Call to Order / Pledge of Allegiance

Mayor Mark A. Lauretti called the meeting of the Board of Aldermen to order at 7 p.m. All those present rose and pledged allegiance to the flag. The assembly remained standing in honor and memory of former Mayor Eugene Hope.

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 – present
Alderman Nancy Minotti – absent

Administration:

Mayor Mark A. Lauretti
Corporation Counsel Thomas Welch

There was a quorum of 7 present, 1 absent.

Public Session

Alderman Anglace asked if any member of the public wished to address the Board.

Ron Pavluvcik, 287 Eagle's Landing, Aspetuck Village

Good evening. Many people have a hot button. My hot button is property taxes. Some of you older members of the Board can remember when the property taxes on your house were only $1,000 or $2,000, but if you’re like me today in a typical house in Shelton or a condominium with a market value of about $300,000, you’re paying likely $3,000 to $4,000 annually in property
taxes. Our mill rate has historically been relatively low in Shelton, but the actual tax dollars that we pay have increased dramatically.

A lot of reasons go into causing this; the biggest is probably the Board of Education budget, which is always disproportionately increasing compared to municipal expenses. I don’t see any change in that trend. In prior years, the increases weren’t as big but now we’re funding computers, there are tremendous increases in health insurance costs, all the other counselors and therapists that have to be in the school system, the administrators and some of their crazy plans like the retention program that annoys me. This increase in property taxes that we’ve seen almost every year of five percent, six percent, seven percent, is probably going to keep on continuing, so in a few years, all of us in this room that own a condo – a humble condo like me – 2 bedroom, a couple of baths - or a house equivalent - could be paying $6,000 to $8,000 a year.

Senior citizens are finding it harder and harder to pay their property tax bills each year. Most senior citizens are on fixed incomes. As you know, Social Security increases in the past 10 years have averaged only about 2 percent, sometimes 1.5 percent, as low as that because of the formula that is used; while property taxes have been increasing, even in Shelton, despite all the development, by as much as 5 to 8 percent a year.

If the present trend continues, when those two lines intersect of what senior citizens get each month in their Social Security check, with the line of increasing property taxes, pretty much you’re going to need your entire Social Security check of $500 or $600 a month to pay your property taxes, which might be $6,000, $7,000 or $8,000 a year. Property taxes will continue to be the largest expense for senior citizens. The government is doing something with the cost of prescription drugs through Medicare. We can’t expect reductions in any other areas of common household expenses. There’s not going to be a massive program to reduce food costs, or cable TV costs or telephone costs or gasoline costs, so the only opportunity for senior citizens to try to reduce their expenses is through property taxes.

I’m aware that Shelton, like most communities, has a form of senior tax relief. It is a complicated system based on income, based on other factors, there is disability aspects to it as well for people that are experiencing health problems.

I’d like to propose tonight, and I seek the Board to consider at some future meeting, and maybe to co-sponsor this, a plan that I would simply call “Tax Cap for Shelton Seniors.” The way it would work is that Shelton residents who are 55 years of age or older as long as one of those reside in a house or
condominium, would have their property taxes frozen while they are in that residence. They would still pay the increasing sewer taxes every year, they would still pay the increasing property taxes on their vehicles, but their housing taxes, which is the largest expense, would be frozen.

Now, there are many different flavors of this kind of a plan. I think in California it was called Proposition 10 or Proposition 13 or something. Some communities have something similar to this where the taxes are not frozen; they’re just deferred until that residence is sold. That is not what I’m suggesting here. You could also start this off when people are 65, like the current senior citizen tax relief program operates, however, maybe it should be 50, which is when the AARP recognizes people as senior citizens and sends us a membership card. I’ve selected the age of 55 for this program to start because it’s the more common age for senior citizen recognition. Our Senior Center in Shelton accepts members at age 55. There is a 55 Alive! Driving Program sponsored by the AARP. I think that’s a reasonable age with people retiring early, however, a lot of them are retiring early because they’re forced out of their jobs. I’m 57 years old. My company might be offering me one of those golden handshakes to leave my company and let a younger person move up the ladder. That’s happening more and more as jobs are being cut back in business, manufacturing or outsourced overseas.

So, I’m proposing this tax cap for Shelton seniors. It would be a voluntary program. Nobody would be forced to participate. If someone wishes to participate, they would simply go to City Hall and provide proof that one of the people listed on the property deed where they live is age 55 years or older. A resident could choose to remain on their existing senior tax relief program if they think it’s a better opportunity for them, especially if they plan to be selling their house maybe to a child or someone else in the near future.

People that currently rent in Shelton that do get property tax relief, and others in that disability category may choose to stay on the current program. Veterans may want to stay with the current program because of the extra recognition that they get through property tax relief. This plan would be for people 55 years of age and it would be a response to the problem of rapidly rising property taxes, especially for condominium owners like myself at Aspetuck Village, where we have 455 units – the average residence there is providing about $4,000 a year in property taxes - $3,500 on the unit, sewer tax, and then vehicle taxes.

So what am I getting as a single person at Aspetuck Village, paying $4,000 a year? Practically nothing. Police rarely go through there because there is no crime in Aspetuck Village, almost. Firemen rarely go through there. Most
of us have security alarms like I do – ADT© - smoke alarms, fire detectors tied into our security systems. We have our own ball fields, tennis courts, we pick up our own snow, we have a pool, we have a recreation building, we don’t have to join the Senior Center necessarily. We’ve got 455 units contributing about $2 million a year toward the budget in Shelton and we’re using practically no services because there is only a handful of children living at Aspetuck Village.

