



BOARD OF ALDERMEN
SHELTON, CONNECTICUT
REGULAR MEETING
THURSDAY, APRIL 10, 2008

Call to Order / Pledge of Allegiance

Aldermanic President John F. 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 Lynne Farrell - present
Alderman John "Jack" Finn – present
Alderman Stanley Kudej – present
Alderman Kenneth Olin - present
Alderman John P. Papa – present
Alderman Jason Perillo - present
Alderman Anthony Simonetti - present

Administration:

Mayor Mark A. Lauretti
Assistant Corporation Counsel Ramon Sous

There was a quorum present.

Public Session

Alderman Anglace stated, I'll take a moment of personal privilege if I may. Tonight we are honored to have with us members of UE Local 222, CILU #29. These are City employees in our Highways and Bridges, Building Maintenance and Parks and Recreation Departments. We don't get to have them here at our meetings very often, so when they come, we certainly want to recognize them, we want to thank them for all they do to keep our streets clean, well-paved, keep that snow off them, and cut the grass and do all those things that people take for granted. I'd like to ask the members to please stand and be recognized.

[Applause] Next we will have the public portion of the meeting. Anyone who wishes to address the Board may do so. Kindly raise your hand, you'll be recognized, please come to the podium, state your name and address for the record and tell us what you've got on your mind. Each speaker will have up to five minutes to let us know.

Dave Catlin, Highway Department

First I'd like to thank you, John, for recognizing us. I just have a brief statement.

I work at the Highways and Bridges Department for the City of Shelton. I am also the president of the union, representing the department, as well as Building Maintenance, Park and Recreation Department. We have been with the City for almost a year, trying to get a new contract that is fair for our members, the City, and our community. There are several issues we have reached impasse on, but the main ones are wages and health insurance.

Concerning wages, our members are just looking for a fair deal. All of our wages are below what other municipal employees earn for performing the same services in their towns and cities that we provide for in Shelton.

All that most of our members are asking for is a simple cost of living increase, which is currently Consumer Price Index shown is for four percent to four and a half percent. The Shelton Aldermen have already used this objective benchmark for salary increases for others, and we believe it is fair for us to ask for the same.

There are other workers in our Building Maintenance and our Park and Recreation Department whose wages are several dollars per hour less than any other comparable towns and cities. They need equity adjustments during the new contract to bring them closer to what they deserve. But this only involves eight employees in one department and seven in the other. This is not a large expense for the City.

As for health insurance, we understand that asking employees to pay for part of the cost is very common these days. But we also need the Aldermen to understand that their City workers have accepted lower wage increases in the past so that Shelton could continue to provide that benefit to its workers. There was clearly a quid pro quo. While some might say it's not responsible to try and make up for a decade of low wages in one contract, we hope the Aldermen and the community also realize that we can't afford to make up for years of no-cost health insurance in one contract either.

We have tried to negotiate and we have tried to mediate. It looks like we may have no other choice except to arbitrate. That can be very costly, risky, and time consuming process for both the union and the City. We just want a fair deal that doesn't leave our members with less after assigned a new contract then they had before they started negotiations. That is really all that the City is offering the union at this point. Thank you for your attention.

[Applause.]

George Quadretti, Building Maintenance Division

Good evening. I'm with the Building Maintenance Division for the City of Shelton. I've spent over 60 hours of my own time negotiating for the 29 union members with the City. Needless to say, I, as much as anyone else involved, would like to see a settlement reached. But that settlement must be fair.

Representing Division 2 of the Building Maintenance Division of the local, the City was asking members with the current health insurance family plan to pay an additional \$1,868 a year out of their paychecks to maintain current coverage. The City was offering this Division members a raise which would not meet the cut in pay for some. The rates of pay for that division that were posted in The Connecticut Post on Saturday, April 5 are incorrect. The leading number two in front of the decimal point should have been a one. Anyone doubting this is welcome to look at any of our paychecks.

Custodians are currently paid three dollars an hour less than the Board of Education custodians in Shelton. If our members are to be paid less than the Board of Education employees, does it have to be that much less? Our members are also consistently paid less than employees in neighboring towns and DRJ communities.

We have agreed to lesser wages in the past because of our previous health insurance benefits. Now, with the City insisting that we pay part of this cost, we want to be compensated for that health insurance cost, along with a fair cost of living increment in the face of rising prices throughout the consumer market. Thank you.

[Applause]

Ted Holsworth, City Yard

When I took the job there, and when everyone else took the job there, we never thought we would get rich or anything like that. Most of us, we thought we'd get a decent wage and we'd have health care for our families and such. You approved the cost of living increase for the Mayor and I think that it's only fair you give the same to us if you could. Fair is fair. We're not looking to get rich. That's it.

I'm a single guy. A lot of the guys are married, they have kids. All I have home is a mother that's sick, which I'm not looking for anything from you for that, okay? I feel I'm better off than most of them. I'm at the point, I'm looking for an electric car because I can't afford gas. It's getting bad for us, and we need a raise, you know?

[Applause]

Peter Knowlton, President,
UE Northeast Region. 778 Dartmouth St. Dartmouth MA

Our union is proud to represent the City workers for the City of Shelton. I was just going to speak for a couple of minutes. Number one, to commend the Board for the work that it's done so far, especially in terms of the introduction. We do this quite a bit. Our members do this quite a bit, who have public employees, to present their case and to have a dialogue with their employers on a one-on-one or a direct audience basis, which we really encourage and think is very healthy for the both the town and the employees. But I really want to commend the Board for recognizing our members who are here today. I think that is a unique feature of this particular meeting. I've gone to a lot of these before and have not seen before. You are to be commended for it. It's really an honorable thing for you to do.

