Mayor Mark A. Lauretti called the meeting to order at 7 p.m. All those present rose and pledged allegiance to the flag. A moment of silence was observed in honor of our veterans.

**Roll Call**

Aldermanic President John F. Anglace, Jr. - present  
Alderman John “Jack” Finn - present  
Alderman Stanley Kudej – present  
Alderman Joseph Lanzi - present  
Alderman Lynne Farrell - present  
Alderman Kenneth Olin - present  
Alderman John P. Papa – absent - excused  
Alderman Nancy Minotti – present  

Administration:  
Mayor Mark A. Lauretti  
Corporation Counsel Thomas Welch  

There was a quorum of 7 present, 1 absent.

**Public Session**

Mayor Lauretti asked if any member of the public wished to address the Board.

*Theresa Burden, 118 Dickinson Drive*

I wish to address Mayor Lauretti, the Board of Aldermen, and members of the public on the matter of agendas. During the October 28, 2004 Board of Aldermen Finance Committee meeting, Susan McShanach of Tennis in Shelton announced to the public that she was not on the agenda for the evening, and that the Mayor asked her to talk to the Finance Committee, justifying that the invitation to speak was due to a large misunderstanding of what she was proposing to do in regard to the East Village tennis courts.
Ms. McShanach had an opportunity to present her proposal before the public during the October 14, 2004 Board of Aldermen meeting in which several residents took the time to attend the meeting and voice their opposition. As it was so noted in Item 10.4 on the agenda – Proposal for East Village Tennis Courts. Yet she did not make an attempt to clarify her proposal on the evening of October 14th before the public, after the item was placed on the agenda for the evening. In addition, there were prior meetings which included Ms. McShanach proposal to privatize the East Village Park tennis courts dated August 19th, September 16th, before the Parks and Recreation Commission.

Moreover, the Parks & Recreation Commission ordered a special meeting held September 30, 2004 in which a motion was passed to accept the proposal from Tennis in Shelton and move the concept to Planning and Zoning and the Board of Aldermen.

The agendas for the Parks and Recreation meetings were vague. They did not clearly define the items being presented, specifically, tennis court proposals. The public was not clearly informed. There were no public portions, and furthermore, not one person prevented Ms. McShanach from presenting her proposal.

After the last month’s October 14, 2004 Board of Aldermen meeting in which many residents voiced their opposition to the proposal of privatizing the East Village tennis courts, the Parks and Recreation Commission met on October 21st, and Chairman, Alderman John Papa, stated, and I quote from the minutes of the meeting: “At the last Board of Aldermen meeting you wanted us to bring up the concept of indoor tennis at the Board of Aldermen. The people from White Hills were opposed to it. The bottom line is we pull this out and we drop the motion. There are too many people against it.” The concept was then considered a dead issue.

It was not placed on the October 28, 2004 agenda of the Board of Aldermen Finance meeting, yet Ms. McShanach was invited to speak and a decision was made to refer this concept back to Parks and Recreation Commission. Again, this item was not noted on the agenda for the evening.

The people deserve the opportunity to know, through public announcement; on an agenda what matters will be decided on. In the case of the East Village tennis courts there is growing opposition and the public has a right to be informed of your agendas in order to address you properly. In summary, the opportunity to speak freely has been extended to Ms. McShanach and Tennis in Shelton before five meetings over the past four months in this City. The people request the same courtesy be extended by
properly announcing such items on the agendas. Give us the opportunity to represent our thoughts. We do not want this. We would like to leave East Village Park a public park for everyone to enjoy.

I thank you for your time, and I’d like to now present you with an additional 116 signatures of the petition opposing privatization of the East Village Park tennis courts to be entered into the record with the 682 presented on the night of October 28, 2004 by Alderman Finn. The number is now equaling 798 signatures of people who oppose the concept.

Joan Flannery, 8 Partridge Lane

To add to the last speaker, I would like to add that I called Susan McShanach this past weekend in California. The newspaper was nice enough to put her phone number in the paper. She said I was the only one who had the time to call her, and she was very thankful that I took the time and that she was able to get her point across to me, and I, being a citizen of Shelton, got my point across to her. So now she knows where I think the people of Shelton stand, and I know where TIS stands, but there is still a big, wide gap. I would like to see this dropped. I told Susan McShanach that I also don’t see a way that the two opposite sides could come together. That is where I stand.

I came here tonight with concerns about downtown Shelton. There are two buildings whose futures are now being considered. The former Probate Court building on White Street and the Health Department building on Howe Avenue. We need to proceed with caution. We do not want to make any mistakes that we will regret later. Right now, the PUAC is studying the future of Shelton.

We need to keep and preserve both of these buildings and creatively decide with much planning what is in the best interests of this town. I emphatically do not agree with Shelton’s Economic Development Corporation Director Jim Ryan, that the White Street property should be torn down and made into parking. The whole downtown has to be studied, in detail, before any drastic changes like this are made. Several appropriate places to build a parking garage should be looked at.

All that I know is Stamford made a big mess of its downtown by destroying buildings. Now they are lost forever. Stamford’s downtown is ugly with that huge mall stuck in the middle of Main Street. Residents were told that there would be shops around the outside of the mall facing the downtown streets. But all that were given to them were cement walls. Then there is that huge
hole in the ground covering about 10 acres next to the mall where buildings once stood. But now there is just a big, deep, empty hole in the ground which was made over 20 years ago, with still no builder. A lady actually died in that hole when her car went into it. All the Stamford natives couldn’t believe our eyes when we saw the beautiful downtown destroyed.

I would rather Shelton follow Norwalk’s path and retain the old buildings and use them to keep the downtown beautiful and inviting like the SONO district. Let’s revitalize Shelton’s downtown the right way. Thank you.

Mike Pacowta, 166 River Road

I’d like to speak to probably what I consider to be or what appears to be just the general concept of confusion. I appeared in front of the Mayor and some of you on the public hearing on October 28th concerning an issue that was mentioned in the minutes of the October 14th meeting as “disposal of two municipal buildings.” It also was stated as such on the agenda for the public hearing for that same evening.

When I began to speak, the Mayor had attempted to clarify the issue, and quoting from the minutes of that hearing, it was indicated that, “right now,” he said, “there is no specific proposal on the table anywhere for future use of those buildings, so we thought we would solicit public comment as to what people thought should happen there.” Now, the first happens to be the former City Hall, the former offices of the Judge of Probate, at 40 White Street. The second happens to be what is now housing the Lower Naugatuck Valley Health District offices at 470 Howe Avenue. I found it interesting, because as I proceeded throughout my statement, I still indicated that I would like to be on record as opposing the sale or disposal.

Another speaker had come after me, a woman by the name of Susan Nofi Bendici of 23 Wells Avenue. She had stated toward the latter part of her comments that she didn’t have any particular suggestions because she thought the agenda item was whether they should be sold or not, not what their potential uses would be. Mayor Lauretti stated, and again, I’m quoting from the minutes, “the agenda should have read disposition of the two City buildings.”

I found it a little difficult, quite frankly, Mayor, you’re in your 13th year, that something as simple as the words “disposal,” “disposition,” would be mixed up in this context, and it would provide the kind of confusion.
However, I then became a bit more confused, because I discovered the posting – the legal notice – in the newspaper, I’m not even sure which newspaper it was at this point in time – that spoke to “the notice is hereby given that the Board of Aldermen will conduct a public hearing on the following:” and it’s not “disposal,” not “disposition,” but the “proposed demolition of two municipal buildings – 40 White Street and 470 Howe Avenue.”

Now, I would hope that there is not some preconceived notion or preordained decision that has already been made concerning these buildings. I would hope that the typo or the mistake truly was an honest mistake, and it should have stated “disposition” and not “disposal.” But I find it a bit hard to believe that even though “disposition” “disposal” may have been confused, that in addition to that in an actual City notice, a legal notice, the word “demolition” would be used.

All I ask tonight is whether or not you can provide any clarification as to whether you feel you’re going to dispose, whether you’re going to gather continued input regarding the disposition, or if you intend, or have intended right from the beginning, to demolish the properties at 40 White Street and 470 Howe Avenue.

No reply? I thank you. I would hope that whatever confusion was created can be clarified, and I would continue, on the record, opposed to the disposition, disposal and even demolition of both of those properties. Thank you.