This would be one way of providing tax relief for all the condominium owners in Shelton, especially those of us that don’t have children that are now paying $3,000 to $6,000 and will be paying $7,000 to $8,000 in future years for property taxes without any big return in benefits.

I’d like to give this right up to each of you to consider. I don’t know what the procedure is, I’ve contacted my local representative and asked him to follow up for me. I ask that you consider this at some future meeting. If the process is to have a public hearing, I request that that be done. If it has to go to some kind of referendum or election, so be it. If it’s approved, fine. If it’s rejected, fine. But I’m willing to fight the battle and spearhead this effort.

I thank you for your time and attention.

Irving Steiner, 23 Partridge Lane

Good evening. I wish to apologize to Sandy Nesteriak for raising my voice during our warm discussion yesterday regarding why the flag was not flying, nor was it at half-mast, for former Republican Mayor Eugene Hope who passed away this Monday. I was somewhat distraught having just come from the Mayor’s wake and found a flag at half-mast across the street from City Hall on private property but no flag flying at all at City Hall.

I heard that there was a complaint that I had raised my voice. I find that somewhat hard at my age. I have trouble communicating with John, and my wife, the only time I seem to be heard is when I’m talking in my sleep.

In any event, other than my apology to Mrs. Nesteriak, I would like to make it clear that my position has not changed regardless of the comments in the newspaper article that were made by the Mayor’s Administrative Assistant. I would like to put it into public record the exact flag requirements per State Statute that governs the situation that occurred yesterday.

I’d like to read from the Office of Legal Research for the State of Connecticut, a portion of this. It says:
“You asked several questions about laws or rules governing the display of the U.S. flag at half-staff. Specifically, you wanted to know if the Governor has the discretion to determine when and how flags should be flown at half-mast. The power to regulate the use and display of the U.S. flag lies with individual states and not exclusively with the federal government. Connecticut exercises this power in laws that specify the hours during which flags must be flown at certain State facilities. However, the law does not prescribe how or when the U.S. or the State flag must be flown at half-staff. The only reference in law to flags being flown at half staff is a provision permitting the Chief Executive Officer of any town to order flags flown at half staff at public schools when they are displayed in this manner on other municipal buildings.”

Now, it goes on into other things here, but I do not want to take up your time. I will give a copy of this to the Clerk for the record.

I would like to put into public record these exact requirements per State Statute. Yesterday, following my discussion with Ms. Nesteriak, I drove up to Huntington Center and stopped by EMS and found their flag flying at half mast. I passed the Police Station and found their flag flying at half mast. Then I went on to the High School and found no flag. I asked Mr. Sylvester why he had no flag up, and also, why not at half mast in respect. He was incredulous at my remark until we both walked outside and confirmed my statement. Mr. Sylvester then deeply apologized for the oversight and was in the process of rectifying the mistake with all the schools as I left.

Today I had to visit City Hall and this time the flag was flying at full staff. I therefore must assume that an Executive Order was not issued. I was, as I stated in apologizing to Sandy, I was distraught and I lost it. I also, what disturbed me was the flag across the street flying at half mast.

I thank you for your time.

Tom Latulipe, 91 Toas Street

I just listened to Mr. Steiner here, and I, too, today went by the Police Department; the flag was half-staff. Whenever I thought the flag should be at half staff, you get different versions. It seems that nobody is clear on this. I stopped at one place, not this past week – this past week I noticed the flag earlier this week was at half-staff at City Hall here. But when you go down through town and you see flags at half staff and others at full staff, there is something wrong in communication. I’m not here to condemn anybody or
congratulate anybody for the way the flag is being flown, but I believe we should get a little unity here so it is pretty much the same all through the town. You go up at St. Joseph’s School it’s at half-staff, you go to Plumb Library it’s half staff, and then you go other places and they’re full staff. Even our parks – Huntington Green or places like that sometimes they’re full staff. I even was told when the Governor orders the flags at half staff because one of our servicemen got killed in service, they should all be at half-staff. I drew that to the attention of somebody and they said, well, that’s a State law and that only covers State buildings. Then when the President orders them at half staff they say, that’s only the federal buildings that have to be at half staff. I would appreciate it very much because the flag is what we all stand for. We work under that flag and we have our freedom under that flag. We’ve had a lot of servicemen killed, injured, for life, and everything, and that flag is what they were fighting for.

If you could take, and get some unity, somehow, so that the flag is flown uniformly, it would be greatly appreciated. I noticed even when the President or the Governor has ordered the flag at half-staff because a serviceman in our state has been killed, the flag is still at full staff down at the Veterans’ Memorial. I’ve brought this to the attention of individuals and it seems to be sort of a hardship to go down there for certain ones, because they’re not physically fit to pull on those cords. I’ve even offered my help; gave them my phone number, and I have no phone calls. If there is something that the Board here can do to correct the problems that exist, and there are problems, it would be greatly appreciated.

The speaker before me spoke about senior citizens being exempt at a certain age - having their taxes frozen at a certain level - while their property increases in value. There are a lot of loopholes that need to be addressed here. I don’t think there is anybody here that gets less income than I get. There’s a lot to listen to. Social Security now, I understand, has raised the age limit to try to put a damper on some of their expenditures. It’s a real hard problem. I agree with the speaker that it is very hard for some senior citizens, like myself, to meet our expenditures. But you have to take and realize, the school system is the biggest nut to crack in the City of Shelton as far as expenses go, but they’re dictated to by the State and Federal government – what they have to do in the school system. Our schools are in deplorable condition because we’ve been trying to cut back on the expenditures in the schools. Now it’s like a whip snapping. We’re going to be faced with very astronomical costs to the schools and also, we have things today that we never had before. We have unions to contend with. We’ve had teacher strikes all over the country. These are the things we have to cope with – they’re expenditures. And how we can cope with
them is all stick together and sit down and try to get different ideas on how we can control the expenditures of the City.

