Call to Order / Pledge of Allegiance

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

Roll Call

Alderman John F. Anglace, Jr., President - present
Alderman John “Jack” Finn - present
Alderman Stanley Kudej – present
Alderman Joseph Lanzi - present
Alderman Kenneth Olin - absent
Alderman Christopher Panek - present
Alderman John P. Papa – present
Alderman Randy York - present

Administration:

Mayor Mark A. Lauretti
Corporation Counsel Thomas Welch

There was a quorum of 8 present, 0 absent.

Alderman Anglace stated, if there is no objection, the Chair will suggest to the Board to move Item 7.1 – Update on the Boy and Fish Fountain to just before the public portion of the meeting because our presenter has a conflict in meeting schedules and would so desire.

Being no objections, Alderman Anglace asked Mr. Coughlin to approach the podium.

7.1 – Update – Boy With Fish Fountain

Martin Coughlin, 10 Cayer Circle
President, Shelton Historical Society
The last time I spoke with you was about a year ago. The Shelton Historical Society was authorized to do the restoration for the Boy With Fish statue and the fountain in which it stands. Under the original schedule we laid out, we were going to finish it in the fall. But as I’ve laid out in the memo, there were some delays in getting the statue refurbished properly, so we’ve had to delay it.

I felt it would be worthwhile just to come before you to give you the memo that I handed out, with some photos that I’ve given to the Board today, just to let you know where we stand on the statue.

To summarize it briefly, the statue has been recast. We were not able to get it back in time to have it put onto the pedestal which it sat because the weather got cold and snowy. The mortar, etc. would not adhere properly so we felt it was in the City’s best interest to postpone that until the spring.

Likewise, in that process, the Board has authorized us to fix the basin of the fountain – to re-point it and repair the large chip that came out of the column that supports the Boy With Fish statue.

Again, that project was late in September with the understanding that the Capasso Company, who was doing the stone work for the Plumb Memorial Library, would start on that project immediately after he finished the Library work. Again, the bad weather took over and after some consultations with the Capasso Brothers it was deemed too late in the season to try to do the pointing and to re-cut the granite and try to reaffix it to the pedestal. So the decision was made to postpone that effort.

The second reason for postponing the work on the fountain was that the Board of Aldermen had asked me to take a look at whether we could restore the water to the fountain.

When Capasso came out to take a look at the project, they did try to clean out the pedestal, which we had believed was filled with trash, mud and debris. It turns out that the fountain column has concrete in it, and so they didn’t have the equipment at that time to hollow out and cut through the concrete to see what was underneath. So that work, again with the snow and the bad weather – has to be postponed until the spring.

We are prepared, the Shelton Historical Society, who has been working with both the Parks & Rec Department and Sandy Nesteriak to continue
that work as soon as the weather clears and we’re able to get in there and see what would be necessary to restore water.

Any cost to that has not been approved. Refurbishing of the statue has been approved as well as the fixing of the stone work around the fountain. We would, as the Historical Society, come back to this Board if there is any additional funds that could not be accomplished through City labor or the cost to put in some sort of pumping system that would bring the water back.

I did want to come before you, we hadn’t spoken in a year, in case you had any questions about why the project was not completed as we had originally laid out, and again, answer any questions you may have at this present time.

For those who came in late, there were some pictures handed around so you can take a look at what the statue will look like when it gets restored – the lion heads, etc.

Being no questions of Mr. Coughlin, Alderman Anglace opened up the public session.

Public Session

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

Justin Sabatino, Shelton Fire Department
Member, Board of Fire Commissioners

I prefer not to give my address out unless it’s required. I’m a volunteer firefighter and a member of the Pine Rock Fire Company and an elected member of the Board of Fire Commissioners. As such, I’m here to urge passage of agenda item 9-7 Purchase of Vehicle for Fire Department – specifically a van used by the Superintendent of Apparatus.

I understand and appreciate the action taken by the Board of Aldermen in your December 2005 meeting to approve this purchase. I also understand and appreciate that all $50,000 allocated to the City Vehicle Replacement Account for this fiscal year has been spent for the Fire Department vehicles and upon review of your December action there is
need to transfer another $16,010 from the Contingency General Account in order to permit the Fire Department to proceed with this last vehicle.

I urge you to continue to support this necessary purchase. I would also like to thank the full Board and the Mayor for the capital purchases made on behalf of the Shelton Fire Department during the fiscal year and remind everyone that you will not only spend $66,010 for the Fire Department vehicles but already have spent $121,000 as well for the Jaws of Life tools.

I thought it was particularly important that the Board of Aldermen know that, contrary to opinion, representatives last September, the Shelton Fire Department recognizes that these efforts are not the work of any one Alderman, but those of the entire Board and that they are recognized and appreciated by all Shelton volunteer firefighters.

Such expenditures allow the Fire Department to continue its good work in support of our citizens and should continue to approved in a bi-partisan environment with full credit given to the Aldermen, the Mayor, and the Taxpayers of Shelton. Thank you.