Elaine Phillips, 134 Thoreau Drive

This is my third Board of Aldermen meeting in less than two months. That’s kind of scary for me. Probably for you, too. I’m puzzled by the ongoing subject of the tennis courts. Clearly on October 28th where the whole item was again tabled off the agenda, I heard Alderman Papa and also the Mayor say, “the people don’t want this – if the people don’t want this we’re not going to do it.” And yet, in the paper on November 3rd, the ball is back in the City’s court because the investors aren’t giving up on the proposal to lease the tennis facility. Then I get a notice in my mailbox from somebody who wasn’t kind enough to sign it – next Board of Aldermen meeting Wednesday November 10th this is another opportunity to express concerns.

I had heard kind of, rumor, that maybe there were people who were actually in favor of this who might come, which I’d be interested to talk to them, because we’ve never heard anybody in favor of it. So I’m not really
clear who is pushing this from the Mayor’s Office or from the Board of Aldermen, but it appears that it’s still not a dead issue. We sure wish it was.

I’m going to read into the minutes a letter that I wrote, while I didn’t call Susan McShanach, when the paper did publish her information, I sat down that day and wrote this letter on November 6th addressed to Ms. McShanach:

I’m a resident of Shelton and I am vehemently opposed to the TIS proposal to take over our tennis courts at East Village Park. You and Pat Blaskower are not paying close enough attention to this opposition. It is not that we simply misunderstand what the investors are trying to achieve, and it is not that you are from California. Let me simply summarize my numerous concerns, which I know many Shelton residents share:

1. I do not endorse or condone allowing private investors to take over any piece of any Shelton City park. Through our City taxes, Shelton parks are free resources to all Shelton residents and must remain as such.

2. The White Hills residential section is not an appropriate area for such a commercial venture, even if on private land. Traffic is one major concern, but we also do not want to open the door to any commercial venture in our residential areas.

3. We have four tennis courts in East Village Park today. If they are in need of repair, or there is overwhelming interest in the City to enclose them for winter use, then we should do this with our City taxes.

The above list is a simplification of my top reasons for opposing the TIS proposal. I have also enclosed a copy of my letter to the editor of the Huntington Herald, which will provide more insight to my strong feelings. I helped organize my fellow Shelton residents when I learned of this outrageous proposal. With only a few days notice of the October 14th Board of Aldermen meeting, we aroused enough opposition to table the Aldermen’s vote until a public hearing on October 28th. In less than one week, we obtained almost 700 signatures in opposition, which compelled the Board of Aldermen and the Mayor to drop this proposal altogether. I will continue to work alongside my Alderman, Jack Finn, to fight this proposal in every way possible. TIS should
purchase or lease private land in a commercial zone of Shelton if they want to pursue this idea.

Sincerely, Elaine M. Phillips

I sent copies to Jack Finn and also to Pat Blaskower. I really would just like to say in closing that, while I enjoy coming down to these meetings, and it’s becoming quite a habit, I really don’t want to have to keep talking about the same topic all the time. Can’t we just move on to something else? Why can’t we get the Mayor’s Office, or the Board of Aldermen, or the Parks Commission, to send a letter to these people saying “thanks but no thanks – we’re not interested.” Just as Monroe wasn’t interested and Trumbull wasn’t interested. Why do we have to keep expending our resources talking about something. Let them go out on their own private venture and acquire whatever they want to start up whatever business they want. This should not be the subject of so much debate in the City of Shelton. Thank you.

Terry Jones, 266 Israel Hill Road

Two items. First, ladies and gentlemen of the Board and Mayor Lauretti, I’m pleased to announce that this afternoon at 1 o’clock a new citizen arrive in our community – the seventh generation of our family is here. Jackson Philip Jones, 8 pounds, 21 ½ inches, and ready to start farming.

[applause rang throughout the forum]

I’ll be leaving the meeting to catch my first glimpse of him afterward.

The other item I wanted to read into the record, my letter this morning to Mayor Lauretti regarding our Conservation Commission and my transitioning to another position.

November 10, 2004
Dear Mayor Lauretti:

Today I am accepting a leadership role at the Working Lands Alliance – a Hartford-based non-profit coalition organization dedicated to the cause of farmland preservation throughout the State of Connecticut. With great sadness I realize that due to time constraints I will be unable to continue my service on Shelton’s Conservation Commission. I will, however, continue a keen interest in Shelton’s conservation activities and will continue to serve our community on special projects as time...
permits. I am pleased to tell you our Conservation team is strong. The Commission has selected Mr. Tom Harbinson to co-chair with Ms. Harriet Wilbur. Harriet and I have served together for the last 16 years. Shelton is a better place because of her dedication. Tom is a more recent member, but has already demonstrated enthusiasm and effective leadership. Jim Tate, Ed McCreery, Hank Lauriat, Joe Welch and Bill Dyer, our Trails chairman, round out a team of which you can be proud. I’ve enjoyed serving our City of Shelton under your administration. Our team has been far-reaching, including the Aldermen, other City boards, Open Space Committee and the Shelton Economic Development Commission as well. Together we created an open space plan, greenways, a farmland preservation program, downtown riverfront park, and helped preserve numerous land tracts both large and small - all done in conjunction with vibrant economic growth. I will take these experiences to the Working Lands Alliance and apply them toward our efforts to sustain a healthy agriculture throughout Connecticut. Working with so many wonderful people in Shelton over the last 16 years has enriched my life. I hope I have succeeded in giving at least a little of that back. I believe that we, together, have made our City a better place. I know the legacy of our parks, forests and farms will be a great gift to future generations. Thank you.

It was quite an honor to be at their annual meeting at the old Judiciary Room at the State Capitol today. After I addressed the group, a gentleman who was receiving an award on behalf of the Eastern States Trustees, and he’s the Economic Development for North Haven, I think, got up and made an impromptu praise of Shelton and the fact that we have over the last decade been able to do a lot of economic growth and still preserve farms and open space. It was a great satisfaction to hear him make those impromptu remarks and I wanted to pass them on to you.

Lastly, as much as anything, I’m going to miss the day in and day out activities at City Hall. For the record, I cannot imagine a greater group of folks that staff the City Hall here in the various offices. Obviously I’m going to still continue to know them, but you should know it’s a great group and they’re unsung heroes in my book.

At this point, Tom Harbinson is here along with Jim Tate and Tom as incoming co-chair, if you have any remarks. Thank you.
Having both been here last month, I hope you don’t think the Tom and Terry Show is going to disappear. Terry has a wealth of knowledge and history that won’t be simply pulling up stakes and not be heard from again. I value his counsel. Recently, someone gave me minutes of a Conservation Commission meeting from 1974 that reference comments that my father was making as a member of that Commission. I don’t think he ever envisioned that I would be co-chairing that same group some 30 years later, especially with my co-chair being someone he served with back then – Harriet Wilbur. When I got involved in the Conservation Commission, it was because of Harriet, and I was trying to understand the system of development due to a PDD proposed in my residential neighborhood, and was encouraged by a neighbor to sign a petition and attend the Conservation Commission meeting. Harriet asked if I was Bob Harbinson’s son, and since I was showing an interest and there was an opening for an appointment, would I be interested in joining the Conservation Commission. With her and the others on the team that are all a pleasure to work with, we have had some great success over the years. I joined just at the point when we received the land from the Bridgeport Hydraulic Company transaction, and all the heavy lifting of that effort was accomplished with the open space plan in place and the referendums passing overwhelmingly and the negotiations for the property all completed. I found my niche with leading the Trails Volunteers efforts that were started by the Gallaghers, which was almost 10 years ago that we’ve had trails in town. Mostly I’ve gained great value from witnessing the reasonable considerations given to all the items that we were asked to comment on. If I were to stress a characteristic that pervades all those comments over the years, it would be consistency and perseverance. With the efforts of preservation for the field area of the downtown Riverwalk Park, and I’ve challenged myself to never again call it a “slab,” and the voters’ approval of funding open space purchases, I think that the residents have shown overwhelmingly what they value, and want to see continue. Beyond our promotion to you Aldermen in January of this year for acquisition of the three parcels, Wabuda, Wiacek and Tall Farms, the Conservation Commission has been continuing the work on additional parcels, with our tool of an open space plan, the quality of life list, and the open space trust account and bonding and general fund financing, all to be consistent and persevere in the challenge of balancing our community. Terry is often good at closing with some warm story about the land and planting seeds for future generations, as now we have Jackson Philip added to the Jones Family, or the roots of the tree spreading deep into the ground as he did at Joe Pagliaro’s memorial, or my personal favorite last week at the press
conference on preserving the Shelton Family Farm with Chris Shays where purchased development rights are like manure being circulated back into a healthy farm. I will not try to fill those oratory shoes, however, I was reading a piece recently regarding President Calvin Coolidge – Silent Cal. He said, “Nothing in the world can take the place of persistence. Talent will not do it, nothing is more common than an unsuccessful man with talent. Genius will not. Unrewarded genius is almost a proverb. Education will not. The world is full of educated derelicts. Persistence and determination alone are omnipotent. The slogan "press on" has solved and always will solve the problems of the human race.” Well, I do have a little talent and education, I don’t know about the genius. I more importantly thank Terry and the rest of the Commission in trusting me to press on with a baton as we carry on the race to solve the issues encountered when trying to conserve the open space characteristics of our Shelton community that we all enjoy. Thank you.