I thank you very much for your time.

Alderman Anglace asked if any other member of the public wished to address the Board. Being none, he declared the public session closed.

**Agenda Items**

**Add on**

Alderman Anglace MOVED to add to the agenda as Item 9.8 – Upgrades/Improvements to East Village Park; SECONDED by Alderman Papa. 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 meeting minutes of the regular meeting of December 9, 2004; SECONDED by Alderman Lanzi. A voice vote was taken and the MOTION PASSED 7-0.

**5.1 FINANCE COMMITTEE**

**5.1.1 Special Meeting of December 16, 2004**

Alderman Kudej MOVED, per the recommendation of the Finance Committee, to waive the reading and approve the December 16, 2004 Finance Committee meeting minutes; SECONDED by Alderman Anglace. A voice vote was taken and the MOTION PASSED 7-0.

**5.1.2 November 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 $8,036.30 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 Finn. A voice vote was taken and the MOTION PASSED 7-0.

**5.1.3 December 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 $3,705.38 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 Finn. A voice vote was taken and the MOTION PASSED 7-0.

5.1.4 New Furnace – Parks & Recreation Garage

Alderman Kudej MOVED, per the recommendation of the Finance Committee, to approve the purchase of a new furnace for the Parks & Recreation garage with funding in the amount of $1,500 to come from LOCIP; and further,

MOVED to add this to the Capital Improvement Fund account; SECONDED by Alderman Olin. A voice vote was taken and the MOTION PASSED 7-0.

5.1.5 Rubber Floor – Community Center Weight Rooms

Alderman Kudej MOVED, per the recommendation of the Finance Committee, to approve the purchase of new rubber floors for the Community Center weight rooms with funding of $4,990 to come from LOCIP; and further,

MOVED to add this item to the Capital Improvements Fund account; SECONDED by Alderman Papa.

Alderman Finn stated, in 2003 we approved new lockers for the locker rooms at the Community Center. Those have never been installed as of today. Is there any reason why we haven’t moved forward on this as we approved the funding and approved the LOCIP?

Mayor Lauretti asked, of which locker room?

Alderman Finn replied, both the men’s and women’s – we approved both of them. They were supposed to take out the metal and put in the new.

Mayor Lauretti explained, there are two sets of men’s and women’s locker rooms – one is upstairs and one is downstairs. The ones upstairs were done, by the pool.

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

Mayor Lauretti stated, the Board will recall from time to time that we get special requests from different youth organizations around the City for funding for different purposes. The Pop Warner teams and the cheerleading teams and dance teams have had some success, and they've gone to Florida, on to competition, and the City has contributed a sum of money for those individual requests. A couple of years back to accommodate those requests that came in that were difficult to budget for, we put a line item in the budget for Youth Programs, and we have been honoring those requests out of that account the last couple of years. It has always been my practice to apprise the Board of a request that comes in, and I regret that I didn’t bring a copy of the letter, but it did come from the President of Pop Warner for some funding – some dollar amount - to the Girls’ Dance Team that just came back from Florida this past December. I told them that I would run it by the Board for their concurrence, and I thought the sum of $2,000 might be appropriate for that request and is consistent with requests that have come in the past. I don’t need a formal motion on it; I’d just like to get a concurrence from the Board.

Alderman Anglase asked, is there any urgency to this, if not, we can send it to Finance. I would say, the way it looks to me, the members remember that back a few years, we were getting hit with education organizations for funding. This doesn’t sound like it’s an education-related organization, but it sounds like it’s a community related organization, and if it is, I wouldn’t have a problem with it.

Mayor Lauretti stated, it is – it’s Pop Warner – they’re part of and sanctioned by the Pop Warner Program – they have over the years evolved to support a number of dance teams and cheerleading teams as part of their overall organization. And it’s not like we haven’t done it before. I do think it’s important to keep it to a minimum, and to be consistent with what we’re doing with other groups from the Youth Programs. There’s a line item we labeled for Youth Programs.
Alderman Finn stated, we do fund Pop Warner Football through the Parks and Recreation budget, and it’s a worthwhile program. I also can see us contributing some money toward the Dance Team. Did they indicate where any other sources of revenues would come from, besides the request to the City?

Mayor Lauretti replied, a portion of it comes from their fundraising – they have special fundraising efforts to go on trips like this, because they don’t know if they’re going to go until they’re well into the season. It’s usually in November when they get selected; that’s how the competition runs. And the parents usually make up the balance. They’ve gone already and they’ve paid for it. The request did come in to me in December and I regret that I didn’t get it to the Board sooner, but I forgot about it.

Alderman Papa stated, this is something we’ve supported in the past and I have no problem supporting it.

Mayor Lauretti asked, is $2,000 agreeable to everyone?

No one objected.

Mayor Lauretti stated, thank you.

**PRESIDENT’S CORRESPONDENCE**

Alderman Anglace stated, I want to ask, regarding Charter Revision, did everybody get a copy of the December 2004 Charter Revision Commission minutes where Alderman Finn and I made a presentation and answered questions regarding the Ordinance procedure? Has everyone received a copy of the draft Ethics Ordinance proposal that Alderman Finn, Corporation Counsel and I put together? We are seeking your comments and your review, along with those of the Board of Ethics before submitting this document and going any further with it. Look it over and give us your thoughts. Did everyone receive a copy of the Mayor’s response to the ethics complaint regarding his property purchase? If you haven’t, let me know and I’ll get you one.