George Sender, 112 Perry Hill Road

I’m not new before this Board, but I have missed the couple of meetings, and I may not be the most eloquent speaker, elegant as well, but I had a question, and something bothered me when the Board elected to have time limits placed on the public portion and the speakers. The thing that bothered me the most as I read in the paper, and I missed that meeting, there was a quote there that said anyone who gets up here that needs more than five minutes it begins to show their idiocies. I said, gee that may be a mistake in words, bad choice of a word. Could it be that the Board is getting so arrogant that they can call people idiots? Because the root of idiocies is idiot. Idiosyncrasies maybe should have been the word. But the word that was used was idiocies. I said gee, it’s in the Bridgeport or Connecticut Post, maybe it’s a mistake, a misprint. I saw it in the Huntington Herald, and I believe, the Shelton Weekly. I don’t know who made the statement. I didn’t go back and look it up. I just thought that it was a very poor choice of words on who ever the member of the Board was. But the best that can be said out of the meaning of that word in the dictionary is, I think it might have been farce – but it had nothing to do with the way the word was used and the connotation it was used as a quote here.
All I needed to do was to say that. I thought that was the case. If my being up here, and some of the other people are construed when we get up here and we’re not the most eloquent speakers here, if that’s what we’re being construed as then there is something wrong here. If somebody made the mistake and used the wrong word, then maybe they need to apologize. Thank you.

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Ron Pavluvcik, 287 Eagles Landing

Good evening. Just about a year ago at the January 13, 2005 meeting of the Board, I was up here and I suggested an analysis of the Shelton Senior Tax Relief Program and I was gratified to see that later in 2005 several meetings took place and a committee was appointed that did a formal study, and our report was sent to this group in November. I am urging at this time that the Board do what it can to try to expedite some decision on that. I understand that it’s in Corporation Counsel right now, the last I heard, being reviewed. I just want to remind this group that the normal start date that the Assessor’s Office accepts applications for tax relief is February 1\textsuperscript{st}. I believe they would like a formal program finalized shortly in order to be able to go out to the press with the details of any new type of program, even if it means that you folks may have decided to make some changes to the recommendation that was turned over to you on November 28th.

On a totally different topic, I have another idea to suggest to this group. This is at the risk of maybe suggesting something that’s not feasible, but I think it’s worth looking into. I would call it in the category of something that’s out of the box as we hear a lot in our vernacular.

The objective of this program that I’m suggesting tonight is to reduce the Shelton Education budget, and thus Shelton property taxes. I think you would all agree with that. Number two objective is to improve the viability and financial stability of non-public schools located in Shelton. And the third objective is to increase the desirability of living and owning property in Shelton.

The background on this is that many Shelton residents pay property taxes but have one or more children attending private schools in Shelton or other communities. These residents are paying high tuition for these non-public schools as well as their Shelton taxes, and they would be more inclined to keep their children in non-public schools if they were receiving a tax credit from the City of Shelton like we currently do for senior citizens, for example.
The City of Shelton spends about $10,000 a year for each student in its public schools. Thus, on an average basis, each child living in Shelton who attends a non-public school either in Shelton or another community saves Shelton about $10,000 a year. Shelton should encourage and subsidize the tuition costs of Shelton children, and that would be from eligible families based on income and asset guidelines, who do not attend public school in Shelton. This would reduce the education budget and property taxes.

I don’t know if you gentlemen and ladies are familiar with the tuition in the non-public schools, but at St. Joseph’s and St. Lawrence, when I called this week, the current tuition for grammar school students, does anybody know, it’s $3,500. It’s really gone up there over the years. At St. Joe’s in Trumbull this year, right down the line, where a lot of Shelton residents attend, the current tuition is $8,100.

There has got to be a number of children in Shelton – not the ones in Huntington Center in the $800,000 houses – there has got to be a lot of low- to middle-income children in Shelton who may be unable in the future to attend non-parochial schools in Shelton or outside Shelton because of the rising cost of tuition, the rising cost of gasoline, rising cost of oil, rising cost of electricity, etc.

So my recommendation as I conclude is that Shelton should create a program called Tax Relief for Families With Children in Private Schools, and offer eligible families the following tax credits on their property tax bills:

- A $1,000 tax credit for a child attending a non-public school in Grades K through 8
- A $2,000 tax credit for a child attending non-public school in High School – Grades 9 through 12
- The tax credit would also apply to any resident who is homeschooled their child.

Now again, this may seem far out, but every child not in the public school system is saving Shelton $10,000. You hit that mark with 18 or 20 or 22 students per class, whatever it is, here comes a new teacher and there goes the average cost again of $10,000 a student.

I’m suggesting that eligibility would be a family income, and this number is just a starting point – you may want to raise it or you may want to lower it – but just to have a starting point for discussion, the suggested eligibility guideline would be $75,000 a year for a family. The total
family assets should not exceed $200,000 not including the residence. So we don’t want an affluent person with a fancy house, big income, getting the tax credit. We want to keep the ones that are on the fringe areas of whether they’re going to send their kid to St. Lawrence or put the kid in one of the elementary schools at $10,000.

An estimated cost and benefit of this – let’s say there’s 50 kids in Grades K-8 in the program at $1,000 – that’s $50,000 expense to Shelton. Let’s say there’s 25 kids in high school at $2,000 each – that’s another $50,000. That means a direct cost to Shelton is $100,000 that’s got to go in the budget. However, if those 75 kids were in the school system, that would be, simple math, 75 x $10,000 = $750,000.

I’ll give you a copy of this through the Clerk for your consideration. Thank you very much.

Martin J. Devane, III, 16 Woods Grove Road

The reason I’m here, I haven’t had a chance to look at tonight’s program and outline it. I would like to let you know that a lot of us people that live in Huntington are very much opposed to the commissioned land study for future use within 10 years, redesigned use of certain properties unnamed within the borders of Shelton.

Shelton is in a unique situation like Stamford - it is a city, it is a municipality, an urban center that also houses rural and open space and privately owned homes. As everyone knows, the current property value of real estate is going up all throughout Fairfield County. I would like to urge this body and other bodies like the Planning and Zoning Commission two things.