Terry Jones concluded, persistence reminds me, don’t forget the recreation path which will be one of the most glorious features of our community that has already been started – but there’s lots more to go linking Shelton with the High School and on to Huntington Center.

Chris Panek, 19 Meghan Lane

I have two things I want to speak to tonight. The first is regarding the Charter Revision Commission, and I have a couple of handouts here that I want to give to the Board and the Mayor.

As I’m sure the Board is aware, there is a group of 13 residents known as CARE – a Charter Action Review Effort. We’ve been meeting twice a month reviewing the Charter, chapter by chapter and section by section, separately from the actual Charter Revision Commission. The first handout there, which is the one that has the different colors on it, I pulled this off of the City website today, because after attending last night’s Charter meeting with only six members present and one who left after half an hour, only five members present, at the Charter Revision Commission meeting, it’s getting a little bit disheartening. I’m holding out hope that this revision is going to go through this third time. But when you have members on this Commission who have been absent more than half of the meetings, I think it might be time for this Board, who approved this Commission, maybe to send a little notice to ask that these members attend more of these Revision Commission meetings. One or two absences, I can understand it, they’re volunteers and we appreciate their time, but when you have members who have missed four out of six meetings, three out of six meetings, how is the public expected
to get a fair process and how does the City administration expect the public to approve of these revisions, when the effort is not being put forth? There are numerous other members and many members that are on our 13-member ad hoc committee that have attended every Charter Revision Commission meeting so far this year, and we also turned in our resumes to be on this Commission, and were denied, and that’s fine. The two new members, Bob Lally and Ann Dougherty, have been present at every Charter Revision Commission meeting and have both been the most outspoken in terms of changes.

The second handout there is a handout that I passed out last night regarding a specific section of the Charter, along with about a dozen other recommendations that we’ve made so far and official given in to the Charter Revision Commission. This specifically covers section 4.7 of the Charter. After I handed this in last night, the Commission decided that they were not going to discuss it, because they wanted to wait to talk to John Anglace about it. It just makes me start to think, who is revising this Charter? I’m handing something in and I wanted it to be discussed, but apparently I have to wait for John Anglace to come to a meeting. I do recall earlier this year the Mayor and John saying, bring it on, let’s bring on the debate. So we’re waiting for the debate, and hopefully that’s going to occur soon at one of these Revision Commission meetings. This specific 4.7 section involves the passing of new ordinances. Alderman Finn has brought this up in the past and I’ve brought it up at both previous failed revision processes. The two failed revisions both called for removing the committee process out of the ordinance-making process at the discretion of the Board of Aldermen, so basically, within 30 days the Board of Aldermen can approve a new ordinance. We feel as a group, and I personally feel that the committee needs to be left in. An ordinance should be proposed by a member of the Board, the Mayor, a member of the public, should go to a committee, should be required to go to a committee, for legal review, for input from the public, and then go to a public hearing and make its way through the process, and that would be more beneficial, especially when you’re talking about passing an ordinance.

The second issue I wanted to speak to tonight is the Board of Education. Obviously the recent news regarding the Board of Ed possibly voting next week on moving forward with recommendation for a new school, and Mayor Lauretti’s comments that a new school isn’t needed, and it’s going to go back and forth. It’s obvious that the Superintendent and the Mayor aren’t going to see eye to eye on this. I would ask that the Mayor, although he’s not here, that he take a look at the long range plan that’s been approved. If you look at the numbers, and look at the amount of classrooms that are available in the elementary schools, the numbers are pretty
staggering in terms of the space that is not available. The space is limited and it’s even more obvious when we’re busing five-year-olds, of which one is mine, across town to a different school instead of their neighborhood school. Something needs to be done. A new school isn’t going to solve it next year and the Board of Ed is already discussing busing again next year. I am going to be vehemently opposing. Parents are already contacting me, there was a quote in the paper today from a Board of Ed member that most parents support it. I wholeheartedly disagree with that – parents are already contacting me. Parents do not support busing their five-year olds 45, 50, 55 minutes across town. I decided this year that I was going to drive my daughter every day to Sunnyside School. The school has worked out great. The teacher is great. The principal is great. I have no problem with Sunnyside School. I couldn’t imagine my daughter being in another school other than Sunnyside this year, but the busing is a problem. As I was thinking about speaking about this tonight, I happened to open up the Connecticut Post and find an article under Your Region that the Trumbull Ed Board is looking for portable classrooms, of which I’ve been a strong supporter of last year. There is a quote here from the Superintendent of Trumbull that the proposal to get portable units is a result of significant input from parents. I would hope that this year and next week when the Board decides to vote on this busing again, that they take the significant input from the parents in making a decision to bus the kindergartners again. Another thing that struck me in here was the relationship between the First Selectman in Trumbull and the relationship between the Superintendent in Trumbull and they’re both in agreement that all elementary schools in Trumbull should have parity. I am just hopeful that the Mayor in Shelton and the Superintendent in Shelton can try to see eye-to-eye on this situation and I would hope that my two representatives in our ward, which this directly affects, Ms. Minotti and Mr. Finn, would continue to vocally support and be against the busing of the five-year-olds in the White Hills area for next year, and possibly push the Board of Ed to look into portables.

Lastly, I would also tend to agree with Mayor Lauretti that the time is to redistrict the City, it’s not to wait two years. The Board of Ed is trying to call next year’s busing plan of the five-year-olds Phase 1 of the redistricting. That is a joke – that’s not a redistrict. It’s a band-aid for next year to get to another year so they don’t have to cause turmoil, cause more headaches, and get more public outcry when they have to redistrict. But it’s time to face the facts. The balance of the schools is way out of whack. The time to redistrict is now. I thank you for your time.
Irving Steiner, 23 Partridge Lane

I confirm what Chris Panek just said regarding the Charter Revision Commission. I had given a speech there myself about some of the lack of enthusiasm that has been demonstrated and the failure to keep the public involved. There seems to be a lot of discussion as Chris said where reference is made where you have to go back to the Board of Aldermen to get this clarified or to see if it’s going to fly. I don’t think it is necessary for any commission to do that. I’d like to read to you an excerpt – it’s not an excerpt it’s by John Moran, Research Analyst for the State of Connecticut, who answers such questions on Charter Revision and State Statutes. He’s referring to Connecticut General Statute 7-190, and the question answers, or pretty much answers, the confusion that seems to be down in the Charter Revision Commission as to actually their mandate and what their power and authority is. I will give this copy to the steno after I’m finished with it. You asked if a municipal charter revision commission can consider additional changes to the charter or is it bound by the original mandate from its appointing authority – the appointing authority being the Board of Aldermen. The statute explicitly states that a Charter Revision Commission can consider additional changes to a charter other than those it is initially directed to consider. The statute says a commission may also consider other changes to the Charter or home rule ordinance, and such other items as it deems desirable and necessary under Connecticut General Statute 7-190. Basically, once a Charter Revision Commission is formed, it may consider any changes it wishes. In other words, it’s like a ballistic missile. You light the fuse and you have no more control over it. If the Charter Revision Commission is formed as the result of a petition signed by not less than 10 percent of the City’s electors and certified by the Town Clerk, which was two of our petitions that we ran as We R 1, the commission must consider the recommendations included in the petition when the commission prepares the report on the revision, including the draft charter or charter amendments, it must comment on each recommendation it was directed to consider as well as any change it is proposing. The draft charter or charter amendments are submitted to the appointing authority, this being the Board of Aldermen, empowered to make the ordinance of the City. The appointing authority may recommend changes to the commission’s draft. The commission can choose to follow these recommendations or it can deem its draft report to be final. A final report. The appointing authority must approve the final report, reject it entirely or reject the separate provisions. The appointing authority can decide whether to put the charter revisions before the City electors in a referendum. That is as far as this document goes, but if the Board of Aldermen choose to reject an item that is in the charter revision, then an initiative can be started by the public to
force it back on the referendum. And there is no recourse. I just wanted to make sure that this was understood. I thank you for your time.