**6.0 LEGAL REPORT**

**6.1 Corporation Legal Counsel**
Alderman Anglance MOVED to authorize a total payment of $3,169.05 to Corporation Counsel Winnick, Vine, Welch, & Teodosio, LLC for services rendered per statement dated December, 2004 with funds to come from the following Legal Services Accounts:

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<thead>
<tr>
<th>Account</th>
<th>Code Number</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legal Fees</td>
<td>001-1900-411.30-03</td>
<td>$3,156.05</td>
</tr>
<tr>
<td>Court Costs</td>
<td>001-1900-411.80-84</td>
<td>$13.00</td>
</tr>
</tbody>
</table>

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

6.2 **Legal Bill**

Alderman Anglance MOVED to authorize a total payment of $3,225 to Sheehy & Dillon for services rendered to the Shelton Board of Ethics per statement dated December 29, 2004 with funds to come from the Legal Fees Account; SECONDED by Alderman Kudej. A voice vote was taken and the MOTION PASSED 7-0.

7 **LEGISLATIVE - OLD**

No items.

8 **FINANCIAL BUSINESS OLD**

No items.

9 **FINANCIAL BUSINESS NEW**

9.1 **Boy With Fish Statue – Riverview Park**

Alderman Anglance MOVED to approve the change order for the Boy with Fish Statue with funding of $2,000 to come from LOCIP; and further,

MOVED to add this to the Capital Improvements Account and authorize Mayor Mark A. Lauretti to sign any necessary documents; SECONDED by Alderman Lanzi.

Alderman Anglance stated, I’d just like to thank the Shelton Historical Society for staying on top of this and diligently working on it.
Alderman Papa asked, what is the total cost for the restoration?

Mayor Lauretti replied, I want to say it’s in the neighborhood of $60,000.

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

### 9.2 Nature’s Way – Legal Action

Alderman Anglase MOVED to authorize Corporation Counsel to take such necessary legal actions to protect an encroachment onto the City easement at Nature’s Way; SECONDED by Alderman Finn.

Alderman Anglase asked, is this on the City easement, or is this on the City open space?

Corporation Counsel Welch replied, it’s on the City Conservation Easement.

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

### 9.3 Replacement of Trees – Constitution Boulevard

Alderman Anglase MOVED to authorize Corporation Counsel to file claim in Small Claims Court against East Coast Construction Services of New England LLC for the replacement of trees at Constitution Park, for a total value of $750; SECONDED by Alderman Kudej. A voice vote was taken and the MOTION PASSED 7-0.

### 9.4 Proposed Conveyance of Open Space to City of Shelton – Crescent Village Condominium

Alderman Anglase MOVED, per the recommendation of the Conservation and Planning and Zoning Commissions, to accept and approve the Open Space Parcel A (consisting of .90 acres) and Parcel B (consisting of 3.15 acres) regarding the Crescent Village Condominium Project as shown on the attached map, provided and subject to said parcels being cleared of all debris and the donor providing a representation that the premises are free of any hazardous materials; and further, that the developer protects the area from intrusion through the construction process; SECONDED by Alderman Kudej.

Alderman Anglase stated, at the risk of prolonging this, I think it’s important – three items are coming up and this same letter applies to three items – two
more coming up, so I think it’s important to read this into the record. This is from the Conservation Commission dated January 10, 2005:

The Shelton Conservation Commission at its meeting of January 5, 2005 reviewed the Open Space dedication of Crescent Village. The Commission recommends that the Board of Aldermen accept the donation of the areas designated as Open Space A and Open Space B provided the City require that the developer remove the existing debris and that he protect the existing wooded area from intrusion by the construction process. The Conservation Commission further recommends that the City accept the donation of land fronting on Wintergreen Lane from the developer as required in the approval process. In addition, the Conservation Commission notes its dismay of the failure of the approval process to assure the preservation of open space along Long Hill Avenue by obtaining the land now shown on the map as Phoenix Housing of Shelton, as that parcel was represented originally by the developer to remain part of the greenway buffer along Long Hill Avenue. The Conservation Commission appreciates your consideration of our recommendations.

Mayor Lauretti stated, we’re going to take that up later on under Appraisal.

Alderman Anglace stated, I wanted to read the letter once, and then we won’t have to go back to it again.

Mayor Lauretti stated, you might want to leave that map out, because when we get to it, it’s helpful to understand how this property, and how this buffer along Long Hill Avenue and Wintergreen Lane was carved out in three separate sections. We’re going to talk about the open link or the missing link that unfortunately got left out when we get to that point.

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

9.5 Proposed Conveyance of Open Space to the City of Shelton – Woods at Lake Road Subdivision

Alderman Anglace MOVED, per the recommendation of the Planning & Zoning Commission and the Conservation Commission, to accept the proposed conveyance of open space to the City of Shelton at “The Woods at Lake Road Subdivision” off of Lake Road, identified on the attached map as “Town Open Space” - 12.12 acres; SECONDED by Alderman Papa.
NOTE: This conveyance of open space is for the West Wood Project only. A plan for East Wood has not been submitted to the Planning & Zoning Commission at this time.

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

9.6 Resolutions 2004-2005

Alderman Anglace MOVED to adopt the following three (3) Resolutions:

1. RESOLUTION APPROPRIATING $590,000 FOR THE WAVERLY ROAD AND LONG HILL AVENUE PAVEMENT PROJECT IN THE CITY OF SHELTON AND AUTHORIZING THE ISSUANCE OF $500,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE.