1. That we preserve the outline of one acre minimum zoning for Huntington.
2. Stop encroaching corporate growth and tearing down trees and other vegetation important to the environment, etc. along Commerce Drive.
3. That our property taxes not be misused to, as the author of the study said, take a one acre lot and put three or four houses on it.

I don’t think that the plan is viable, practical or legal. That’s all I’d like to say. If anyone would like to ask me a question, I’ll be happy to, otherwise, I’ll be very happy to sit down.
I am speaking directly to the new members of the Board, specifically when at the Board of Education public hearings on their budget it was brought up that what the Board of Apportionment & Taxation had recommended to the Board of Aldermen two years ago, the employment of a Facilities Manager be looked into, it was discussed not to the extent of what the Board of Education wanted to expend on a person, but we made the sound recommendation to this Board that the person be of an engineering degreed person at a rate of $85,000. It was handed out to me, just a list of all the things that have to be done to the Board of Education buildings. It is very eye-opening. I was hoping to see other members there. This was something that should be looked into. I hope that you will take it into consideration. Thank you.

Alderman Finn MOVED to close the public session; SECONDED by Alderman Kudej. A voice vote was taken and the MOTION PASSED 7-0.

**Agenda Items**

**Add-Ons**

Alderman Papa MOVED to add to the agenda as Item #11-3 Guerrera Construction v. City of Shelton; SECONDED by Alderman Finn. A voice vote was taken and the MOTION PASSED 7-0.

**Minutes for Approval**

Alderman Papa MOVED to waive the reading of and accept the minutes of the regular meeting of December 8, 2005; SECONDED by Alderman Lanzi. A voice vote was taken and the MOTION PASSED 7-0.

**5.1 Finance Committee**

No items.

Alderman Anglace stated, there was no Finance Committee meeting. The question came up, and for the Board’s edification, in the event there isn’t a Committee meeting, the items that have to be taken up and are necessary to be taken up and can’t wait - come directly to the Board of Aldermen meeting and we act on them.

**5.2 Public Health & Safety Committee**
5.2.1 Minutes – September 7, 2005 Public Health & Safety Committee

Alderman Papa MOVED, per the recommendation of the Public Health & Safety Committee, to waive the reading and approve the minutes of the September 7, 2005 meeting; SECONDED by Alderman Lanzi. A voice vote was taken and the MOTION PASSED 7-0.

5.2.2 Request for Streetlight – Partridge Lane

Alderman Papa MOVED, per the recommendation of the Public Health & Safety Committee and the Chief of Police, to approve the installation of a 4,000 lumen, 50 watt streetlight on Pole #6171 located on Partridge Lane at a cost of $96.40 per year; SECONDED by Alderman Finn. A voice vote was taken and the MOTION PASSED 7-0.

5.3 STREET COMMITTEE

5.3.1 Approval of Minutes – October 4, 2005

Alderman Kudej MOVED, per the recommendation of the Street Committee, to waive the reading and approve the minutes of the October 4, 2005 Street Committee meeting; SECONDED by Alderman Papa. A voice vote was taken and the MOTION PASSED 7-0.

5.3.2 Conservation Easement – 33 Murphy’s Lane

Alderman Kudej MOVED, per the recommendation of the Street Committee, to approve the modification of the existing conservation easement at 33 Murphy’s Lane with the following recommendations:

1. The property owner shall demarcate on its property map a modified conservation easement area excluding the area of the proposed driveway. Said easement location shall be jointly determined by the owner and Planning & Zoning staff which will result in an area equal to or larger than the current easement. A new conservation agreement and map identifying all changes shall be filed in the Office of the City / Town Clerk.

2. Further, that Mr. Mileski offer to the City a replacement area of a similar amount which must first be approved by the Conservation Commission.
Note: The attached map no. A-1 dated 6/30/05 details the new conservation easement as agreed upon by Planning & Zoning and the Conservation Commissions.

SECONDED by Alderman Finn.

Corporation Counsel Welch explained, my understanding for the passage of this is that you’re approving a revised amendment, so it’s not going to come back to the Board. The motion implies somewhat that it’s going to come back. All the work has been done, it is here for your approval subject to execution.

Alderman Anglace stated, just for the record, initially, it was presented to us that a second pair of garages were to be put on this house for an in-law apartment, and the driveway was to come straight through the current conservation easement onto the road, and that would cut our conservation easement in half. But that’s not what they’re doing now. They’ve revised it so it will only affect a small portion. This is a revised map.

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

5.3.3 Maintenance Surety Release – Emerald Ridge Estates

Alderman Kudej MOVED, per the recommendation of the Street Committee, Inland Wetlands and the City Engineer to approve the release of the $42,000 maintenance surety bond for Emerald Ridge Estates; SECONDED by Alderman Lanzi.

Alderman Panek asked, could you make note, or possibly the Clerk could make note in the future that they have the address or the street on here? I don’t believe the street is listed anywhere in here. For somebody who doesn’t know where the development is.

Alderman Finn stated, I believe what Alderman Panek is requesting is that they provide a map of the general area that shows exactly where the street is located.

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

[Mayor Lauretti arrived at this point, 7:30 p.m.]

5.3.4 Sidewalk Price Lists
Alderman Kudej MOVED, per the recommendation of the Street Committee and the City Engineer, to hold and accept the unit pricing of $5 per square foot for the reimbursement of concrete sidewalks as quoted in 1991.

Note: Required per Ordinance No. 465. Price list to be filed with the Town Clerk’s Office.