Mike Alterio, 11 Rugby Road

It seems like we have a lot more important things to discuss than this issue of the tennis courts that keeps coming up – especially with the education of our children. However, it just keeps coming back and coming back where these people want to privatize – have a private business on our City property. First of all I want to thank Alderman Finn for making a big effort and informing the public of what was going on and staying out in front of the stores multiple times getting signatures on it. You did a great job and we appreciate it. For public record, since we all get up here and state our name and address, and we come up and voice our opinion, and our name is listed in the minutes of the meeting. What is disturbing, what I'm asking this Board of Aldermen, for public record, if there is nothing to hide, we see that there is Ms. McShanach, and then we have Pat Blaskower who want this tennis court. We would like to know, who are the 10 or 15 investors who would like to do this business in our City? Can we have that for a matter of record for everybody? I didn't think so. Here is the Huntington Herald of November 3rd. This isn't a personal issue by any means with the people of Shelton. There are 700-and-something signatures. We don't want this. Okay? In here it says, Pat Blaskower the tennis pro of Connecticut who originally came up with the idea at the urging of her students agrees with the agent. I'm not, I'm afraid, the one big problem that caused the resistance in Shelton is that the broker is from California. Shelton may view her and the investors as “carpetbaggers” said Blaskower, 58, a Monroe resident. I don't think that's the issue. I'm sure these people – they're well-educated people, they're good citizens. The issue here is privatization of our town owned property. It's not the right thing to do. Because first of all, there are a lot of contractors in this town who do a lot of business and build some nice facilities. They have to go out and purchase or lease the property they're going to either use or build on. So it's wrong to do that. How many Shelton residents are in the town right now? Do we have a number? 20,000? 27,000? How many of them would use the tennis facility? For those who don't use the tennis facility, let's just say if there is a $500 membership – whatever it might be, we don’t know. It might be fair if these people can't use a facility that's built on their property. Maybe they need that as a tax credit because they'll never use it. Something to be said. Another thing, if this proposal is such a good idea, can these people, these investors, really want it? We have, there are a couple of country clubs in this town. Go to the country club, ask if you could build on their property, and do it there. Also, there is a lot of commercial property around here. On Route 110 there
are a couple of signs up – commercial zoned property. Go there like any one of us, or any one of you Board members, if we wanted to start a business, we would have to go buy the property. It’s the right thing to do. They have to do something like that. You can’t give them land. Also, Ms. Blaskower, she’s from Monroe. Go to Monroe. Ask them if they could build the facility on their property, just like they’re asking us. Don’t do it in our town. The ethical thing that we should do is, if this is such an important thing for us to do in the City of Shelton, bring it up to public vote. Get out the voting machines and have people – the citizens of Shelton – vote on it. Then we’ll decide whether or not it belongs in Shelton. Thank you.

One other thing – I left something out. Whoever sent out this mailing, as Elaine said we got a letter to come to this meeting, they don’t have the backbone to put their name or where it came from or a return address. Also, the letter I got was addressed to my eight-year-old son. He’s not a registered voter yet.

Mayor Lauretti asked Mr. Alterio to leave a copy of that with the Clerk.

Richard Toth, 10 Grandison Place

Trumbull rejected this tennis deal. If you look at the economics involved to privatize our park or any city land for a commercial venture is a no. We don’t want this. There are petitions up there. We don’t want it. How do you people feel about it? Are you entertaining doing this deal with her? She goes back to California and knows she’s going to start these letters that are going to smell like roses, they’re going to start the public relations campaign, the attorneys are going to come in; they’re going to spend a lot of dough.

Why don’t we nip it in the bud, send her a letter saying we’re not interested, or are we going to drag this thing out? We don’t know how you people feel because we don’t get any inkling from you. Can you tell us how you stand? That’s it.

Mayor Lauretti stated, you can respond after the public portion if you like, Alderman Anglace.

Alderman Anglace stated, stick around for the meeting, and during the President’s Report I’ll tell you how I feel.

Tom LaTulipe, 91 Toas Street

I think the best news we heard this evening was the Jones Family continuing their farming. I would like to say that I think we’re missing one point on this
tennis court. I don’t play tennis any longer, baseball, but we do have some nice parks. We have very few parks, that’s why we just developed a park on Constitution Boulevard. Here we’re taking into consideration, not the residents, the Board is taking into consideration to hear this matter. But we’re so short on parks to allow people from outside of Shelton to come in here and utilize our parks and make a profit for the investors. I don’t live in the White Hills section, but I would like to let you know that other sections of town there are people that are very opposed to this, as I am. There are so many issues that we…

TAPE ONE, SIDE TWO

…what Chris Panek said. It’s hard to understand that a committee that has taken on the obligation to do the Charter changes or to go through the Charter to see what changes should be submitted to the Board of Aldermen, to stop and say they’re going to give the Board of Aldermen a play-by-play description after each meeting to see how they’re going to vote on that issue. There are many matters that are being discussed that will not be taken into consideration. I think that is wrong. I think the Charter Revision Commission has been selected and approved by the Board of Aldermen. They should be allowed to do as they see fit as presented to the Board of Aldermen, and then let them decide whether to go forward on it or not. I thank you very much for your time.

Tony Preneta, Jr., 99 Leavenworth Road

It feels like déjà vu we’re here again about this tennis issue. For a dead issue, we keep beating a dead horse here. To me, somebody’s trying to get this through to line their own pockets. And if it doesn’t prove out for this investment group, they’re just going to wash their hands of it and it’s going to be the town’s responsibility. Those tennis courts have been there since 1980 and the park has been there, and its fine the way it is. If we just upgrade it a little bit by getting a maintaining thing, that should be done and not everybody needs new stuff like the tub grinder down the town garage that right away it breaks down and we need a new, state-of-the-art equipment that costs a lot of money. It seems that everything now has to be Taj Mahal. Schools have to be built like Taj Mahals. When Booth Hill School was built, Elizabeth Shelton, they were built one level, a simple plan. I went there. I went to Shelton High. I went to double sessions in the afternoon when it was crowded. We got by. Right away now we need everything brand new – this big illustrious building, and then you have problems with it – like the Intermediate School now. As far as merit, you want to be a caterer, cater food – don’t cater to these outside people that come in here.
The people that lived here for a long time – they’re the ones who paid the taxes generation after generation. My family has been paying taxes in White Hills since 1917. To me, the damage is already done. It’s so overcrowded now, I would rather pay an increase in taxes for open space land, because I’m going to end up paying for a new Taj Mahal school anyway. So I just wish that somehow things could not jump as fast as they did like in the last 10 to 15 years. It seems if you made a graph, it just spiked, the amount of activity that’s happened in Shelton. As far as the traffic is concerned, Route 110 is terrible. I lived there all my life. I can’t even get out of my driveway. I have people blowing the horn at me, obscene gestures, I’ve had people pass me on corners, I’ve seen people pass over people on corners. Any given time I go through the center of town I can see numerous cars running red lights. I don’t see how Terry Jones says this improved. To me it got worse. It used to be nice years ago in the center of Shelton when we had Fulton’s, Mahoney’s Drug Store, Opotzner’s, it was beautiful. Now to me, it seems everything’s got to go real fast and be this big Taj Mahal upscale thing. I’d like to downscale it. Thank you.

Jean Ovesny, Dimon Road

First of all, very simply, I want to say that I resent that I felt that I had to come here this evening to defend an issue which I thought was dropped from the Board’s agenda. I am definitely against privatizing these tennis courts in White Hills. I would feel that way no matter what park they were going in, in our City. We all know how much Shelton is growing, and boy, is it growing. Perhaps we should think of forming other parks instead of taking away some of our park space that we now have. Thank you.