2. RESOLUTION APPROPRIATING $33,625 FOR THE ACQUISITION AND DEMOLITION OF THE AXTON CROSS BUILDING IN THE CITY OF SHELTON AND AUTHORIZING THE ISSUANCE OF $33,625 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE.

3. RESOLUTION APPROPRIATING $194,000 FOR THE PURCHASE OF EQUIPMENT FOR HIGHWAYS AND BRIDGES IN THE CITY OF SHELTON AND AUTHORIZING THE ISSUANCE OF $194,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE.

SECONDED by Alderman Lanzi.

Alderman Papa noted, on the first paragraph, you’ve got a resolution appropriating $590,000 and then when you mention the issuance, it’s only $500,000. Is that an error?

Mayor Lauretti stated, I know. I went through this with Bond Counsel last week and I need to recollect. The way I’m reading it is there are two separate appropriations. The descriptions, I think, are wrong.

Alderman Anglace stated, it says in Section 2 on Page 2, “to meet said appropriations, $90,000 will be paid from the General Fund Road Repairs account and $500,000 in bonds of the City.”

Alderman Finn stated, if I’m understanding your conversation correctly, you’ve indicated the first question, the resolution to apply $90,000, that has already been completed. We’ve also already spent $550,000 that came out of the $3 million bond appropriation that the voters approved, so that’s already been paid for.
Mayor Lauretti stated, it does read right, because $90,000 was paid. Theoretically, it all could have come from bonds but we took $90,000 so we could pay the contractor. The work is done. The contractor is paid. I didn’t want to hang him out too long. Theoretically, all the $590,000 could come in the form of bonds. I guess where I’m struggling right now is that there was supposed to be an additional $500,000 that was going to take us into the ’05 season so we would be ready to go when the weather is appropriate.

Alderman Finn stated, I was informed that the $550,000 was already used out of the $3 million appropriation and that $550,000 was used for the roads. We already used the money; we took it out of the $3 million bond issue that that voters approved. Why do we have it on the agenda again for $590,000?

Mayor Lauretti replied, because we’re going to bond for it.

Alderman Finn asked, out of the $3 million?

Mayor Lauretti stated, we’re actually going to bond. It’s coming out of the $3 million or $4 million. Let’s go ahead and approve it the way it’s written. I’ll take it up with Bond Counsel tomorrow; they’re going to be here. We’re going to have a Note Sale here tomorrow. I don’t think that this portion of it is incorrect, I’m just looking for the other half. I don’t see it in here.

Alderman Papa asked, what is the actual number we’re going to bond for?

Mayor Lauretti replied, $1 million - $500,000 for the work that we did and $500,000 for the work coming up. I will take it up with Counsel tomorrow. In any event, let’s go ahead and approve this the way this is written.

Corporation Counsel Welch stated, let the record reflect that the full resolutions as attached to the motion are made part of the record.

Alderman Finn stated, another question. We’re appropriating $194,000 – is that for the mill that we recently purchased?

Mayor Lauretti stated no, those are for two Public Works trucks.

Alderman Finn stated, just for the record, even though I don’t agree with Resolution #1, I do support the other two, so I’m going to have to be
voting yes in favor of this, even though I really don’t think we should be acting on Resolution #1.

Alderman Lanzi asked, regarding Axton Cross, have all of the issues been resolved?

Mayor Lauretti replied, done.

Alderman Lanzi stated, so it’s okay for us to buy it?

Mayor Lauretti stated, that will be another issue to take up in the coming months.

Alderman Anglace stated, the total of the three Resolutions is $727,625 of the three.

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

RESOLUTION APPROPRIATING $590,000 FOR THE WAVERLY ROAD AND LONG HILL AVENUE PAVEMENT PROJECT IN THE CITY OF SHELTON AND AUTHORIZING THE ISSUANCE OF $500,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

RESOLVED:

Section 1. The sum of $590,000 is appropriated for the installation of a bituminous concrete structural overlay on Waverly Road and on Long Hill Avenue, and for administrative, printing, financing and legal costs related thereto (the “Project”).

Section 2. To meet said appropriation $90,000 will be paid from the General Fund Road Repairs Account and $500,000 bonds of the City, or so much thereof as shall be necessary to meet the balance of said appropriation, may be issued maturing not later than the fifth year after their date. Said bonds may be issued in one or more series as determined by the Treasurer and the Director of Finance and the amount of bonds of each series to be issued shall be fixed by the Treasurer and the Director of Finance, provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing, financing and legal costs of issuing the bonds. 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 facsimile or manual signatures
of the Treasurer and the Director of Finance, shall bear the City seal or a facsimile thereof, be certified by a bank or trust company, which bank or trust company may be designated the registrar and transfer agent, and be payable at a bank or trust company, and be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford. The bonds shall be general obligations of the City and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and interest thereon. The aggregate principal amount of the bonds of each series to be issued, the annual installments of principal, redemption provisions, if any, the certifying, registrar and transfer agent, and the paying agent, the date, time of issue and sale and other terms, details and particulars of such bonds, including the approval of the rate or rates of interest, shall be determined by the Treasurer and Director of Finance in accordance with the General Statutes of Connecticut, Revision of 1958, as amended (the “Connecticut General Statutes”).

Section 3. Said bonds shall be sold by the Treasurer in a competitive offering or by negotiation, in the Treasurer's discretion. If sold in a competitive offering, the bonds shall be sold upon sealed proposals at not less than par and accrued interest on the basis of the lowest net or true interest cost to the City. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds. If the bonds are sold by negotiation, provisions of the purchase agreement shall be subject to the approval of the Mayor, Treasurer and Director of Finance.