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

REPORT OF THE MAYOR

REPORT OF THE PRESIDENT

Alderman Anglase stated, the only thing I’d like the Board to know is that the Technology Building Committee has been appointed and did meet, was sworn in, and is working on specifications and will shortly be going to bid. Things will start happening.

6.1 Corporation Counsel Billing

Alderman Anglase MOVED to authorize a total payment of $1,481 to Corporation Counsel Winnick, Vine, Welch, & Teodosio, LLC for services rendered per statement dated January 1, 2006 with funds to come from the Legal Fees account #001-1900-411.30-03; SECONDED by Alderman Papa. A voice vote was taken and the MOTION PASSED 7-0.

6.2 Assistant Corporation Counsel

Alderman Anglase MOVED to authorize a total payment of $438.75 to Assistant Corporation Counsel Ramón Sous for services rendered per statement dated January 1, 2006 with funds to come from the Legal Fees account # 001-1900-411.30-03; SECONDED by Alderman Papa. 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**

9.0 **FINANCIAL NEW**

9.1 **Resolution – Shelton Enterprise and Commerce Park Phase II**

Mayor Lauretti stated, we’re not going to take any action on this issue tonight. We’re not ready.

9.2 **ASCAP License**

Alderman Anglace MOVED to authorize Mayor Mark A. Lauretti to sign any necessary documents to continue the ASCAP license allowing public performances of copyrighted music throughout the City. Funding of $280 is to come from the Recreation Account 001-1000-622.80-07; SECONDED by Alderman Papa. A voice vote was taken and the MOTION PASSED 7-0.

9.3 **Additional Appropriation – SEDC – Standard Demolition**

Alderman Anglace MOVED to approve the transfer of $10,836 from the Contingency General Account to the Axton Cross Account; and further, MOVED to authorize the payment of the Standard Demolition contract as recommended by the Shelton Economic Development Corporation with money to come from the Axton Cross Account; SECONDED by Alderman Papa.

Alderman Panek stated, on the letter that is attached, it says SEDC will provide proceeds of $14,000 from a grant. Proceeds will be distributed in early January. Have those proceeds already been distributed?

Mayor Lauretti replied, yes, $14,000 and change.

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

9.4 **Legal Bill – Michelson, Kane, Royster & Barger, P.C. – SIS Arbitration**

Alderman Anglace MOVED to authorize a total and final payment of $2,489.44 to Michelson, Kane, Royster & Barger, PC for services rendered per statement dated December 10, 2005 with funds to come from the SIS Arbitration & Litigation account 001-0100-411.80-92; SECONDED by Alderman Papa. A voice vote was taken and the MOTION PASSED 7-0.
9.5 Brennan Leasing

Alderman Anglace MOVED to approve an extension of the current lease between the City of Shelton and John J. Brennan Construction Company based on the following terms and conditions:

1. The lease shall be extended for one year commencing January 1, 2006; terminating December 31, 2006 upon the same terms, conditions and obligations as provided for in the lease between the City of Shelton and John J. Brennan Construction Company, Inc. with the exception that the leased area is the 1.15 acre of land on north side of Riverdale Avenue.

2. The monthly payment would reflect the reduction of leased land to 61% of the original 1.89 acres. With the addition of a cost of living adjustment of .0397 based on U. S. Department of Labor statistics, the new monthly lease payment would be $2,007.66.

3. Each party will have the right to terminate this lease at any time and for any reason during the extended lease term upon forty-five (45) days written notice.

4. All other terms, conditions, and obligations as defined in the existing lease shall remain in full force and effect.

5. An adjustment shall be made to the monthly lease payment from September 15, 2005 to December 31, 2005 to reflect the reduction in the area leased.

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

9.6 Additional Appropriation – Engineering Services – Sunnyside Roof – Thornton Tomasetti Engineers

Alderman Anglace MOVED to transfer $10,500 from the Contingency – General account #001-9900-900.99-00 to the Capital account #401-0000-950.80-175 for the payment of engineering services in conjunction with the Sunnyside School roof repairs; SECONDED by Alderman Papa.

Alderman Papa stated, you mentioned Barrett roofing, and it was Thornton Tomasetti Engineers.

Mayor Lauretti stated, I’m not sure that we have a contract for engineering services for this, and if we do, I’m not sure how it came about. We obviously know that it was a request from the Board of Education, and one that we
approved. At the time we approved $105,000 for the contract for Barrett Construction Company to do the work. But I’m not sure how we got to this point where we’re approving the engineering fees after the fact. We all should be able to understand how we got to this point, and there is nothing that gives any kind of indication how that happened.

Alderman Anglace stated, at the December 13th meeting of the School Building Committee, the minutes reflect that the $10,500 for engineering services were never approved by the Board of Aldermen.

Mayor Lauretti asked, is there a contract or did they work without a contract? Normally we have a contract for these things. I don’t think a request came with this.

Mayor Lauretti, speaking to Sean Sullivan who was in the audience, asked, do you have any answers, Sean?

Mr. Sullivan stated, I will look to make sure there was a contract. They were working the bid specs that went out to bid that were awarded to Barrett back in May or June of this year. The work was done over the summer, and now we’re at the end of the project and we realized that there weren’t enough appropriations for the roof contract. The Barrett piece is $105,000 but the engineering specs were $10,500.

Mayor Lauretti stated, we all understand that. I don’t understand how we got to have engineering services without a contract.

Mr. Sullivan stated, I will check with the operations group to find out. I thought there was a contract for the services – there was just not an appropriation for the services. I will look into it.