Jim Baklik, 152 East Village Road

Recently there was an article in the newspaper about how the budget came in and how there was a surplus of money, and how the Highway Department gave back $400,000 and change, and the Board of Ed and the Police Department. I believe one Police Officer told my cousin Tony, we spoke recently, that there was no money in the budget for radar, and that’s why – he’s constantly complaining about the traffic on Route 110 and the speeding and stuff, and that’s basically what they told us, that it wasn’t budgeted. Now they give back money.

As far as the tennis courts, last year, the article was just about in the same place in the paper as it was this year, that Mr. Anglace and Mr. Lauretti talking about how the Highway Department gave back $400,000 and change last year, and the Parks and Rec happened to give back a little
over $200,000 last year. Now recently when Ron Herrick sat right here, I think a month or two ago, he said that the big issue was we’re getting brand-new tennis courts, and there is no money for tennis courts for the town to build right now. What happened to the $200,000 and change two years ago that should have went to the tennis courts? Where did it go? Maybe is someone not doing their job and checking that what needs to be done is not getting done? Is the money taken away from the Department it was supposed to go to? Where is the $200,000 and change? Stanley, how much did the lights cost down that Little League field? $70,000? Okay, let’s figure $100,000 for the tennis courts. You’ve got another $100,000 to work with there to get it surfaced. I don’t know what it costs, it might cost more than that, but you had $200,000 and change to start with. Where did it go? It’s not there any more.

John Recce, 52 Stendahl Drive

Here I am again. Sitting here for the same reason we came last time. Like everyone else has already said, it’s a dead issue. Once again I’m sitting here listening, and all the in for people are just killing me – they’re hurting my ears with all these people that keep coming to these meetings telling us how they want this tennis court. I don’t understand why we keep coming here. I don’t understand where the proposal is coming from. Why they can’t be here to hear us out and send their points of view to us.

I have a whole list of things, but there’s no sense talking about it because there’s nobody to talk to, because we’re back here again and we spoke the same things last time. And you didn’t listen last time, so that’s why we’re here again. I’m just trying to figure out what some of the benefits are to the residents of the town, and I can’t find any. We’re only going to get two courts during certain months of the year, one court during other months, certain months aren’t even mentioned in there, so does that mean we don’t even get to use it at all? Or are they closing those months? Is this commercial use building going to conform? Is there a zoning change that has to take place? From what I understood somebody said that no, the City owns the property so they don’t have to go through a zone change. Well I think that has to be looked into possibly through Corporation Counsel as to the fact that yes it is a City-owned property, but now you’re bringing in a different joint venture. Would they have to get a zoning change? Wetlands. Was federal money used to buy that park years ago? That’s something that needs to be looked into. What are the hours of operation? Why do we keep buying open space? Are we buying open space so that we can fill it with more commercial ventures? We’re buying open space to keep it
preserved the way it is, supposedly. We have one park in White Hills. We have a school that has a little bit of a playground that is supposed to be torn down because it's old rubber tires, but we don't build playgrounds in town, see, all the fathers clubs go to the schools and they all donate their time to build these playgrounds, so that doesn't cost money. Like Jimmy said about money being turned in. We returned $400,000 from the Public Works, but yet they found the money in their budget to repave Pearmain Road, which has a total of probably 12 or 15 houses on it, but we can't repave any other roads in town. We can't fix our tennis court that we have now because we don't have money – we turn money back. Why do we turn money back? So every year we get a headline in the newspaper that tells us our fiscal budget is above – we have a surplus. That's because everybody's budget gets cut. P.O.'s get stopped at a certain time every year. No P.O.'s are put through. And why is that? So we can have a paper budget. Okay?

If we're going to have this thing in town, I'd like to have somebody here to tell us why. There is no one that comes to these meetings to tell us why. No one up there can explain it to us why. I stayed the last time after the meeting that we tabled it, and no one spoke anything about it, good or bad, to say why we were tabling it. The public hearing was supposedly canceled on it, because there was total opposition to it, and here I am wasting another Wednesday night. I don't understand. Thank you.

Michael Alterio, 11 Rugby Road

Here is another Huntington Herald article from Wednesday, October 20th and it has a quote by Mr. Papa, "if the White Hills residents don't want it, we wouldn't do it, and if the investors want it that bad, they could buy their own piece of land and build their own private courts." This is Wednesday, October 20, 2004, for the record.

Brian Lamphart, 28 Rugby Road

What else can I say? Everybody else here has said it all. Put me on the record as totally against this tennis court deal here. I can't even believe that you guys would entertain such a motion, with our property. That's our property, that you would entertain to give it to an outside agent for the dollar. It just blows my mind. I can't understand it. They've said it all. It's the second meeting I've been here. I can't believe I'm here on another night listening to this when it was supposed to be dropped two weeks ago. Guys, do your job. Let's hear it.

Judson Crawford
I first off want to say thank you to the Finance Board of the Board of Aldermen for allowing me to speak before you and turning the report in and hearing that report. The first question that I have to you is, have you received any additional information pertaining to that report?

Alderman Anglace stated, did you address the Finance Committee with that?

Mr. Crawford replied, yes.

Alderman Anglace stated, then you'll get your answer from the Finance Committee – we did receive it.

Mr. Crawford continued, two. Just as the gentleman before me spoke and said, here our great City has ended the year with a, quote $7 million surplus, which was reported in the *New Haven Register*, I came to your office, Mr. Mayor, to get the report that you issued to the press to authenticate this figure. At the time that I came, which was late in the afternoon, your secretary said that she did not have that information at her fingertips. I did leave my name, and my phone number with her and she said she would pass that on to you. I have not heard anything from you. The last thing possibly, as you just spoke, Mr. Anglace, in reference, one item under the Finance Committee. What was the outcome for the money that was requested from Mr. Sewack?

Yes, I did receive a letter pertaining to the tennis courts. I sure would have like to have known where this person sent it from. It’s from southern Connecticut. But I will go on record as stating, yes, I am against the City privatizing our tennis courts. Thank you.

Mayor Lauretti asked if any other member of the public wished to address the Board. Being none, he declared the Public Session closed.

**Agenda Items**

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**Add Ons**

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

5.1.6 Coles, Baldwin and Craft Billing
and MOVED to remove the following from the Executive Session and add them to the regular agenda:

11.5 Fire Trucks to Item 9.2
11.4 City of Shelton v. Wernick to Item 10.3
11.7 Kerrigan v. Department of Public Health to Item 10.4

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

Minutes for Approval

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

1. Regular meeting of October 14, 2004
2. Special meeting of October 28, 2004
3. Public hearing Ordinances of October 28, 2004
4. Public hearing of October 28, 2004

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

5.1 FINANCE COMMITTEE

5.1.1 Meeting Minutes of September, 2004

Alderman Kudej MOVED per the recommendation of the Finance Committee to waive the reading and approve the minutes of the Finance Committee meeting of September 2004; SECONDED by Alderman Minotti. A voice vote was taken and the MOTION PASSED 7-0.

5.1.2 October Statutory Refunds

Alderman Kudej MOVED per the recommendation of the Finance Committee that the report of the Tax Collector relative to the refund of taxes for a total amount of $15,509.94 be approved, and that the Finance Director be directed to make payments in accordance with the certified list received from the Tax Collector. Funds to come from the Statutory Refunds account #001-0000-311.13.00; SECONDED by Alderman Minotti. A voice vote was taken and the MOTION PASSED 7-0.
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5.1.3 Property Appraisal

Alderman Kudej MOVED per the recommendation of the Finance Committee to approve the payment of $3,075.00 to Sheehy LLC for the property appraisal of Wiacek Farm with funding to come from Professional Services account 001-0100-411.30-01; SECONDED by Alderman Minotti. A voice vote was taken and the MOTION PASSED 7-0.

5.1.4 Energy Asset Assessment

Alderman Anglace MOVED to recommend to the full Board that the City pay Clough Harbor $38,000 for the completion of Phase I of the City Energy Asset Study with $25,000 in funding to come from the Contingency General account, and $13,000 from LOCIP; and

FURTHER, MOVED to add $13,000 to the Capital Improvement account. SECONDED by Alderman Lanzi.