Section 4. The Treasurer and Director of Finance are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of any series of said bonds. Notes evidencing such borrowings shall be signed by the Treasurer and the Director of Finance, have the seal of the City affixed, be payable at a bank or trust company designated by the Treasurer, be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford, and be certified by a bank or trust company designated by the Treasurer pursuant to Section 7-373 of the Connecticut General Statutes. They shall be issued with maturity dates which comply with the provisions of the Connecticut General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the City and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the Project. Upon the sale of said bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.
Section 5. The City hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and anytime after the date of passage of this Resolution in the maximum amount of and for the Project defined in Section 1 with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the City. The Bonds shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the Project, or such later date the Regulations may authorize. The City hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Director of Finance or his designee is authorized to pay Project expenses in accordance herewith pending the issuance of Bonds, and to amend this declaration.

Section 6. The Mayor, the Treasurer and the Director of Finance, or any two of them, 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 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. Any agreements or representations to provide information to Repositories made prior hereto are hereby confirmed, ratified and approved.

Section 7. This Resolution is adopted pursuant to the provisions of Section 7.16 of the City Charter and is within the limitations set forth therein for the fiscal year ended June 30, 2005.

Enacted by the Board of Aldermen: ________________________________

Approved by the Mayor: __________________________ Date ________

Attest:

__________________________

City Clerk

Date __________________________

RESOLUTION APPROPRIATING $33,625 FOR THE ACQUISITION AND DEMOLITION OF THE AXTON CROSS BUILDING IN THE CITY OF SHELTON AND AUTHORIZING THE ISSUANCE OF $33,625 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE
RESOLVED:

Section 1. The sum of $33,625 is appropriated for the acquisition and demolition of the Axton Cross Building in the City of Shelton, and for administrative, printing, financing and legal costs related thereto (the “Project”).

Section 2. To meet said appropriation $33,625 bonds of the City may be issued, maturing not later than the fifth year after their date. Said bonds may be issued in one or more series as determined by the Treasurer and the Director of Finance and the amount of bonds of each series to be issued shall be fixed by the Treasurer and the Director of Finance, provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing, financing and legal costs of issuing the bonds. 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 facsimile or manual signatures of the Treasurer and the Director of Finance, bear the City seal or a facsimile thereof, be certified by a bank or trust company, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company, and be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford. The bonds shall be general obligations of the City and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and interest thereon. The aggregate principal amount of the bonds of each series to be issued, the annual installments of principal, redemption provisions, if any, the certifying, registrar and transfer agent, and the paying agent, the date, time of issue and sale and other terms, details and particulars of such bonds, including the approval of the rate or rates of interest, shall be determined by the Treasurer and Director of Finance in accordance with the General Statutes of Connecticut, Revision of 1958, as amended (the “Connecticut General Statutes”).

Section 3. Said bonds shall be sold by the Treasurer in a competitive offering or by negotiation, in the Treasurer's discretion. If sold in a competitive offering, the bonds shall be sold upon sealed proposals at not less than par and accrued interest on the basis of the lowest net or true interest cost to the City. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds. If the bonds are sold by negotiation, provisions of the purchase agreement shall be subject to the approval of the Mayor, Treasurer and Director of Finance.

Section 4. The Treasurer and Director of Finance are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of any series of said bonds. Notes evidencing such borrowings shall be signed by the Treasurer and
the Director of Finance, have the seal of the City affixed, be payable at a bank or trust company designated by the Treasurer, be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford, and be certified by a bank or trust company designated by the Treasurer pursuant to Section 7-373 of the Connecticut General Statutes. They shall be issued with maturity dates which comply with the provisions of the Connecticut General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the City and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the Project. Upon the sale of said bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. The City hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and anytime after the date of passage of this Resolution in the maximum amount of and for the Project defined in Section 1 with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the City. The Bonds shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the Project, or such later date the Regulations may authorize. The City hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Director of Finance or his designee is authorized to pay Project expenses in accordance herewith pending the issuance of Bonds, and to amend this declaration.

Section 6. The Mayor, the Treasurer and the Director of Finance, or any two of them, 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 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. Any agreements or representations to provide information to Repositories made prior hereto are hereby confirmed, ratified and approved.

Section 7. This Resolution is adopted pursuant to the provisions of Section 7.16 of the City Charter and is within the limitations set forth therein for the fiscal year ended June 30, 2005.

Enacted by the Board of Aldermen: ________________________________
RESOLUTION APPROPRIATING $194,000 FOR THE PURCHASE OF EQUIPMENT FOR HIGHWAYS AND BRIDGES IN THE CITY OF SHELTON AND AUTHORIZING THE ISSUANCE OF $194,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE.

RESOLVED:

Section 1. The sum of $194,000 is appropriated for the purchase of equipment for City of Shelton highways and bridges consisting of two Big Mack trucks to be used for plowing and hauling, and for administrative, printing, financing and legal costs related thereto (the “Project”).

Section 2. To meet said appropriation $194,000 bonds of the City may be issued, maturing not later than the fifth year after their date. Said bonds may be issued in one or more series as determined by the Treasurer and the Director of Finance and the amount of bonds of each series to be issued shall be fixed by the Treasurer and the Director of Finance, provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing, financing and legal costs of issuing the bonds. 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 facsimile or manual signatures of the Treasurer and the Director of Finance, bear the City seal or a facsimile thereof, be certified by a bank or trust company, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company, and be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford. The bonds shall be general obligations of the City and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and interest thereon. The aggregate principal amount of the bonds of each series to be issued, the annual installments of principal, redemption provisions, if any, the certifying, registrar and transfer agent, and the
paying agent, the date, time of issue and sale and other terms, details and particulars of such bonds, including the approval of the rate or rates of interest, shall be determined by the Treasurer and Director of Finance in accordance with the General Statutes of Connecticut, Revision of 1958, as amended (the “Connecticut General Statutes”).