Mayor Lauretti stated, when the request came to the City, originally in May, there was a request for engineering services for the specs for Elizabeth Shelton School boiler replacement. In my way of thinking, the same protocol should have been followed with the roof engineering specs. Maybe we can table this for now and have a special meeting next week.

Alderman Anglace stated, right, we certainly should have another special meeting to work this out. Perhaps if you can expedite the flow of information we can take it up then.

Alderman Panek asked, is the document that’s on the back of this spec, was that just something that – is this an official document or is this just something that.
Mr. Sullivan stated, that was, when the request went initially to the Board of Aldermen it included that worksheet which had $141,000 for Barrett Roofing, $10,500 for engineering services and some miscellaneous fees. We reworked the Barrett proposal down to $105,000 and that is what was approved in the appropriation by the Board. We did not make an appropriation for the $10,500. I am not certain about the status of the contract with Thornton Tomasetti. I will take that up tomorrow morning.

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

9.7 Purchase of Vehicle for the Fire Department

Alderman Anglace MOVED to rescind the action taken as item 5.1.7 at the December 8, 2005 regular meeting of the Board of Aldermen and replace it with the following motion:

"MOVE to transfer $16,010 from the Contingency-General account #001-9900-900.99-00 to the City Vehicle Replacement account #001-6300-991.60-19; and further,

MOVE to purchase a vehicle for the Fire Department for use by the Superintendent of Apparatus at a cost of $19,812 with funds to come from the City Vehicle Replacement account."

SECONDED by Alderman Lanzi.

Alderman Finn stated, our budget runoff back in December showed we had $49,000 in the account and all of a sudden Lou Marusic says there is only $3,802 in the account, $19,812 was spent and that we would need to appropriate the money needed tonight. I got curious to find out what happened so I requested the information from Lou Marusic and I asked him for the balance of the funding available in the Vehicle Replacement Account, a breakdown of how the money was spent, who authorized the purchase, and a copy of the Purchase Orders. Lou responded with the information I wanted. From there I decided to send a letter to Sandy Nesteriak who has been gathering the information for me, to the Board of Fire Commissioners. I asked them to please provide me a copy of the policies and procedures currently used to purchase vehicles for the Commissioners and the Fire Department, to send me the procedures. They followed through on my request. The Fire Marshal’s Office, I sent the same request to provide me a copy of the policy and procedures currently used
to purchase all vehicles by the Fire Marshal. The Fire Marshal has not responded to any of my requests, and two requests have been made to his office. Hopefully the administration can talk to the Fire Marshal and have him send the policy and procedure to me so I can see it in black and white.

Basically what it came down to is the Board of Fire Commissioners said that all vehicles secured, purchased or given to the City Fire Department shall have been approved by the Board of Fire Commissioners before any action is taken. From reading the minutes, the Board of Fire Commissioners had no knowledge of the fact until after the fact that two vehicles went out to bid for the Fire Marshal’s office and bypassed the Board of Fire Commissioners according to their policies and procedures. That’s why I requested the policy and procedures from the Fire Marshal’s office to find out if there is anything different. But yet he has failed to respond to my request for documentation.

It would seem that the two vehicles ended up being purchased by the Fire Marshal’s office, the Board of Fire Commissioners said they would have supported those vehicles if it had come to their commission – they had no problem in supporting them – anything to help those that have to use the vehicles. But it didn’t. The procedures that are in place were not followed by the Fire Marshal’s office. He has his vehicles. And it seems like somebody isn’t talking to somebody here. Does the Fire Marshal have the authority to go out to bid by himself to purchase these two vehicles and drain the account without our knowledge and we end up making a motion and now we have to rescind our motion and put additional funds into the account. That is another question I hope the administration would answer.

I would like to see the vehicle purchased here for Jim. They rely on that van to make all the runs to all of the firehouses to work on all the vehicles to make sure they’re in tip top condition for the safety of the firemen as well as the residents. I’m taken back by the way the money was spent. It was never sent to the Board of Fire Commissioners with the exception of the second one, and they were supposed to send a letter out to the Board of Aldermen asking us not to proceed with the purchase of the second vehicle. I know I never received a letter – I don’t know if it ever went that far, but the minutes reflect that. The vehicles are in so there’s nothing we can do. I just want to bring that to everybody’s attention. I hope you can get the Fire Marshal to respond to my request for documentation.

Mayor Lauretti stated, several years ago the Administrative Assistant sent a memo to the Department Heads and to me and Board members that requests for information are to be funneled through her office so that we can do just that. You seemed to ignore that year in and year out and
continue to go right to the department head directly. If the department head doesn’t respond to you, sometimes we don’t even know that there was a request made.

Alderman Finn stated, I just read the request that I sent to Mrs. Nesteriak.

Mayor Lauretti stated, but that was after the fact.

Alderman Finn stated, that was before the fact.

Mayor Lauretti stated, you said you asked the Fire Marshal for information and you didn’t get it so you sent the request to the Administrative Assistant.

Alderman Finn stated, no, I never said that. Let me read the memo again.

One memo went out from Brigitte requesting; then both went out with requests to Sandy Nesteriak, one request was for the Board of Fire Commissioners and the second request was for the Fire Marshal. The Board of Fire Commissioners responded to my letter that was sent to Mrs. Nesteriak, and the Fire Marshal has not, we sent a second request from Brigitte to Sandy and as I sit here tonight I still have not gotten the documentation as to the procedures and policies of the Fire Marshal’s office on how he purchases vehicles. I am asking you to make sure that he follows the guidelines which I’m following and he forwards that information to Mrs. Nesteriak so I can see the documentation.