I want to quickly put something into perspective for the Board members. That is on the issue of health insurance. We are a national union. None of our staff members pay anything for their health insurance. It puts a huge dent in our budget. But we do it as a basic matter of principle and we believe that is a right that all of us in this country should enjoy, is health insurance. Just like we do public education, just like we do with roads, just like we do with any public service that we expect for our tax dollars that we believe the same thing is true for health care. So none of our staff in our union, we're probably one of the only ones left in the country, where our staff members still do not pay anything for their health insurance.

But we understand the reality for our members and for other working people in this country in that most people are paying a little bit for their health insurance. But we have it backwards in this country, and that's one of the things I would like to address to you very quickly.

The issue of health insurance in most proposals is a percentage of the premium. That is the proposal that this City has before our members today

is a percentage of the premium. The problem is, that when we represent some of the lowest paid members in the City of Shelton. And when they have to pay the same percentage of the premium as other employees who are making three to four times what they make, the amount that comes out of their paycheck is a much bigger chunk, and a much more unaffordable chunk than other employees in the City of Shelton.

So, it is for that reason I wanted to address that particular thing with the Board. Because there is a tradition in this country and a bit of a history going, at least in the last 10-20 years where people pay a percentage of the premium. But that unfairly disadvantages and discriminates against the lowest paid people of any employer. So I ask that as we go through this process of negotiations to bear that in mind. That when you're asking someone to pay \$1,800 a year for their health insurance that affects somebody who is only making \$20,000 to \$30,000 a year much more drastically than somebody who's making \$60,000 to \$80,000 a year.

Thank you very much, I appreciate it.

[Applause]

Brian Fabozzi

I've worked with the City now for 27 years. In that 27 years I've worked with several of the Mayors in this Valley, in this town in particular. If I were to turn around and have no insurance coverage on myself for heart trouble, epileptic seizures, it would cost me, out of pocket, \$21,000 per year on my prescriptions. One prescription I take alone is \$640-some-odd for a refill. I have a list of all the prices and everything else if you gentlemen would like to look at it. I have these prices from Walgreen's and when I turned around and went to Florida a couple years ago, we had a problem with our insurance company. They turned around, and Anthem/Blue Cross Blue Shield was in effect here. We turned around and had no problem getting refills on medication when you left town or anything like that. When we took Healthnet in, they turned around and told us that the Healthnet plan was going to be the exactly the same as our Anthem/Blue Cross Blue Shield.

Several times I've turned around and went to the hospital, stopped in and before I could leave that hospital I had to pay \$25 up front. Some other places, they charge \$50 depending on what department you go in. I had several things that I had to have taken care of. I got bit by a tick a couple of years back and I have Lyme disease and I had to have that covered. I paid my doctor bills out of my pocket. I got my 80 percent back from Healthnet. I wouldn't mind paying \$25 to \$40 a paycheck out of my pocket, but I'd like to keep my medical and medication bills as low as possible. I think that is the main issue on my account right here now, besides pay.

I thank you very much.

[Applause]

Donald Tagg, 16 John Street

I wasn't really expecting to come here and talk tonight, but I see all these guys here, and I support them as a resident and also as a volunteer fireman, because whenever there's a snowstorm I'm allowed to get out of my driveway and up the hills and get up to White Hills to respond to calls. They do one hell of a job. Brian, I think he's here tonight, he does my street. I appreciate that. So I hope you guys consider that, all right guys and ladies?

Rob Passander

I came here last month and spoke to your Board. Board members, I don't know if you remember me with an issue at 101 Maple. Thank you for allowing me the opportunity to finally speak to the Mayor. He did call me back. However, while he agreed with the fact that there is a problem there, he told me he doesn't know what the solution or the resolution is to it.

So I'm bringing that back to you to let you know that, that's how our phone call went. Um, so maybe, perhaps you have a solution. And I did take in advisement what he said, I thought about. He said to me, if you come back to me with a proposal, you know think about it, come back to me with one, let me know what it is. So I took his advice and I thought of it. Since the City bought that house once with the intention of knocking it down and did not, and now the house is in an unsafe place and I have a problem, you guys can buy it back. Or, and I've spoken to an attorney out of town, we're going to look into why you bought it, sold it without making corrections, or the necessary corrections, and now the house sits too close the street and there's a problem there with automobiles.

Alderman Anglace asked, are you finished?

Mr. Passander replied, yes, sir.

Alderman Anglace stated, okay, Thank you very much.

Mr. Passander stated, thank you.

Mary Ann Roggemann, 56 Wells Avenue

Since January, the issues surrounding Wells Avenue have been numerous, they have taken several turns, and have consumed a great deal of time on several committee members' parts along with those of us residing on Wells Avenue. To all of those involved, we again recognize your efforts, and appreciate them. Our focus throughout has been, what is the best for the wetlands, our street, and the City. Our stand has been, and will continue to be that the area in discussion for the development is indeed wetlands and should be protected. We are at a significant time as it relates to tonight's vote. It is the opportunity to correct what appears to us to have been an incorrect decision from the beginning. The residents of Wells Avenue request that the Board of Aldermen do not abandon the cul-de-sac.

[Applause]

Irving Steiner, 23 Partridge Lane

What has happened to our priorities? The budget is again upon us and as usual we have dusted off the old time-tested method of playing chicken and finding out who blinks first. Why do we repeatedly allow our most cherished possessions, our children and grandchildren, to be used as poker chips. One side says that we have the ultimate weapon to bring them to agreement, pit it against the other side who says, it's my way or the highway. To students it demonstrates a poor substitute for common sense, administration, and defines their value to our society.

The pity is that recent events have demonstrated that administrative waste is the cause for our present predicament. Take, for instance, the recent purchase by the City of 275 Soundview Avenue property for \$2.1 million.

Property long valued and required by the Conservation Commission for open space. The City came up with a multitude of weak excuses as to why they allowed ex-chairman of the Inland-Wetlands to buy it for \$1.4 million, subdivide it, and then sell it to the City for \$2.1 million for a financial loss to the City of \$700,000.