Section 3. Said bonds shall be sold by the Treasurer in a competitive offering or by negotiation, in the Treasurer's discretion. If sold in a competitive offering, the bonds shall be sold upon sealed proposals at not less than par and accrued interest on the basis of the lowest net or true interest cost to the City. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds. If the bonds are sold by negotiation, provisions of the purchase agreement shall be subject to the approval of the Mayor, Treasurer and Director of Finance.

Section 4. The Treasurer and Director of Finance are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of any series of said bonds. Notes evidencing such borrowings shall be signed by the Treasurer and the Director of Finance, have the seal of the City affixed, be payable at a bank or trust company designated by the Treasurer, be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford, and be certified by a bank or trust company designated by the Treasurer pursuant to Section 7-373 of the Connecticut General Statutes. They shall be issued with maturity dates which comply with the provisions of the Connecticut General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the City and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the Project. Upon the sale of said bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. The City hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and anytime after the date of passage of this Resolution in the maximum amount of and for the Project defined in Section 1 with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the City. The Bonds shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the Project, or such later date the Regulations may authorize. The City hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Director of Finance or his designee is authorized to
pay Project expenses in accordance herewith pending the issuance of Bonds, and to amend this declaration.

Section 6. The Mayor, the Treasurer and the Director of Finance, or any two of them, 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 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. Any agreements or representations to provide information to Repositories made prior hereto are hereby confirmed, ratified and approved.

Section 7. This Resolution is adopted pursuant to the provisions of Section 7.16 of the City Charter and is within the limitations set forth therein for the fiscal year ended June 30, 2005.

Enacted by the Board of Aldermen: ________________________________

Approved by the Mayor: __________________________ Date __________

Attest:

____________________________

City Clerk

Date __________________________
9.7 **Request to Sell City Property**

Alderman Anglace MOVED to have an appraiser determine the value of the property identified as parcel to be acquired on the attached map, subject to favorable recommendation from the following:

Conservation Commission, Parks & Recreation Commission and 8-24 from Planning & Zoning Commission.

SECONDED by Alderman Papa.

Alderman Finn stated, we don’t know what the future has in store for this section of the community, if sometime in the future if Old Stratford Road has to be widened. Instead of selling the property to persons requesting the property be sold to, I would like to have the administration lease the property instead.

TAPE ONE, SIDE TWO

[Mayor Lauretti speaking] …the developer is widening the road.

Alderman Finn stated, we don’t know what’s going to happen 30 or 40 years down the line. If we retain it by leasing the property instead of selling it, I think it would be better for the City.

Alderman Anglace stated, I believe that everybody has a copy of the letter from the City Engineer and also a copy of Ordinance #782. I want to tell you that this is the ordinance that we recently passed that governs how to proceed with a request to purchase property from the City. It doesn’t mean we’re selling it. This is the information that you get in the recommendation, and we’re going to follow it. The other thing that needs to be identified is that, a little better, the property in question, the parcel to be acquired is the parcel on Old Stratford Road that is adjacent to the Split Rock development that is going in. This is all along Old Stratford Road and it’s 1.4322 acres. I think we should proceed to follow the ordinance, carefully, and see where it takes us. That is all we’re recommending at this point.

Mayor Lauretti stated, I assume that you are going to expect my office to get the appraiser and get it before the Board, because it doesn’t say here.

Alderman Anglace stated, there’s no sense in going out and getting the appraisal and spending the money for an appraisal if we’re not going to get
to that point. I think we should just follow the ordinance, and take it chronologically. The Conservation Commission and Parks and Rec, ask for their opinion; we want to know what their views are. Then if they say yes, it could be sold, and we agree, we send it to Planning and Zoning for an 8-24 and get their response, and then see where it goes from there. Then, if it’s okay to there, then we’ll authorize the appraisal and spend the money at that point.

Alderman Finn stated, by following the ordinance and getting to the avenue where it says we can go ahead and receive an appraisal for possible sale. Why do you want to sell it when we could probably lease it?

Alderman Anglace stated, these are all options, but we’ve got to follow the ordinance.

Mayor Lauretti stated, then no action would be in order. If the request already went to the respective boards and commissions, then this Board shouldn’t take any action tonight. Let’s wait and see what the response is. We’ll take no action and we’ll move on.

9.8 – Upgrades/Improvements to East Village Park

Alderman Anglace MOVED to add upgrades to the walking track at the soccer field at East Village Park Complex and improvements to the walking track and gate at East Village Park to the Capital Improvement Plan; and further,

MOVED to authorize the expenditure of no more than $6,000 from LOCIP for these upgrades and improvements; SECONDED by Alderman Papa.

Alderman Finn stated, Mrs. Ovesny is going to be thrilled that the walking track is going to be fixed up there. It is needed, and I thank the administration for moving on it. The entrance gate itself, you’re referring to the entrance gate to the track. On both sides of the entrance gate to the track, since the gate is always locked to keep vehicles out, the mothers and fathers that have babies in carriages have to go around the gate. When you go around the gate, there are boulders there – large rocks – and it is quite difficult for a parent to get those baby carriages through on both sides of that gate. If we’re going to improve the gate, we should look at some way to make an improvement so it’s easier for the parent to get that stroller up the hill, I think they’d appreciate it.
Mayor Lauretti stated, put in some walkways. I think the boulders were put there to try and discourage the ATV drivers from going on the field and doing donuts and tearing it up like they’ve been doing the last couple of years. I agree, we should probably have a more formal presentation for just those things that you mentioned.