Alderman Anglace stated, this was discussed at the Finance Committee meeting. That meeting we received the report so we said we wouldn’t make a motion but we’d look it over and we’d come here. Of the $38,000, $25,000 of this energy asset of the City buildings was paid for by United Illuminating and went into the General Fund. The City’s share is $13,000. The next step is to review the information they found and see what actions and what buildings we will go on to change – fluorescent lights, change motors, etc. to follow the recommendations.

Mayor Lauretti stated, if the City follows the recommendations of this study, the United Illuminating will pay the entire share for the study, which is
$38,000. I believe that is what the understanding. It is contingent upon us implementing it.

Alderman Anglace stated, the way it was explained to us was that the Phase II of the study which is the implementation part, they would consult with U.I., they would consult with grants, there are a number of sources and see what kind of funding they could get us. My understanding is that the $13,000 in Phase I would be borne by the City – would come from LOCIP – and that’s the reason we should approve this motion.

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

### 5.1.5 Wabuda Easement Appraisal

Alderman Kudej MOVED per the recommendation of the Finance Committee to approve the payment of $1,500 to John M. Rak for the appraisal of the Wabuda easement with funding to come from the Professional Services account 001-0100-411.30-01; SECONDED by Alderman Minotti. A voice vote was taken and the MOTION PASSED 7-0.

### 5.1.6 Coles, Baldwin and Craft Billing

Alderman Anglace MOVED, per the recommendation of the Finance Committee to approve the bill of Coles, Baldwin and Craft for $6,135.00 with funding to come from the Legal Services account 001-1900-411.30-03; SECONDED by Alderman Lanzi.

Alderman Finn asked, is this regarding when the Board of Aldermen were considering bringing a suit against Planning and Zoning for Scinto’s Towers?

Mayor Lauretti replied, it is.

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

### 5.2 PUBLIC HEALTH & SAFETY COMMITTEE

No items

### 5.3 STREET COMMITTEE

No items
MAYOR’S CORRESPONDENCE

None presented.

PRESIDENT’S CORRESPONDENCE

Mayor Lauretti stated, I believe Alderman Anglace would like to respond to some of the comments that were made during the public portion tonight.

Alderman Anglace stated, not respond to, but just to clarify what I hope is my view on this, and the majority of the members of the Board of Aldermen.

When we decided not to hold the public hearing on the tennis courts at East Village Recreation Park, we did it with the understanding that this entire matter was brought to us prematurely and there was no way that we were ready, and no way we were going to act on any motion. Personally, I think I share the opinion of most of the Board. I can’t understand why you’re coming back here. Why are people coming back? Somebody is stirring the pot. That is why I wanted to see that flyer that you got. I wanted to see who did it. I want to see what it’s all about. I want to know why people are being told to come back here when this is a dead issue – d-e-a-d issue as far as I’m concerned and the majority of the Board is concerned, from my consensus of talking to them. We are not going to take a vote because there is no vote scheduled, it’s not on our agenda, we’re not going to, we have no reason to take a vote. It’s a dead issue. And there is no discussion, the public portion is over.

And further, I want to say, I want to welcome, I want to thank Terry Jones, who has served the City faithfully as co-chairman of the Conservation Commission for so many years and done it in such good faith, we certainly accept his resignation with deep regret and much appreciation. I also wanted to take the opportunity on behalf of the Board to welcome Tom Harbinson and say how much we look forward to working with him. Thank you, Mr. Mayor.

6.0 LEGAL REPORT

6.1 Corporation Legal Counsel

Alderman Anglace MOVED to authorize a total payment of $2,266.96 to Corporation Counsel Winnick, Vine, Welch, & Teodosio, LLC for services rendered per statement dated November, 2004 with funds to come from the following Legal Services Accounts:
6.2 **Assistant Corporation Counsel Billing**

Alderman Anglace MOVED to authorize a total payment of $812.50 to Assistant Corporation Counsel Ray Sous for services rendered per statement dated November, 2004 with funds to come from the Legal Fees account 001-1900-411.30-03; SECONDED by Alderman Kudej. A voice vote was taken and the MOTION PASSED 7-0.

7 **LEGISLATIVE - OLD**

7.1 **Ordinances from Public Hearing**

7.1.A **AMENDMENT – ORDINANCE #682 – NOISE ORDINANCE**

Public Hearing was held on October 28, 2004

Alderman Anglace MOVED to accept the amendment to Ordinance #682 as presented at the Public Hearing on October 28, 2004; SECONDED by Alderman Lanzi.

Alderman Anglace stated, the motion doesn’t include the publication of the Ordinance. There was always standard language – Jack, can you help me with this?

Alderman Finn stated, yes, we always published it either entirely or in summary.

Alderman Finn MOVED to AMEND the motion that the Ordinance be published in summary form; SECONDED by Alderman Anglace. A voice vote was taken and the AMENDMENT PASSED 7-0.

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

Proposed Amendment
BE IT HEREBY ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SHELTON THAT:

A CERTAIN ORDINANCE DEALING WITH NOISE ABATEMENT WHICH ORDINANCE WAS ORIGINALLY Styled ORDINANCE NO. 311 AND AMENDED BY ORDINANCE NO. 679 AND NO. 682 IS HEREBY AMENDED AS FOLLOWS:

SO MUCH OF THE ORDINANCE AS READS: “The City employee designated by the Mayor as enforcement officer for this ordinance”, is AMENDED TO READ: The city employee(s) designated by the Mayor as enforcement officer(s) shall be those persons who have received training in the operation of the noise metering equipment and whose job duties as assigned by their supervisor require monitoring ordinance violations. The Department Heads shall certify to the Mayor and the Board of Aldermen, those persons so trained. A roster of persons appointed by the Mayor shall be kept on file with the Administrative Assistant and shall be updated at least annually.
ORDINANCE #311
NOISE POLLUTION ORDINANCE

NOISE POLLUTION
STANDARDS, MEASUREMENTS, CONTROL, VIOLATIONS, AND PENALTIES

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SHELTON:

SECTION 1. GENERAL PROHIBITION

The making, creation or maintenance of unreasonably loud, unnecessary or disturbing noises, as prescribed in this ordinance, affect and are a detriment to the public health, comfort, convenience, safety, welfare, peace and quiet of persons within the City of Shelton: and, as such, shall constitute unlawful acts.

Therefore, no person shall create, cause to be created or allow the emission of sound beyond the boundaries of their property so as to cause noise pollution in the City of Shelton, or so as to violate any provisions of the ordinance.

SECTION 2. DEFINITIONS

When used in this ordinance, the terms below shall have the following meanings:

“DAY” shall be from 7:00 a.m. to 10:00 p.m., local time.

“NIGHT” shall be from 10:00 p.m. until midnight, and from midnight until 7:00 a.m., local time.

“DECIBEL” shall mean a unit measuring the volume of sound, equal to 20 times the logarithm to the base 10 of the ratio of the root mean square of the pressure of the sound measured to a reference pressure of 20 micropascals.

“SOUND LEVEL” shall mean the A-weighted sound pressure level, expressed in decibels (dBA), measured on a sound level meter using the A-weighting network and set to the slow response.
“OVERALL SOUND LEVEL” shall mean the overall sound pressure level, expressed in decibels (dB), measured on a sound level meter using the C-weighting network and set to the slow response which measurement was made.

“SOUND LEVEL METER” shall mean an instrument which includes a microphone, amplifier, RMS detector, integrator or averager, output meter and weighing networks all conforming to the requirements set forth in the American National Standards Institutes “American National Standard for Sound Level Meters” (ANI S1.4-1974) for a Precision (type 1) Sound Level Meter.

“L-10” shall mean the “A” weighted sound level exceeded 10% of the time period during “L-50” shall mean the “A” weighted sound level exceeded 50% of the time period during which measurement was made.

“PERSON” shall be any individual, firm, partnership, company, corporation, association trust, syndicate, agency, or other legal entity of any kind.

“EMITTER” shall be the person who creates, causes to be created or allows the noise.

“RECEPTOR” shall be the person who receives the noise impact.