The city failed to do due diligence in this, and this is not the first time this has happened. We have a total population of roughly 38,000 residents. If we do the math, 38,000 divided into \$700,000 amounts to a cost of \$18.43 in added taxes for each individual resident of Shelton. Man, woman and child. There are at present, 5,676 students in our school system. If you divide that number into \$700,000 that amount to a loss of \$123 and change per student and at least 1/3 of the difference in the present budget crisis with the school. There are 3,541 households in Shelton with school-aged children.

The administration attempted to defend their action by stating that they paid fair market value for the property. Well I'm sorry, but I'd rather have the bargain that was \$700,000 cheaper. What are the taxpayers, chopped liver? Why is the City so frivolous with our tax dollars in these times?

Two unions are presently in pay negotiations with the City for financial adjustments. I have my numbers wrong here, but I had assumed there were about 90 employees total involved who are long overdue for an income adjustment and they are the people that actually hold this town together and keep it running in spite of the politics involved.

[Applause]

If you divide 90 into that same \$700,000 you can get over \$7,777 per employee to resolve this stalemate. These 90 employees are in a worse negotiating position because they don't have the independence that the Board of Education has. I provide this information as food for thought and I thank you for your time.

[Applause]

Alderman Jack Finn

Besides being an Aldermen in the City of Shelton, I was also a member of Teamsters Local 1150, Sikorsky Aircraft. We went on strike over the same issues you're bringing up tonight. I walked that picket line for six weeks. I hope that we as City officials can address your concerns with your quest for health insurance coverage as well as your pay increase.

[Applause]

Alderman Anglace asked, Chief Steward Stan Kudej, do you have anything to say?

Alderman Kudej replied, no, sir.

Alderman Anglace stated, I've got to recognize my union. My left side is my union side of the Board. Jack Finn and Stan Kudej. But seriously, I believe that what you've said tonight for the record will be part of the record and will be brought to the attention of those that need to see it, who do the negotiating for the City.

Alderman Anglace asked if anyone else wished to address the Board. Being none, he declared the public session closed.

***Presentation – Permanent War Memorial
Alphonse Sabetta, Adjutant, Post 16, American Legion
Architect Jim Tate***

Mr. Sabetta stated, all of you Board members have a copy of our concept. We have a permanent War Memorial Building here in Shelton. Mr. Steiner commented on how many citizens we have here in Shelton, and I would venture to say that 45 percent of them don't even know where this building is. Part of that problem is because it is secluded, it is below street level and it is covered with canopy of 50 year old pine trees. I was approached about two years ago by some residents who had family members killed in action in either World War II, Korea or Vietnam. They stated to me that, you do go there a couple times a year to put flags along the footstones, the walkway. They are deteriorating. The name plates, some of them you can't even read any more. So I did some research and contacted a couple of people that are still alive that were on the original commission and received some information from them and tried to come to a decision on what we could do to address this.

Thankfully, Architect Jim Tate agreed to assist me with this to see if we couldn't do this the right way. We have come up with a concept and Jim will speak to that shortly.

We'd like to do this. Some people question why. It's been there for 50 years and we want it there for another 50 years. So the veterans and those that sacrificed their lives from this community will never be forgotten. That is our main goal.

[Applause]

We know it's old hat, you hear it over and over again, if it wasn't for the veterans this, if it wasn't for the veterans that. But let's look at it realistically. Yes, if it wasn't for the veterans, we could have been what the other side of the pond were going through after World War II.

Our concept is, what we feel is an aesthetic improvement. We want this place to be a showplace. Because of the activities that are held there, there are two ball fields, Little League, and Babe Ruth, and high school baseball. It's something that people come to visit, to witness a ball game, and have an opportunity to see how we honor our veterans. The other thing to keep in the back our mind is the Economic Development Commission is going to be extending the Riverwalk, and if it's possible, the end of the Riverwalk is going to be in the vicinity behind that building. Somehow it could be tied together so that people can start their walk at Canal Street at the Veterans' Park and go up Canal Street and get up onto Howe Avenue and come back down Howe Avenue and the merchants in our City will benefit from people making that circuit.

Right now there are six organizations that use that building for their meetings. They are there – there is someone there every night of the week using that facility. I myself, when I ran the youth sports programs years ago, used it for my registration for basketball, Bidy Basketball, Bob Cousy Basketball and the girls' leagues. It's a building that is being used. But we want it be recognized more. I feel if we do this now, the expense shouldn't be that great.

I think I've said enough and have given enough to what we're looking for. We hope the City fathers would agree with us that something has to be done with that area. A lot of people comment to me that they will not go there at night because it's below the road and it's dark. Those trees have outgrown their – they're 50 years old. We have to do something to address that area. Put in some new landscaping. I've said enough.

I'd like to ask Jim Tate to offer his ideas of what we'd like to do in that area. I'll be here if anyone has any questions afterward. Thank you.

Mr. Jim Tate, the architect, stated, Al gave you a good background and I'll just go through the highlights. I was approached several years ago to try to give some site work improvements to the Permanent War Memorial. I am kind of attached to the one at the Riverwalk as everyone knows, we designed that memorial as well. There will be some shades of similarity and I think that is to a positive end for the City.

With the use of artwork, Mr. Tate reviewed the existing conditions and displayed and explained the proposed design of the site work improvements to the Board members.

Alderman Anglace asked, does anyone on the Board have questions or observations they would like to make?

Alderman Perillo stated, Jim, far be it for me to question your landscaping work, the evergreen screen in the back. Will that get overgrown and is that there to screen out the ball fields? I know that bench there is close.

Mr. Tate replied, what we are trying to do is make the space contained a little bit, so there is a little bit of enclosure. To answer your question on the type of material that's there. That is a very specific type of arbor vitae that grows very slow, very tight, very dense and very dark green. It doesn't have the kind of ratty appearance that you would attribute to other types of arbor vitae.

Alderman Perillo stated, like the ones on my driveway.