Mayor Lauretti stated, you know, Jack, you have a tendency to follow your own guidelines about how things get done. You have your own interpretation about things. You only talk to certain people to get your information. The fact of the matter is, the Board of Fire Commissioners back in August of 2004 was very much aware of the fact that there were two vehicles going to the Fire Marshal’s Office, and two vehicles going to the Chief’s Office. The request that is before us tonight is an additional request that came in for the Superintendent of Apparatus. So anybody that told you that they weren’t aware of it is not telling you the truth. Okay? Because there was a public meeting in my office where that was specifically discussed, and several people were there and heard it. Number two, the Board of Fire Commissioners never took an action with respect to those vehicles, so I took it upon myself to purchase of those vehicles.

TAPE ONE SIDE TWO
[Alderman Finn speaking] …information. I ask you to read the minutes of the Board of Fire Commissioners regular meeting, which are online, dated 10/4/05, it’s on pages 7-10.

Mayor Lauretti interjected, Jack, I don’t have to read any thing from the Board of Fire Commissioners meeting because I’ve been around long enough to know how you operate. How you and some members of the Board of Fire Commissioners operate. It’s a little game of “I gotcha.” That’s what this is too. They had full knowledge that these vehicles were being purchased. The budget was approved by this board, and yourself, and that is what happened. They are City vehicles.

Alderman Finn stated, Mr. Mayor, you should probably go to their meeting and correct their minutes.

Mayor Lauretti stated, you should stop playing games is what you should do.

Alderman Finn stated, no, Mr. Mayor, I think it’s important to find out how $49,000 was spent in the City budget without the Board of Aldermen approval.

Mayor Lauretti stated, if you can’t figure out how $49,000 were spent by the accounting that you got from Lou Marusic then none of us here can help you.

Alderman Finn stated, I can understand how it was spent now, but like I said, the request for the two vehicles never came in front of us.

Mayor Lauretti stated, they don’t have to.

Alderman Anglace stated, I want to remind all of the members of this Board that we have a Finance Committee of this Board. We did take an action on this, and we had information that was not correct at the time that we took the action. That is why we’re back here. It was not – the interest that I had that resurfaced again was, first of all, accounting for every dollar that was spent in the account. Vinyl graphics and striping $220, Ford Explorer, first one, $22,993; second Ford Explorer.

Mayor Lauretti interjected, let me stop you there. Where did the money come for the striping and the lights? You see, he just picks and chooses to tell you which facts that he wants to present to people.

Alderman Anglace stated, I’m getting to that. The second Ford Explorer, $22,985. All of this money came out of an account - the City Vehicle.
Replacement Fund. The City Vehicle – not the Fire Department Vehicle – not the Engineering Department Vehicle – but the City Vehicle Replacement Fund. Money that comes out of that account, once appropriated into that account by the full Board of Aldermen, is eligible to be spent for the purposes as determined by the Mayor. Now, he agreed with them to spend the money for the graphics, $220, not big money, and for the other two, and now this vehicle.

Mayor Lauretti stated, that’s not all. Commissioner Sabatino is here this evening. Please tell the Board what money was spent out of the Fire Department’s budget to outfit these vehicles.

Commissioner Sabatino replied, we paid for the light bars and radio installation. It came out of the Fire Department budget.

Mayor Lauretti stated, okay, so that means if it came out of the Fire Department budget which the Board of Fire Commissioners has control over, somebody had to know it; this didn't happen in a vacuum. Okay. See, but after 20 years of being on this Board, this is a guy that still doesn’t understand the process.

Alderman Finn replied, only in your eyes, Mr. Mayor.

Mayor Lauretti stated, no, listen, the comments are coming right out of your mouth. You demonstrate to us that you don’t understand how the process works and where all the money is coming from, how it’s spent and what budgets it it coming out of. You just pick and choose to say the things that you want to do to try to make someone look bad.

Alderman Finn stated, I’m just trying to find out how the money was spent. Now I know how the money was spent. I have the same information that I was given last night by Mr. Marusic.

Mayor Lauretti stated, you said before this Board and this public that the Board of Fire Commissioners had no knowledge.

Alderman Finn replied, at that time, no, we didn’t.

Alderman Panek stated, I just wanted to get back to a point that President Anglace made, just regarding the budget report that we had. I was looking at the same budget report at our November Finance meeting and it showed $49,000 in there. The December report dated December 27th showed that there is $49,000 in there. So in the future, when a purchase like this comes before the Finance Committee, I spoke to Lou Marusic as well,
and he explained what happened in the account. In the future, hopefully the budget reports that we get and we’re looking at when we’re approving the purchase of a vehicle are correct.

Mayor Lauretti stated, well I want to tell you that it probably will not be the case. It is not uncommon for them to be a couple, two or three weeks, behind, and sometimes even a month behind. That is why, if there is some uncertainty, we should get a breakout of the line item from Finance. Sometimes, in the case of these two vehicles, one vehicle came in, we made the purchase, and the other vehicle came in a month and a half later. We weren’t going to pay for the vehicle before it came in; we don’t do that. So there was a lag time.

Alderman Anglace stated, I assure you that this will be discussed at the next Finance Committee meeting. Not this particular thing, but the issue.

Mayor Lauretti stated, and the other point here that Alderman Finn fails to recognize after 20 years of being on this Board is the real reason why this motion is here before this Board is only because there is not enough money in the account.

Alderman Finn stated, I pointed that out, in my discussion.

Alderman Panek asked, do these vehicle purchases always come before the Board of Aldermen?

