:42 p.m.

Respectfully submitted,

Brittany Gannon

Brittany Gannon, Clerk
Board of Aldermen

DATE APPROVED: __________BY: ________________________________

Mayor Mark A. Lauretti