Mr. Tate replied, perhaps. I don't want you to misinterpret that. It's an inexpensive material and it grows relatively slowly. I know not to plant anything that we really can't handle.

Alderman Simonetti stated, I'm looking at it and I don't see where the lights are coming from to light the area up.

Mr. Tate stated, we are going to put ground lights around the base of the Eagle. We also have to light the flagpole. When the flag is flying, you have to light it. We would have security lighting on the building, but all lighting would be controlled in the building itself.

Alderman Anglace asked, who is going to take care of the flag. Every day it's got to, if there's something wrong with it, it's got to come down. Where is the maintenance coming from?

Mr. Tate replied, John, I don't think we're going to be flying a flag every day there. I think we're going to have the provision to fly a flag, just like we do now there. But a flag does not fly there every day.

Alderman Anglace stated, as an example, up at Constitution Park where we have the flag, we do have the ground lights. The ground lights go out and

don't work. We have to get them fixed. Somebody has to up and down the flag every day and it's a maintenance issue, that's all.

The other thing I want to observe is that I like the concept of the eagle on top of the rock, but it scares me because vandals look for objects like this to attack. This seems vulnerable. At 10 feet off the ground it's easy for someone with a baseball bat to damage it. I think it might be a maintenance issue as we go along.

Mr. Sabetta stated, on May 18 there will be a dedication service and unveiling honoring Armed Forces Day. There are two ladies that are going to erect an honor roll for the people that are serving in the Armed Forces today. It's something that hasn't been in this community since World War II. It will be placed there because it's the Permanent War Memorial site, it's on Route 110 with constant traffic going by and if there are any kind of shenanigans going on, these people will report it. This will be the ideal spot for it. There will be more traffic of people going to look at the honor roll and see the improvements on the property.

Alderman Anglace stated, I'm not suggesting in any way that you not do this, I'm suggesting only that you think about the issue of vandalism.

Mr. Tate explained that the material of the eagle is bronze. The structure itself is made of material that is cleanable, unlike concrete or something you would put in that would not be cleanable.

Alderman Anglace asked about the memorial stones that are currently in place.

Mr. Sabetta explained, there are 22 footstones there. Seventeen of them memorialize people that were killed in action. The other five are past commanders of the American Legion, because the American Legion was heavily involved when this was first dedicated. There are other names of people that were not killed in action, and two people from the Korean War. We may come up with a different setup.

Alderman Anglace asked that something is done to enhance those names so they are prominent.

Mr. Tate stated, there has been talk of a Civil War monument, and there can be some discussion on how this memorial may be incorporated into that whole scenario. There may be more to the design.

Add-Ons

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

- Item 10.9 - Lease Agreement, 58 Perry Hill Road – Units A and B
- Item 11.5 – Executive Session - Eminent Domain – Wiacek Farms

SECONDED by Alderman Finn. A voice vote was taken and the MOTION PASSED 8-0.

Agenda Items

Minutes for Approval

Alderman Papa MOVED to waive the reading of and approve the minutes of the Regular Meeting of March 13, 2008, Special Meeting of March 20, 2008 and Special Meeting of March 24, 2008; SECONDED by Alderman Perillo.

TAPE ONE, SIDE TWO

Alderman Anglace speaking... Bridge Street closure, a study done by the Police Department, and I'd like to have that, I thought that was going to be part of the minutes as an addendum, or part of the minutes, and I'd like to suggest that that be done with the Board's concurrence.

Secondly, the Special Meeting of March 24 on page two of the March 24th, the amount left in the Contingency Fund is stated as \$450. The balance given. I think the balance is different. Alderman Simonetti, would you tell us what it is?

Alderman Simonetti stated, there are two contingency funds. The Project Contingency balance at that time was \$55,461.74 and the Construction Contingency balance was \$666,887.86.

Alderman Anglace stated, I would request that the minutes of the March 13 and March 24 be so noted and corrected with those additions.

A voice vote was taken and the MOTION PASSED 8-0.

5.1 FINANCE COMMITTEE

No items.

5.2 PUBLIC HEALTH & SAFETY COMMITTEE

No items.

5.3 STREET COMMITTEE

5.3.1 ABANDONMENT OF A PORTION OF THE RIGHT-OF-WAY AT THE END OF WELLS AVENUE

Alderman Olin MOVED to approve the abandonment of a portion of the right-of-way at the end of Wells Avenue which encompasses .10 acres as identified on the attached map; SECONDED by Alderman Simonetti.

[Mayor Lauretti arrived at this point, 7:50 p.m.]

Alderman Anglace stated, for purposes of identification, this is the map and I believe everybody has it.

Alderman Perillo stated, I had the opportunity to attend, I think, every Street Committee meeting involving this. I've heard all of the argument for and against. To be honest, I do not support this action at this time. I have said to many people in passing, to me this is like putting 10 pounds of something into a five pound bag. If you go back and read the Inland-

Wetlands Commission's minutes, it seems very clear to me. One lot is approved. That's fine. The second lot is not approved unless the applicant to Inland-Wetlands Commission is able to obtain a portion of the abandoned road. That is, of course, assuming that the Board of Aldermen were to abandon that roadway. I know everybody on the Street Committee went to look at the site. I did myself. I have never served on the Inland-Wetlands Commission and I'm not one to second guess the Inland-Wetlands Commission. This, to me, is a situation whereby the Inland-Wetlands Commission is asking for a lot of things to be done, namely, one very important one, the abandonment of the road by us, in order to make this work. That is just not something I'm prepared to do at this time. I respect the opinion of those who feel this is a good idea. I certainly have a lot of respect for the applicant, and applicant's counsel. But at this time, I just cannot support this. I'm sorry.

Alderman Kudej stated, I concur with Alderman Perillo. This thing has been a big nightmare and I cannot support giving up that right-of-way.

Alderman Finn stated, it comes down to neighborhood rights. There's not one resident of that neighborhood that wants us to abandon that right-of-way.