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

10. - LEGISLATIVE - NEW

10.1 Appointment – EMS Commission

Alderman Anglace MOVED, per the recommendation of the Mayor, to reappoint Karen Krill-Weinstein to the EMS Commission with a term expiration of September 12, 2006; SECONDED by Alderman Kudej. A voice vote was taken and the MOTION PASSED 7-0.

10.2 Appointments – Technology Ad Hoc Committee

Alderman Anglace MOVED to appoint the following people to the Shelton Technology Ad Hoc Committee:

REPRESENTING THE BOARD OF EDUCATION:
   Cathy Araujo
   Al Cameron
   Arlene Liscinsky
   Tracy Adkins

REPRESENTING THE CITY:
   Louis Marusic
   Robert Caponi
   Karen Jensen
   John Anglace

REPRESENTING THE COMMUNITY AT-LARGE
   Michael Davis
   Ramesh Wadwhani

SECONDED by Alderman Papa.

Alderman Anglace noted that Karen Jensen represents the Library, and she is an addition to the Committee as it formerly existed.
A voice vote was taken and the MOTION PASSED 7-0.

10.3 Donation of Open Space to the City of Shelton

Alderman Anglace MOVED, per the recommendation of the Conservation Commission, to approve and accept the donation of approximately 48,000 square feet of open space as proposed by River Road Partners, LLC, as described in their December 21, 2004 letter to Mayor Mark A. Lauretti, and subject to a favorable 8-24 referral from Planning and Zoning Commission; SECONDED by Alderman Kudej.

Alderman Finn stated, prior to accepting the property as a donation, I think we should do an environmental study of the area and make sure it’s not contaminated before we accept it.

Mayor Lauretti stated, that is part of the protocol any time we take property. You may know that this parcel that is being donated was subject to a legal challenge and affordable housing application that was granted by the courts. Fortunately, through the efforts of Planning and Zoning, they were able to negotiate that piece into the overall approval for Pinecrest. That, however, leaves us still a gap that takes us to the next item.

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

10.4 Appraisal

Based on the January 10, 2005 letter from the Conservation Commission, Alderman Anglace MOVED to authorize Mayor Mark A. Lauretti to pursue negotiations for the purchase of the parcel identified as Map 21 Lot 46, to get an appraisal, and to ask for an 8-24 referral from Planning and Zoning; SECONDED by Alderman Lanzi.

Mayor Lauretti asked, does everybody understand the piece of property in question as it relates to the Pinecrest property as a whole?

Alderman Anglace stated, this goes back to the earlier letter that I read. The developer, Crescent Village, is deeding to us, and we’ve just accepted, Area B and the 48,000 square feet. This was thought to be contiguous with the other property right smack in the middle by Conservation at the very beginning of this entire Crescent Village Proposal. We find now that there is a gap. That gap would render the contiguous nature of the open space as we expected to get it.
Mayor Lauretti stated, it would disrupt it as it sits now, it’s disrupted from the contiguous piece from Long Hill Avenue, from the Pine Rock Fire House down Long Hill Avenue to Wintergreen Lane.

Alderman Anglace continued, what we’re proposing is to authorize the Mayor to negotiate for the purchase of that piece, which is Map 21 Lot 46. How big is that?

Mayor Lauretti replied, it’s just about an acre and a half – 1.4. It’s unfortunate that this piece somehow got carved out. But under the Zoning regulations they’re allowed one free lot split, which occurred in 1986 and subsequently after that the property owner came in for an affordable housing application that didn’t include the entire parcel, and for some reason it was never picked up by anybody. When that application went in and then the legal challenge came, granted by the courts, that made it another split. When the application came in for Pinecrest in total, this was by boundary lines a different piece of property.

In conjunction with this whole thing, it came about that the firemen raised an issue of possible additional parking places for them, but a study of the map shows that there is enough room to do it without worrying about the open space.

Mayor Lauretti stated, so everybody understands what the motion is and what the request is and what the goal is.

Alderman Lanzi stated, so right from the beginning that was not one contiguous piece of property.

Mayor Lauretti stated, the piece was carved out in 1986. Approximately a little less than three acres. A portion of it. We just accepted from the developers of the Pinecrest site the acre that the affordable housing application which was approved was on. It’s right in front of Section A. This is Wintergreen Lane and this is Long Hill Avenue.

Alderman Anglace stated, could I read into the record words, once again, from the Conservation Commission's letter that apply to this parcel that you’re talking about:

In addition, the Conservation Commission notes its dismay of the failure of the approval process to assure the preservation of the open space along Long Hill Avenue by obtaining the land now shown on the map as Phoenix Housing of Shelton as that parcel was represented
originally by a developer to remain part of the greenway buffer along Long Hill Avenue.

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

11.0 Executive Session

At approximately 8 p.m. Alderman Anglace MOVED to enter into Executive Session to discuss the following items:

11.1 Mas Property - FDIC
11.2 Wabuda Farm

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 8:10 p.m., Alderman Papa MOVED to return to regular session; SECONDED by Alderman Lanzi. A voice vote was taken and the MOTION PASSED 7-0.

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

ADJOURNMENT

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

The meeting adjourned at approximately 8:10 p.m.

Respectfully submitted,

Patricia M. Bruder, Clerk
Board of Aldermen

Date Submitted: ______________

DATE APPROVED: ______________

BY: _______________________

Mark A. Lauretti
Mayor, City of Shelton