SECTION 3. CLASSIFICATION OF NOISE ZONES

Noise zones within the City of Shelton shall be classified as to zoning applicable for that parcel or tract of land and the surrounding parcels or tracts, as detailed by the “Standard Land Use Classification Manual of Connecticut”, hereafter referred to as “SLUCONN.” Noise zone specified herein shall correspond to the following zoning descriptions in the zoning regulations and zoning map of the City of Shelton:

<table>
<thead>
<tr>
<th>ZONE</th>
<th>ACTUAL OR INTENDED USE</th>
<th>CURRENT ZONING**</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Residential</td>
<td>R1A, R, R2, R3, R4, R5</td>
</tr>
<tr>
<td>B</td>
<td>Commercial</td>
<td>CA1, CA2, CA3, CB1, CB2</td>
</tr>
</tbody>
</table>
Lands designated as “Class A Noise Zone” shall generally be residential areas where human beings sleep, or areas where serenity and tranquility are essential to the intended use of the land. The specific SLUCONN categories in Class A shall include:

1. **Residential**
   - 11 Household Units*
   - 12 Group Quarters
   - 13 Mobile Home Parks and Courts
   - 19 Other Residential

5. **Trade**
   - 583 Residential Hotels
   - 584 Hotels, Tourist Courts and Motels
   - 585 Transient Lodgings

6. **Services**
   - 651 Medical & Other Health Services; Hospitals
   - 674 Correctional Institutes
   - 691 Religious Activities

7. **Cultural**
   - 711 Cultural Activities
   - 712 Nature Exhibits
   - 713 Historic and Monument Sites

9. **Undeveloped, Unused and Reserved lands and Water Areas**
   - 92 Reserved Lands
   - 941 Vacant Floor Area-Residential

(*) Mobile Homes are included of on foundations.

Lands designated as “Class B Noise Zone” shall generally be commercial in nature, areas where human beings converse and such conversation is essential to the intended use of the land.
The specific SLUCONN categories in Class B shall include:

4. **Transportation, Communication and Utilities**
   - 46 Automobile Parking
   - 47 Communication
   - 49 Other Transportation, Communication and Utilities

5. **Trade**
   - 51 Wholesale Trade
   - 52 Retail-Building Materials
   - 53 Retail-General Merchandise
   - 54 Retail-Food
   - 55 Retail-Automotive Dealers & Gasoline Service Stations
   - 56 Retail-Apparel & Accessories
   - 57 Retail-Furniture, Home Furnishings and Equipment
   - 58 Retail-Eating, Drinking & Lodging, except 583, 584, 585
   - 59 Retail- Not Elsewhere Classified

NOISE POLLUTION SECTION 3 (Cont)

6. **Services**
   - 61 Finance, Insurance & Real Estate Services
   - 62 Personal Services
   - 63 Business Services, except 637
   - 64 Repair Services
   - 65 Professional Services, except 651
   - 67 Government Services, except 672, 674, 675
   - 68 Educational Services
   - 69 Miscellaneous Services, except 691

7. **Cultural, Entertainment & Recreational**
   - 71 Cultural Activities & Nature Exhibits, except 711, 712, 713
   - 72 Public Assembly
   - 73 Amusements
   - 74 Recreational Activities
   - 75 Resorts & Group Camps
   - 76 Parks
   - 79 Other, Not Elsewhere Classified

8. **Agricultural**
   - 81 Agriculture
   - 82 Agricultural Related Activities

9. **Undeveloped, Unused and Reserved Lands & Water Areas**
Lands designated as “Class C Noise Zone” shall generally be industrial where protection against damage to hearing is essential and the necessity for conversation is limited.

The specific SLUCONN categories in Class C shall include:

2. Manufacturing- Secondary Raw Materials

3. Manufacturing- Primary Raw Materials

4. Transportation, Communications & Utilities, except 46, 47, 49

6. Services
   637 Warehousing & Storage Services
   66 Contract Construction Services
   672 Protective Functions & Related Activities
   675 Military Bases & Reservations

8. Agriculture
   83 Forestry Activities & Related Services
   84 Commercial Fishing Activities & Related Services
   85 Mining Activities & Related Services
   89 Other Resource Production & Extraction, Not Elsewhere Classified

SECTION 4. NOISE ZONE STANDARDS

No person shall emit or cause to be emitted sound exceeding the sound levels stated herein when measured at any point on a tract or parcel of land not under their ownership or control. The determination of allowable sound shall be in accordance with the following objective numerical standards for the respective Noise Zone Classes:

<table>
<thead>
<tr>
<th></th>
<th>C</th>
<th>B</th>
<th>A-Day</th>
<th>A-</th>
</tr>
</thead>
<tbody>
<tr>
<td>Night</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Class C Emitter to dB A</td>
<td>70 dB A</td>
<td>66 dB A</td>
<td>61 dB A</td>
<td>51</td>
</tr>
</tbody>
</table>
Class B Emitter to dB A  

Class A Emitter to dB A 

Sound levels determined by the Director of Inspection & Compliance to be in excess of these values shall constitute proof of violation of this ordinance. Further, it shall be a violation for any person to:

a. Use or operate any construction equipment singly or in combination with other equipment on any construction or demolition site if such use or operation results in the emission of noise, measured at any boundary of the nearest receptor in any noise zone in excess of the values listed below:

<table>
<thead>
<tr>
<th>Zone</th>
<th>L-50</th>
<th>L-10</th>
<th>**Maximum Level of Sound</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>70 dB A</td>
<td>80 dB A</td>
<td></td>
</tr>
<tr>
<td>B</td>
<td>75 dB A</td>
<td>85 dB A</td>
<td></td>
</tr>
<tr>
<td>C</td>
<td>80 dB A</td>
<td>90 dB A</td>
<td></td>
</tr>
</tbody>
</table>

(**) The minimum level shall not be exceeded for longer than six (6) minutes in any one-hour period.

b. Conduct a utility street work installation or repair, paving work or sewer cleaning which produces a sound level exceeding the following limits at a distance of fifty (50) feet from the operation:

| After January 1, 1977 | 85 dB A |
| After January 1, 1980 | 80 dB A |

The provisions of this ordinance directly preceding this paragraph (a and b above) shall not apply to those construction devises commonly referred to as “impact tools”, including but not limited to grinders, pile drivers, paving breakers, jack hammers, rock drills or well drilling rigs, provided that such impact tools shall have intake and exhaust mufflers recommended by the manufacturer thereof, installed and working.

In addition to the above objective standards, no person shall emit noise exceeding an overall sound level of 70 dB.
The Director of Inspections & Compliance shall be responsible for developing the measurement methodology to determine compliance with this ordinance.

SECTION 5 EXCLUSIONS

This ordinance shall not apply to:

a. Sound generated by natural phenomena including, but not limited to wind, storms, insects, birds, amphibious creatures and water flowing in its natural course.

b. The unamplified sound of the human voice.

c. The unamplified sound made by wild or domestic animals.

d. Sound created by bells, carillons or chimes associated with specific religious observances.

e. Sound created by a public emergency sound signal attached to an authorized emergency vehicle in the immediate act of responding to an emergency, or located within or attached to a building, pole or other structure for the purpose of sounding an alarm relating to fire or civil preparedness.

f. Sound created by safety and protective devices provided that such device is sounded as a warning of imminent danger or from the release of pressure buildup.

g. Sound created by intrusion alarm provided that the emission of noise from such devices does not exceed 10 minutes when attached to any vehicle or thirty minutes when attached to any building or structure.

h. Backup alarms required by OSHA or other Municipal, State or Federal safety regulations.

i. Farming equipment or farming activity.

SECTION 6. EXEMPTIONS

The following noise shall be exempted from the provisions of this ordinance:
a. Noise created by signal testing, principally siren-testing by city fire departments and civil preparedness units.

b. Noise created by the regularly scheduled signaling of a specific time of day.

c. Noise generated by engine-powered or motor driven lawn care or maintenance equipment on Class "A" property between the hours of 8 a.m. and 9 p.m. provided that noise discharged from exhausts is adequately muffled to prevent loud noises there from.
ORDINANCE
CITY OF SHELTON
ORDINANCE #682

AMENDMENT TO
NOISE ORDINANCE #679

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF
SHELTON THAT:

A certain ordinance dealing with noise abatement, which
ordinance was originally styled Ordinance No. 311 and amended
by Ordinance No 679, is hereby amended as follows:

So much of the ordinance reads: “The City employee designated
by the Board of Aldermen as enforcement officer for this
ordinance..” IS CHANGED TO READ: “The City employee designated
by the Mayor as enforcement officer for this ordinance....”