Alderman Papa stated, the recommendation from Planning and Zoning, they approved both lots if the Aldermen approved the abandonment. How was it stated, what Planning and Zoning sent to the City? Steve, could you...

Mr. Bellis stated, it was a non-conforming lot, [inaudible] since 1920. So those lots are lots, as long as you can meet certain minimum criteria such as 5,000 square feet and have 20 feet of road in front of the lot. Then they are, by State Statute, considered building lots. I know that things have been mentioned here that the abandonment is required for them to be lots. Mr. Perillo has stated such. That is not entirely true. The road can be extended and they still would be lots. I think, as a board, the decision you have is either to abandon a portion of the road which was the motion made, but the other alternative would be to extend the road. If the road were extended you'd still have two lots. So that the only thing that you people should be focusing on is, is there a need to extend that road. Is there ever going to be any future use for anyone else down the end of that road to have the road extended? I think the answer clearly is no, there is none. Everyone else has their own driveways already. So even 100 years from now there will never be any good use to have that road extended all the way through. Then, if you were to allow it to be extended, say, 75 feet as opposed to abandoning it, then I think you're going up against your own Inland-Wetlands Commission that said that, "we would prefer that you not do that," and, "we would prefer that you abandon it to have less impact on the wetlands." So that's really all you should be focusing on. Is there a need to extend the road, or would it be better in the best interest to abandon.

Alderman Anglace stated, thank you very much. Let me just point out Parliamentary procedure to all of the Aldermen. Address your comments, address your questions, through the chair, and do not invite members of the audience to speak. That privilege, with your permission, is that of the chair. Thank you.

Alderman Perillo stated, thank you Alderman Anglace. The assumption and Mr. Bellis' statement is that the City has a responsibility to allow a road if there is an existing right-of-way.

To the best of my knowledge, the City has no such responsibility to allow a road through, and in fact, we have abandoned roads where we felt they were not appropriate, specifically in the area of the marina. We chose to abandon that parcel because of that, it didn't make sense to build a road. Mr. Bellis is saying that if the right-of-way is there, the road has to get built. Quite frankly that's not true - which goes back to the statement from Inland-Wetlands Commission in their motion that "Lot 146 is approved." "Lot 147 is disapproved, unless the applicant can obtain rights to the abandoned portion of road." That is the decision that's before us.

So with respect to Mr. Bellis, I understand his point, but his point is based upon a presumption that the road would have to be extended. It does not.

Alderman Finn stated, I have to agree with Alderman Perillo. There's a letter we have here from the residents of Wells Avenue that clearly points out that permit #07-27 issued by the Inland-Wetlands Commission clearly states that Lot 147 is not approved at this time. They only approved one lot and 147 is not one that was approved. In order for them to get those approved we would have to abandon the street.

Alderman Anglace stated, if everybody has had their say, I'd like to make a statement.

First, what the board is being asked to do is to abandon a portion of the right-of-way that is at the end of Wells Avenue. It came to us because Inland-Wetlands Commission recommended to the applicant to come to the board and ask us to do this. Inland-Wetlands Commission said that in their opinion, that is in the best interest of wetlands in the area and the way to manage the water flow, etc.

We are not a land use board. These lots are approved, unapproved, whether they're built on, not built on, has nothing to do with us. All we're being asked to do is very, very confined to approval or disapproval of the abandonment of a portion of the right-of-way that exists. I think that we've made every effort to try to look for ways and see what is in the best interest of the street and of the neighborhood.

I think some of us, I don't know how many at this point but some of us believe that abandoning a portion of the right-of-way will allow the builder to come in and build a good sized cul-de-sac and will allow the street to be plowed with a 12-foot snow shelf on it. Allow better plowing, allow emergency vehicles to turn around, allow any vehicles to turn around, and give a proper end to the street.

It's not a question of neighborhood rights, because we don't abandon our responsibility to take actions on behalf of the City that we were elected to do in every case, and say, "well, what do you want?" We've got to think about what we think is in the best interest of that area. We may at time disagree with the residents. But God knows we've tried our best to bend over, as late as yesterday, and try and meet with them and try to do things for them and try to work together toward a favorable solution. But we met with a stone wall. We were told that, you go ahead and do what you have to do. We want this done. If this isn't done, we'll go to court. Well, if we're not going to have any meaningful discussion, there's very little for the board that we can see clear to do except to vote. That is what we're here to do, to vote one way or the other, right now.

Alderman Anglace turned the Chair over to Mayor Lauretti.

A roll call vote was taken as follows:

<u>Alderman</u>	<u>Vote</u>
Finn	No
Kudej	No
Simonetti	Yes
Olin	Yes
Anglace	Yes
Papa	Yes
Perillo	No
Farrell	Yes

The MOTION PASSED 5 Yes, 3 No, 0 Abstentions.

5.3.2 TRANSFER OF LICENSE – ENTRANCE WALL SIGN – CORNER OF CONSTITUTION BOULEVARD AND IVY BROOK ROAD

Alderman Olin MOVED, per the recommendation of the Street Committee, to approve the Transfer of License for the entrance wall sign on the corner of Constitution Boulevard and Ivy Brook Road from S. Properties Limited Partnership to Dekzon LLC, the current owners of Ivy Brook Medical Center.

Further, authorize Mayor Mark A. Lauretto to sign all documents and effectuate said agreement; SECONDED by Alderman Kudej. A voice vote was taken and the MOTION PASSED 8-0.

5.3.3 REQUEST FOR APPROVAL TO ESTABLISH BUS STOPS WITHIN THE CITY OF SHELTON

Alderman Olin MOVED, per the recommendation of the Street Committee, to disapprove the installation of bus stop signs within the city rights-of-way for the Greater Bridgeport Transit Authority. This action is taken without prejudice. The Street Committee recommends that the GBTA follow the appropriate Planning and Zoning procedures; SECONDED by Alderman Kudej. A voice vote was taken and the MOTION PASSED 8-0.