Alderman Anglace replied no, they don’t have to. Once the Board of Aldermen sets the budget, sets the City Vehicle Replacement Account, then they shouldn’t have to. The reason it’s here is because there wasn’t enough money in the account. We agreed that we wanted to purchase the vehicle.

Alderman Panek stated, so the first two vehicles that were already purchased didn’t have to come before the board.

Alderman Anglace replied, that’s correct. Neither did the striping.

Mayor Lauretti stated, and you know, Item 9-4 on our agenda tonight did not have to come before this Board, and I don’t know why it’s on the agenda. But rather than make an issue out of it, just let it go, and approve it.

Alderman Finn stated, then I have a question, Alderman Anglace. Why was it on our agenda originally in December if it doesn’t have to come before us? It should have just went through.
A voice vote was taken and the MOTION PASSED 7-0.

10. - LEGISLATIVE - NEW

10.1 Reappointments – Valley Transit Authority

Alderman Anglace MOVED, per the recommendation of Mayor Lauretti, to reappoint the following members to the Valley Transit Authority.

Fred Musante (U)  
Term to Expire 8/2008

Fred Ruggio (R)  
Term to Expire 6/2009

and further, MOVED to appoint Mr. Patrick Lapera (R), 67 Rock Ridge Road, to replace Walter Petz, for a period of two (2) years with an expiration of June 2008; SECONDED by Alderman Lanzi.

Alderman Finn stated, I wholeheartedly support the reappointment of the two gentlemen to the Commission. But the new member – we haven’t received a resume and it is past practice that all appointments to Boards and Commissions that are new and not being reappointed, we receive a resume. We haven’t received one in this case.

Alderman Anglace stated, no doubt an oversight by the clerk, but it will be corrected.

Alderman Finn stated, without the resume, I can’t support this one gentleman.

Alderman Anglace stated, I will put forth an amendment to leave the names of Fred Musante and Fred Ruggio, and we will take up Patrick Lapera, with resume, at the special meeting.

Alderman Anglace MOVED to AMEND the motion to remove the name of Patrick Lapera; SECONDED by Alderman Finn. A voice vote was taken and the AMENDMENT PASSED 7-0.

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

10.2 Reconstruction of East Village Road – Right of Way Agreement
Mayor Lauretti stated, I don’t believe that we have that. No action.

10.3  Reappointments to the Valley Health District

Alderman Anglace MOVED to reappoint the following to the Valley Health District:

- Jay Zikaras (D)
  Term to expire 1/2008

- Daniel Taylor (R)
  Term to expire 1-2008

- Mary Casalveri (U)
  Term to expire 7-2007

- David Beardsley (R)
  Term to expire 1-2008

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

10.4 Letter of Engagement – Agreement to Provide Administrative Services - Retiree Drug Subsidy

Alderman Anglace MOVED to authorize Mayor Mark A. Lauretti to sign the agreement to provide administrative services for the retiree drug subsidy effective January 1, 2006; SECONDED by Alderman Papa. A voice vote was taken and the MOTION PASSED 7-0.

10.5 Above the Overlook Grant

Alderman Anglace MOVED to adopt the following Resolution:

Be it Resolved by the Board of Aldermen,

That Mayor Mark A. Lauretti of the City of Shelton be and hereby is authorized to execute on behalf of the City of Shelton a Grant Agreement and Conservation and Public Recreation Easement and Agreement under the Open Space and Watershed Land Acquisition Program with the State of Connecticut for financial assistance to acquire permanent interest in land
known as “Above the Overlook OSWA-289” and to manage said land as
open space land pursuant to Section 7-131d of the Connecticut General
Statutes.

SECONDED by Alderman Papa.

Mayor Lauretti asked, does anyone know how many of these such grants we
have received in the last decade? Does anybody have any idea? I think
maybe what we'll do from now on is supply a list of all of them in the packets
so people can understand just how much land we purchased, what the
rationale for the purchase of the land, who files the grant, what the dollar
amount is and what the total number of dollars that we receive funding from
the State of Connecticut or the Federal Government with respect to open
space purchases. I think the public should know that. We'll have to ask the
clerk to go ahead and get a tally of those things.

Corporation Counsel Welch stated, Mayor, we actually closed on this in the
beginning of December.

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

Mayor Lauretti continued, I think it is also important for the Board to
understand who is doing the work that goes into these grants that are
awarded to the City, because we have some people that sit on this Board
that around election time like to take credit for doing the work for these
grants, and to my knowledge, there isn’t anybody on this Board that has put
a minute of their time into the grant applications, or even identifying a grant,
and I find that very wrong, Alderman Finn.

Alderman York stated, while we are at it, while we are looking at all of the
land that we've saved for open space, maybe we can do a further analysis
and look at all the land that we've lost in the last 20 years also.

Mayor Lauretti replied, you can distort and twist things, but how much land
do you think that any community can buy at any one particular time? You
know, if prior administrations had a little foresight and intuition about open
space purchases, years ago, the City would have been in terrific shape, and
the financial burden that exists with purchasing land today would not fall on
the backs of today’s residents. So how about all of those administrations
gone by that never bought an acre of land? That’s got to mean something.
So when the criticism wants to come this way about, you know, we're not
doing enough, we’re going to call time out and have that discussion now.

Any further comments?
Alderman Finn stated, it almost sounds like you’re running for higher office.

Alderman York added, really.

Mayor Lauretti stated, no, it sounds like I’m giving the factual truth.

Alderman York interjected, I still made a request.