AMENDMENT TO NOISE ORDINANCE
ORDINANCE 679

BE IT RESOLVED, BY THE BOARD OF ALDERMEN OF THE CITY OF
SHELTON THAT:

A certain ordinance dealing with noise abatement, which
ordinance was originally styled Ordinance No. 311, is hereby
amended as follows:

(a) Any reference to the “Director of Inspections and
Compliance” is deleted and the following is substituted: “The City
employee designated by the Board of Aldermen as enforcement
officer for this ordinance..."

(b) So much of Section 7.47 (c) as reads “Failure to
comply.....” through “violation of this Article” is deleted and the
following Section (c) is substituted therefore: person violating this
Ordinance shall be subject to a fine of $100 for each offense. Each
separate instance shall be considered a separate violation."
8. - FINANCIAL BUSINESS – OLD

No items

9.0 FINANCIAL BUSINESS - NEW

9.1 Mayor’s Salary

Alderman Anglace stated, for the record, that this is not the Mayor’s salary. This is a salary survey for the Office of Mayor, City of Shelton. It has nothing to do with any individual. Who ever sits in that chair come December 1, 2005 will receive whatever salary we determine is appropriate for the job. It has nothing to do with any individual. Did everyone receive a copy of the proposal from William White? Isn’t it attached? I’m the only one that has it. I will make the motion, and then I’ll read the proposal.

Alderman Anglace MOVED to accept the proposal of William White to do the salary survey for position of Mayor of the City of Shelton and to recommend a salary to be paid the holder of this office for the years beginning December 2005 and December 2006 and authorize the Board of Aldermen President to sign documents and manage the process on behalf of the Board of Aldermen; SECONDED by Alderman Finn.

Alderman Finn stated, let me read the proposal signed by William White, a human resources consultant from Assonet, Massachusetts, next to Fall River:

Proposed, William White, Human Resources Consultant, proposes to conduct a salary survey for the position of Mayor, City of Shelton, Connecticut, at a cost not to exceed $2,000, plus reasonable out of pocket expenses. The salary survey will follow established ordinance procedure consisting of external and internal job comparisons, comparison of relative position worth, examination of responsibilities and any other pertinent data necessary to provide an equitable basis to evaluate the compensation to be paid for this position. Consultant will be available for discussion and a presentation is necessary and will provide the survey with due diligence.

I also received from the Purchasing Agent a services agreement which is standard for this. If the Board approves this tonight, then I will proceed to get this services agreement signed, which contains relatively same information.
Mayor Lauretti asked, was the RFP process advertised by the Purchasing Agent?

Alderman Anglace replied, the Purchasing Agent went out for Requests for Qualifications. We received three RFQ responses – one of the respondents subsequently withdrew; the other one is in Florida with an office in Virginia and it looked extremely cumbersome and too large a firm for our use, and the Finance Committee talked about this and we recommended that we go with Bill White. This is coming through the Finance Committee; I had to get the proposal from Mr. White so that we could put it in the form of a motion. The reason we’ve done this is because Ed Ulosis, who was the man who did it before, died.

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

9.2 Fire Trucks

Corporation Counsel Welch stated, I gave you a copy of the correspondence sent by the Chairman of the Board of Fire Commissioners. I just bring it to your attention, for information purposes only. It may be a matter that comes back before you. As you know, the contract was with the City of Shelton, so I’m just trying to keep you abreast of it.

Alderman Finn stated, today’s paper states that once again they’ve pulled the fire trucks out of service. What is the next step the City of Shelton should be taking to try to correct the problem – will we continue addressing it along the same avenue we have been, or will we be asking the vendors to provide us with four brand-new trucks?

Corporation Counsel Welch replied, we’re going to continue to follow the terms of the contract. There are certain steps there.

Alderman Finn asked, would the trucks fall under the Lemon Law that we have here in the State of Connecticut?

Corporation Counsel Welch stated, based upon the research I’ve done, no.

10. - LEGISLATIVE - NEW

10.1 Ordinances to Public Hearing

None presented.
10.2 State Project 126-160 - East Village Road

Alderman Anglace MOVED to authorize Mayor Mark A. Lauretti to sign any necessary documents between the State of Connecticut and the City of Shelton for the construction of East Village Road and Maple Avenue; SECONDED by Alderman Lanzi. A voice vote was taken and the MOTION PASSED 7-0.

10.3 City of Shelton v. Wernick

Alderman Anglace MOVED to petition the court to extend the law date for an additional six months on behalf of the City of Shelton in the case of City of Shelton v. Samarius Wernick; SECONDED by Alderman Finn. A voice vote was taken and the MOTION PASSED 7-0.

10.4 Kerrigan v. Department of Public Health

Corporation Counsel Welch stated, this case is before you for informational purposes only. It is brought against the State of Connecticut Department of Public Health and also the Town of Madison, which could have an effect on the City of Shelton, so the City of Shelton was served with a copy of this. It is on for informational purposes.

No action.

11.0 Executive Session

At approximately 8:20 p.m., Alderman Olin MOVED to enter Executive Session to discuss the following items:

11.1 WORKERS COMPENSATION – ARSENAULT
11.2 PASZKOWSKI V. KIRPAS ET AL
11.3 DEMARCO V. ANDERSON ET AL
11.6 DRAINAGE
11.8 UNION CONTRACT RATIFICATION – LOCAL 1303-238 AFSCME
11.9 UNION CONTRACT RATIFICATION – LOCAL CILU #29

and to invite Mayor Mark A. Lauretti and Corporation Counsel Tom Welch to remain in the auditorium; SECONDED by Alderman Lanzi. A voice vote was taken and the MOTION PASSED 7-0.
Return to Regular Session

At approximately 8:40 p.m., Alderman Olin MOVED to return to regular session; SECONDED by Alderman Minotti. A voice vote was taken and the MOTION PASSED 7-0.

Mayor Lauretti noted that there were no votes taken in Executive Session.

11.1 Workers Compensation - Arsenault

Alderman Anglace MOVED to accept the permanent partial disability rating as provided by Dr. Anthony dated September 27, 2004 in the Workers Compensation matter of Richard Arsenault; SECONDED by Alderman Finn. A voice vote was taken and the MOTION PASSED 7-0.

11.2 Paszkowski v. Kirpas, et al

No action.

11.3 DeMarco v. Anderson, et al

No action.

11.6 Drainage

Alderman Anglace MOVED to authorize Mayor Mark A. Lauretti to resolve the drainage claim using in-kind services as discussed in Executive Session; SECONDED by Alderman Finn.

Corporation Counsel Welch stated, for the record, you’re permitting the Mayor to resolve the issue with in-kind services, at the discretion of the Mayor.

Alderman Anglace stated, at the discretion of the Mayor. That is correct. You see, we don’t know what he’ll run into when they get there to do the job. That is right. We’re going to use in-kind services.

A voice vote was taken and the MOTION PASSED 7-0.
11.5 Union Contract Ratification – Local 1303-238 AFSCME

Alderman Anglace MOVED to accept the contract between the City of Shelton and Local 1303-238 AFSCME; SECONDED by Alderman Lanzi. A voice vote was taken and the MOTION PASSED 7-0.

Alderman Anglace stated, a comment for the record, we just appreciate the cooperation and work that this group has given the City in the past, and want it conveyed to them. Thank you.

11.6 Union Contract Ratification – Local CILU #29

Alderman Anglace MOVED to accept the contract between the City of Shelton and Local CILU #29 as presented in Executive Session; SECONDED by Alderman Kudej.

Alderman Anglace stated, may I also offer the comment that I’ve had the opportunity to watch some of these people work and I’ll tell you - you can watch people work out there and you can see what is done – and when the job is done it’s a good professional job. I’ll tell you – I just want to say that this is a good group doing a fine job for the City, and it should be noted and appreciated.

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

ADJOURNMENT

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

The meeting adjourned at approximately 8:46 p.m.

Respectfully submitted,

Patricia M. Bruder, Clerk
Board of Aldermen

Date Submitted: _______________

DATE APPROVED: _______________    BY: _____________________

Mark A. Lauretti
Mayor, City of Shelton