REPORT OF THE MAYOR

None presented.

REPORT OF THE PRESIDENT

None presented.

6 – LEGAL REPORT

6.1 CORPORATION COUNSEL BILLING

Alderman Anglace MOVED to authorize a total payment of \$2,403.20 to Corporation Counsel Winnick, Vine, Welch, & Teodosio, LLC for services rendered per statement dated April 3, 2008 with funds to come from the following Legal Services Accounts:

Legal Fees	001-1900-411.30-03	\$1,426.80
Foreclosure Fees	001-1900-411.50-01	\$491.40
Court Costs	001-1900-411.80-84	\$35.00
Miscellaneous Fees	001-1900-411.80-03	\$450.00

SECONDED by Alderman Papa.

Corporation Counsel Welch stated, please note one of the foreclosure costs is City of Shelton v. Fuge. That is the Axton-Cross property and we will be taking title to that tomorrow.

A voice vote was taken and the MOTION PASSED 8-0.

6.2 ASSISTANT CORPORATION COUNSEL BILLING

Alderman Anglace MOVED to authorize a total payment of \$490 to Assistant Corporation Counsel Ramon Sous for services rendered per statement dated March 1, 2008 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 8-0.

7 LEGISLATIVE – OLD

No items.

8 FINANCIAL BUSINESS – OLD

No items.

9 FINANCIAL BUSINESS – NEW

9.1 APRIL STATUTORY REFUNDS

Alderman Anglace MOVED, per the recommendation of the Finance Committee, to approve the report of the Tax Collector relative to the refund of taxes for a total amount of \$8,741.82 and that the Finance Director be directed to make payments in accordance with the certified list received from the tax collector with funds to come from the Statutory Refunds Account 001-0000-311.13.00; SECONDED by Alderman Kudej. A voice vote was taken and the MOTION PASSED 8-0.

9.2 ADOPTION OF TAX COLLECTOR'S SUSPENSE LIST

Alderman Anglace MOVED that the Tax Collector's suspense list in the amount of \$58,988.16 be adopted and transferred from the Grand Lists into Suspense per State Statute Sec. 12-165:

GRAND LIST	TAX
2001	\$92.58
2001	\$2,233.33
2003	\$10,184.09
2004	\$24,490.45
2005	\$21,987.71

SECONDED by Alderman Kudej.

Alderman Anglace stated, remind the Finance Committee members that this should be put on their agenda and invite the Tax Collector to attend.

A voice vote was taken and the MOTION PASSED 8-0.

9.3 RELOCATION EXPENSES OF A PERSON DISPLACED BY FIRE

Alderman Anglace stated, your motion says \$4,100. I would ask counsel if you look on the fourth page in where it says, "\$4,000." Is it \$4,000 or \$4,100?

Corporation Counsel Welch replied, it's \$4,000.

Alderman Anglace MOVED to transfer \$4,000 from Contingency General Account #001-9900-900.99-00 to an account number to be determined by the Finance Director to cover the expenses from the March 18, 2008 relocation of a person displaced by fire per Connecticut's Uniform Relocation Assistance Act (Connecticut General Statutes 8-266 et. Seq); SECONDED by Alderman Papa.

Corporation Counsel Welch stated, you're transferring that sum to cover the cost of expenses – that's the City's exposure on it – I don't anticipate all of those funds being required to be spent based on the information that we have, as you are aware, whatever money is being forwarded to the displaced person, the City liens the homeowners property and the City gets repaid from the landlord or the owner of the property.

A voice vote was taken and the MOTION PASSED 8-0.

9.4 RELEASE OF CONSTRUCTION CONTINGENCY FUNDS FOR SHELTON HIGH SCHOOL RENOVATION BUILDING COMMITTEE

Alderman Anglace MOVED to authorize the Shelton High School Renovation and Building Committee to expend \$5,595.72 for the Shelton High School Renovation and Building Project from the Shelton H.S. Fusco Corporation Construction Contingency Account; SECONDED by Alderman Papa. A voice vote was taken and the MOTION PASSED 7 Yes, 0 No, 1 Abstention Simonetti.

9.5 HISTORIC DOCUMENTS PRESERVATION GRANT APPLICATION

Alderman Anglace MOVED to authorize Mayor Mark A. Lauretto to sign the attached agreement for an historical document preservation grant application; SECONDED by Alderman Olin.

Alderman Anglace stated, this is the third or fourth year we've applied for this grant. The City Clerk has made some real good moves down in her office. It's \$12,000 and it's a home run.

A voice vote was taken and the MOTION PASSED 8-0.

9.6 CREATION OF A HOUSATONIC RIVER ESTUARY COMMISSION TRUST AND AGENCY ACCOUNT WITHIN THE CITY OF SHELTON

Alderman Anglace MOVED to adopt the following Resolution; SECONDED by Alderman Papa:

Be it resolved by the Shelton Board of Aldermen that the request of the Housatonic River Estuary Commission to create a trust and agency account within the City of Shelton be approved, and that the Finance Director be authorized to provide whatever services are necessary to make this happen.

A voice vote was taken and the MOTION PASSED 8-0.

9.7 APPROPRIATION OF FUNDS FOR BIG BELLY TRASH COMPACTORS AND RECEPTACLES – WAIVER OF BIDS

Mayor Lauretti stated, you don't need a waiver of bid.

Alderman Anglace stated, this went to bid.

Alderman Anglace MOVED to disapprove the waiver of bids as submitted by the Acting Purchasing Agent for the purchase of three Big Belly Solar-Powered Trash Compactors, with funding in the amount of \$12,885 to come from Contingency General Account #001-9900-900.99-00; SECONDED by Alderman Papa.

Alderman Anglace stated, this may be good at some point, but now is not the time for this. Not for me.