Mayor Lauretti continued, and it sounds like I will not sit on the sidelines and let people who run for elected offices say untrue things and take credit for the things they have no involvement. Those days are over.

Alderman Anglace stated, my comment that I’d like to add is, how far back would you like us to go? How much land we lost? All the land that Michael Pacowta when he was Mayor didn’t buy? All the land that Gene Hope when he was Mayor didn’t buy? I mean, how far back? Mayor Kelley? If you look back, the Conservation Commission told me, more than once, they couldn’t even get into the office to talk about conservation and buying open space. It wasn’t until 1991, when this whole program went into effect. And to this day, we’re still arguing about the amount of money we’re willing to spend. How much can this generation of taxpayers absorb for the faults of previous generations that did nothing? You can go way back on this thing. I don’t think it’s going to serve any purpose except to say, I was not the author, but one of the authors of the Open Space Ordinance. At the time, Ed Conklin and Dave Parkins were Aldermen and they were really behind this thing as the primary authors.

From the beginning, the difficulty we had was trying to put a little money aside so we could buy some of the smaller properties without having to do anything fancy like getting resolutions, but on the same token, when the bigger properties came up, we needed to go forward with the understanding that the Board of Aldermen could by Charter, and we changed the Charter to make sure that this was done in 1993, the Board of Aldermen could reach in and say, look, we need to make a much larger purchase, so we will bond for five years and bond that purchase. And I’ll tell you there haven’t been too many properties since 1991 that I think that I can make you a list of the ones that we haven’t acted on that have been recommended. The list is less than the number of fingers I have on this hand. And yet, we’ve done it without raising taxes, without big spikes in the tax rate, because it’s been a plan, and a good plan, and good cooperation between the Conservation Commission who we always lean to and look for their recommendations. We’re going to be talking about this very shortly when we put in the ordinance change to curtail a contribution into the
Open Space account for one year. There is darned good reason for it, but I’m not going to talk about that now, but we will. We will have this discussion again.

11.0 Executive Session

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

11.1 Workers Compensation – Marino Battaglino
11.2 McCallum Enterprise v. Shelton
11.3 Guerrera Construction v. City of Shelton – Disposal of Contaminated Soil

and invited Corporation Counsel Welch to remain in the Auditorium during the Executive Session. SECONDED by Alderman Papa. A voice vote was taken and the MOTION PASSED 7-0.

Return to Regular Session

At approximately 8:17 p.m., Alderman Kudej 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 no votes were taken during Executive Session.

11.1 Workers Compensation – Marino Battaglino

Alderman Anglace MOVED to approve the permanent disability rating relative to the Workers Compensation matter of Marino Battaglino as provided in the Orthopedic Specialty Group, P.C. report dated November 15, 2005; SECONDED by Alderman Papa. A voice vote was taken and the MOTION PASSED 7-0.

11.2 McCallum Enterprise v. Shelton

Alderman Anglace MOVED that, as a result of the restructuring in the electric industry, the value of property located on Canal Street known as Tax Assessor’s Map #139 - Lot 2 has decreased, and thereby approved a resolution of the tax appeal in the case of McCallum Enterprise I Limited Partnership v. the City of Shelton relative to the Shelton Canal Company
property from $6,500,000 to $5,487,555 with the understanding that the amortized cost of a fish ladder will be deducted from said assessment in the amount of $250,000 per year for the Grand List years of 2003 through 2008. SECONDED by Alderman Papa. A voice vote was taken and the MOTION PASSED 7-0.

11.3 Guerrera Construction v. City of Shelton – Disposal of Contaminated Soil

Alderman Anglace MOVED to adopt the following Resolution:

Resolution Appropriating $175,000 for Project Costs Related to Shelton Enterprise and Commerce Park Phase 2, and Authorizing the Issuance of $175,000 Bonds of the City to Meet Said Appropriation, Pending the Issuance Thereof, the Making of Temporary Borrowings for Such Purpose.

SECONDED by Alderman Papa.

Mayor Lauretti stated, I just want the Board to understand one other point that we didn’t discuss in Executive Session - this $175,000 will go toward reducing the amount of the $1,007,000 of the City’s share that is required for Phase 2.

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

Corporation Counsel Welch stated, let the record reflect that the entire resolution will be made part of the minutes.

RESOLUTION APPROPRIATING $175,000 FOR PROJECT COSTS RELATED TO SHELTON ENTERPRISE AND COMMERCE PARK PHASE II AND AUTHORIZING THE ISSUANCE OF $175,000 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 $175,000 is appropriated for project costs related to Shelton Enterprise and Commerce Park Phase II, and for administrative, printing, financing and legal costs related thereto (the "Project").

Section 2. To meet said appropriation $175,000 bonds of the City may be issued, maturing in substantially equal annual installments 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 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, 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 Board of Aldermen hereby determine that the bonds may bear interest included in gross income under the Internal Revenue Code of 1986, as amended, and that the issuance of such taxable bonds, if necessary is in the public interest.

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 certified by and payable at a bank or trust company designated by the Treasurer, and be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford. 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

Enacted by the Board of Aldermen: ______________________________

Approved by the Mayor: __________________________ Date __________

Attest:

_________________________________
City Clerk

Date ____________________________
Adjournment

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

Mayor Lauretti asked if any member of the public wished to address the Board. Being none, the meeting adjourned at approximately 8:20 p.m.

Respectfully submitted,

Patricia M. Bruder, Clerk
Board of Aldermen

DATE APPROVED: __________________BY: _______________________
Mark A. Lauretti
Mayor, City of Shelton