Alderman Papa agreed, now is not a good time to spend almost \$13,000 that we could get away with something a lot cheaper, especially with a lot of the conditions we have now in the City. I prefer to wait and see how the situation is maybe a couple years down the road. I am totally against this.

Corporation Counsel Welch stated, your comments appear to be as to whether or not to purchase these items. Is it the intent of this motion that you are either approving or disapproving the purchase?

Alderman Papa stated, the purchase.

Alderman Perillo stated, but clearly that is not the motion.

Mayor Lauretti stated we can take no action on it and move on.

Alderman Anglace WITHDREW THE MOTION.

Alderman Papa WITHDREW THE SECOND.

No action.

9.8 APPROPRIATION OF FUNDS FOR ASBESTOS REMOVAL AT 40 WHITE STREET AND 54 HILL STREET

Alderman Anglace MOVED to add the removal of asbestos at 40 White Street and 54 Hill Street to the Capital Improvement Plan with funding in the amount of \$14,850 to come from LOCIP; and further,

MOVED to authorize Mayor Mark A. Lauretti to sign all documents and effectuate same, subject to Corporation Counsel's review and recommendation; SECONDED by Alderman Papa.

Alderman Papa asked, this is where we're going to have the Judge of Probate?

Mayor Lauretti replied, no. The Judge of Probate is already in.

Alderman Papa asked, is it White Street or Hill Street?

Mayor Lauretti replied, it's both. White Street is on the corner.

Alderman Papa stated, we've talked about this before. We have a building at 740 Howe Avenue which is still vacant. That's where the Valley Health used to be. What have we decided to do with that?

Mayor Lauretti stated, that has nothing to do with the motion.

Alderman Papa stated, but I'm saying is that something we can use – say, for the Judge of Probate?

Mayor Lauretti stated, the Judge of Probate is already in. He's already moved in. The expense has already been incurred. We approved monies for that already.

Alderman Papa stated, I just didn't know what we could do with that Howe Avenue. It's vacant.

Mayor Lauretti stated, sell it. We should sell it. I told you that two years ago. Put it back on the tax rolls.

A voice vote was taken and the MOTION PASSED 8-0.

10 – LEGISLATIVE – NEW

10.1 ITEMS TO PUBLIC HEARING

10.1 A. NO ITEMS

10.2 APPOINTMENT TO THE AMERICANS WITH DISABILITIES ACT COMMISSION

Pursuant to the City Charter Section 5.3.2, Alderman Anglace MOVED to appoint the following members to the Americans with Disabilities Act Commission:

Mr. Walter Drozeck – R (2 Year Term) - Reappointment
12 Wilson Lane

Ms. Colleen Finn - D (2 Year Term)
17 Princess Wenonah Drive

Gary Cahill - D (2 Year Term)
525 Bridgeport Avenue

Dr. Jeff Forte – D (2 Year Term)
125 Nells Rock Road

Lynne Farrell – R (1 Year Term)
25 Buddington Park

SECONDED by Alderman Finn.

Alderman Anglace stated, that's what I'm putting in. I do have another name, Ron Hiznay, unaffiliated, and lives at 11 Fairview Avenue. I couldn't get his resume; he's away on vacation. I would put this off until we get his resume.

Alderman Papa asked, can't we vote on it and then once we receive his resume... Instead of holding it up.

Alderman Anglace stated, if you want to do that.

Mayor Lauretti asked, is there an opening?

Alderman Anglace stated, if you see on the list you have, Anthony Simonetti's name is there. The reason Anthony is not being appointed, is that we have one elected official. That would make two, because Lynne is on it.

Mayor Lauretti asked, do you want to insert the name? There is no requirement to have a resume.

Alderman Anglace stated, all right, I'll put his name in.

Ron Hiznay - U (2 Year Term)
11 Fairview Avenue

A voice vote was taken and the MOTION PASSED 8-0.

**10.3 UPPER ELEMENTARY SCHOOL BUILDING COMMITTEE NAME
CHANGE TO PERRY HILL SCHOOL BUILDING COMMITTEE**

Alderman Anglace MOVED to adopt the following Resolution, SECONDED by Alderman Perillo:

Be it resolved that the Upper Elementary School Building Committee will henceforth be known as the Perry Hill School Building Committee.

Alderman Anglace stated, we changed the name of the school, and now we must change the name of the building committee to coincide with the school so that we don't mess up the State records.

A voice vote was taken and the MOTION PASSED 8-0.

**10.4 PROPERTY ACCESS REQUEST – CONSTITUTION PARK
REMIEDIATION PLAN**

Alderman Anglace MOVED to permit Malcolm Pirnie, Inc. access to the Constitution Park parcel owned by Federal Deposit Insurance Corporation (FDIC) by way of the trails through City property for the purpose of conducting environmental testing and sampling provided they execute a hold harmless agreement and indemnification agreement along with the appropriate insurance naming the city as an additional insured; SECONDED by Alderman Papa.

Corporation Counsel Welch stated, I spoke to John Cook of Inland Wetlands. He is aware of it – there are some wetlands on the property. It's a landlocked piece along Constitution Drive, part of the old Mas property. A parcel that was accepted out when we purchased the land.

A voice vote was taken and the MOTION PASSED 8-0.

**10.5 SERVING OF ALCOHOL ON CITY PROPERTY AT ECHO HOSE
HOOK & LADDER COMPANY #1 FIREHOUSE FOR UPCOMING
EVENTS**

Alderman Anglace MOVED to allow the serving of alcohol on City property at the Echo Hose Hook & Ladder Company #1 Firehouse for the following events:

- Annual Steak and Brew dinner to be held on April 13th, 2008
- Memorial Day Parade Services on May 26, 2008
- Steak and Brew Dinner to be held in October of 2008 (exact date to be determined)

SECONDED by Alderman Papa. A voice vote was taken and the MOTION PASSED 8-0.

**10.6 MEMORANDUM OF UNDERSTANDING GOVERNING THE USE OF
GEOGRAPHIC INFORMATION DATA BEING DISTRIBUTED BY THE
CONNECTICUT DEPARTMENT OF PUBLIC SAFETY**

Alderman Anglace MOVED to approve the resolution which by reference is included; SECONDED by Alderman Papa:

Be it hereby resolved, that Mark A. Lauretti, as Mayor of the City of Shelton, is authorized to enter into agreement with the Connecticut Department of Public Safety, Office of Statewide Emergency Telecommunications, (hereinafter "DPS"), and sign said agreement entitled "Memorandum of Understanding By and Between the Connecticut Department of Public Safety and the City of Shelton";

and FURTHER RESOLVED, that Mark A. Lauretti, as Mayor of the City of Shelton is authorized and directed to execute and deliver any and all documents on behalf of the City of Shelton and to do and perform all acts and things which he deems to be necessary or appropriate to carry out the terms of such documents, including, but not limited to, executing and delivering all agreements and documents contemplated by such documents.

A voice vote was taken and the MOTION PASSED 8-0.

**10.7 EXTENSION OF LEASE FOR HAPPY DAY PRESCHOOL LOCATED IN
THE COMMUNITY CENTER**

Alderman Anglace MOVED to approve an extension of the lease for Happy Day Pre-School as submitted; and further,

MOVED to authorize Mayor Mark A. Lauretti to sign all documents pursuant to the agreement and to effectuate said agreement; SECONDED by Alderman Finn. A voice vote was taken and the MOTION PASSED 8-0.

**10.8 ENGINEERING SERVICES AGREEMENT AMENDMENT NO. 2 –
SANITARY SEWER COLLECTION SYSTEM IMPROVEMENTS AND
HUNTINGTON AREA I/I AND SSES PROGRAM**

Alderman Anglace MOVED to approve Amendment No. 2 to the Engineering Services Agreement by and between the City of Shelton and Maguire Group Inc. in the amount of \$25,000 for conducting the Sanitary Sewer Collection System Improvements and Huntington Area I/I and SSES program. Funding to come from the Wastewater Collection Systems Referendum Bond; and further,

MOVED to authorize Mayor Mark A. Lauretti to sign all documents and effectuate said agreement.

SECONDED by Alderman Papa. A voice vote was taken and the MOTION PASSED 8-0.

10.9 LEASE AGREEMENT FOR 58 PERRY HILL - UNITS A & B

Alderman Anglace MOVED to approve the lease agreement between the City of Shelton and Dorothy Burritt et al for 58 Perry Hill Road Unit A per the favorable 8-24 referral from Planning and Zoning dated April 9, 2008; and further,

MOVED to authorize Mayor Mark A. Lauretti to sign all documents necessary to effectuate said agreement; and further,

MOVED to approve the lease agreement between the City of Shelton and Beverly Legge for 58 Perry Hill Road Unit B, per the favorable 8-24 referral from Planning and Zoning dated April 9, 2008; and further,

MOVED to authorize Mayor Mark A. Lauretti to sign all documents necessary to effectuate said agreement. SECONDED by Alderman Papa.

Corporation Counsel Welch stated, the 8-24 referral from Planning and Zoning identifies two issues that they wanted the Board to be aware of. Both of those items are included in the lease.

A voice vote was taken and the MOTION PASSED 8-0.

11 Executive Session

At approximately 8:25 p.m. Alderman Perillo MOVED to enter into Executive Session to discuss the following items:

- 11.1 James Brown – Worker's Compensation matter
- 11.2 EPA
- 11.3 Echo Hose Firehouse Floor Settlement Agreement
- 11.4 Sosnoff v. City of Shelton
- 11.5 Eminent Domain – Wiacek Farms

and invited Mayor Mark A. Lauretti and Corporation Counsel Welch to remain in the Auditorium; SECONDED by Alderman Olin. A voice vote was taken and the MOTION PASSED 8-0.

Return to Regular Session

At approximately 8:50 p.m. Alderman Kudej MOVED to return to Regular Session; SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 8-0.

Mayor Lauretti noted that no votes were taken during the Executive Session.

Motions from Executive Session

11.1 James Brown – Workers Compensation Matter

Alderman Anglace MOVED to approve the permanent partial disability rating as provided in correspondence from Pam Archibald of Connecticut Health Care Workers Compensation Trust dated March 19, 2008 as presented; SECONDED by Alderman Papa. A voice vote was taken and the MOTION PASSED 8-0.

11.2 EPA

Alderman Anglace MOVED to approve the consent decree as amended between the City of Shelton, United States of America and the State of Connecticut, and to agree to the payment of \$142,000, pursuant to the terms of the decree from an account to be determined by the Board of Aldermen; and authorize Mayor Mark A. Lauretti to execute said decree. And further, request of the DEP and EPA that the maximum amount permitted be applied to a supplemental environmental project for the rehabilitation of the Sunnyside Boat Ramp; SECONDED by Alderman Finn. A voice vote was taken and the MOTION PASSED 8-0.

11.3 Echo Hose Firehouse Floor Settlement Agreement

Alderman Anglace MOVED to approve a settlement agreement in the amount of \$6,048.85 wherein Sketcher Engineering, Inc. will provide services to the City of Shelton in said amount; SECONDED by Alderman Perillo. A voice vote was taken and the MOTION PASSED 7 Yes, 1 No (Finn).

11.4 Sosnoff v. City of Shelton

No action.

11.5 Executive Session – Wiacek Farms – Eminent Domain

No action.

Adjournment

Alderman Kudej MOVED to adjourn; SECONDED by Alderman Finn. A voice vote was taken and the MOTION PASSED 8-0.

The meeting adjourned at approximately 8:53 p.m.

Respectfully submitted,

Patricia M. Bruder, Clerk
Board of Aldermen

Date Submitted: _____

DATE APPROVED: _____ BY: _____

Mark A. Lauretti
Mayor, City of Shelton