



BOARD OF ALDERMEN
SHELTON, CONNECTICUT
FULL BOARD MEETING MINUTES
THURSDAY, APRIL 14, 2016

Call to Order / Pledge of Allegiance

Mayor Mark A. Lauretti called the meeting of the Board of Aldermen to order at 7 p.m. All those present stood 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 Noreen McGorty – present
Alderman Jim Capra – present
Alderman Eric McPherson – present
Alderman Anthony Simonetti – present

Administration:

Mayor Mark A. Lauretti, City of Shelton
Attorney Thomas Welch, Corporation Counsel

****HONORING THE SHS GIRLS CHAMPIONSHIP BASKETBALL TEAM OF 1976****

With great honor, Mayor Mark A. Lauretti, in the presence of the Board of Aldermen, presented proclamations to respected Head Coach, Bernice Nicolari, Assistant Head Coach, Celeste Beattie, and tri-captains Michele Katz, Karen Meade, Jill Rhodes and teammates Diane Dietman and Michele LeBlanc who together won the 1976 CIAC Class Double L State Championship for Shelton High School.

PROCLAMATION

WHEREAS, in 1976 Michele Katz, Karen Meade and Jill Rhodes were tri-captains of the Shelton High School Gaelettes’ basketball team along with teammates Diane Dietman and Michele LeBlanc. They won the 1976 CIAC Class Double L State Championship under Head Coach Bernice Nicolari and Assistant Coach Celeste Beattie; and

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WHEREAS, the points scored per game by each player were as follows; Jill Rhodes-27.2, Michele Katz -15.2, Karen Meade-13.8, Diane Dietman-13.4 and Michele LeBlanc-8.2. Jill Rhodes was named Connecticut All-State First Team two years in a row, High School All-American, All-League, and All-Valley First Teams three years in a row; and

WHEREAS, Bernice Nicolari was named 1976 Connecticut High School Coaches' Association Coach of the Year and 1976 New Haven Tap-Off Club Coach of the Year; Bernice was also named Hall of Fame Honoree for Connecticut Women's Basketball, New Haven Tap-Off Club and the Connecticut High School Coaches' Association; and

WHEREAS, the team earned the state championship with their victory over Lee High School of New Haven. This was the first state basketball championship won by any Shelton Gaelettes' basketball team. Their record for the year was 23 wins and 1 loss. In the same year the team earned for the 8th straight season the Housatonic League Championship with an undefeated season.

NOW, THEREFORE, I, Mark A. Lauretti, Mayor of Shelton, commend these women for their many accomplishments. They were the pioneers for women's sports and helped to lead the way for future women athletes in Shelton. On this 40th anniversary, I congratulate them on their hard work, commitment and dedication to achieve the **1976 CIAC Class Double L State Championship**.

This is issued under my hand and official seal of the City of Shelton.

April 14, 2016
Shelton, CT

Mark A. Lauretti
Mayor

PUBLIC PORTION – No one from the public wished to address the board.

Alderman Finn: Mayor Lauretti with a special privilege, I forwarded a letter to Cyndee Burke, Board of Ethics clerk, with a copy to go to the Clerk of the Board of Aldermen and to the City/Town Clerk, as well. This letter is in regards to the Executive Session on April 14, 2016. It reads:

Dear Mrs. Burke,

I will be recusing myself from Executive Session, on the agenda item: Finn vs. City of Shelton. Also, I will be recusing myself from any discussion, or vote to be taken in place once the Board of Aldermen returns to regular session.

Yours Sincerely,

John Jack Finn, Alderman

Add-On

Alderman Anglace MOVED to add the following item to the agenda:

FINANCIAL BUSINESS - NEW

9.11 PRESIDENTIAL PRIMARY (APRIL 26, 2016)

SECONDED by Alderman McPherson. A voice vote was taken and the MOTION PASSED unanimously.

Agenda Items

MINUTES FOR APPROVAL

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

1. Regular Meeting – March 10, 2016
2. Public Hearing on Ordinances- March 3, 2016
3. Special Meeting- March 22, 2016

Alderman Anglace noted, with the exception of the Special Meeting of the Board of Aldermen and Board of A&T, which is their meeting and not ours. We will not approve that one.

SECONDED by Alderman Kudej.

Discussion:

Alderman McGorty: I have one comment: It is a minor change. The public portion has the last name of the first person incorrect; it should be *Pelzel*.

Mayor Lauretti: The change is so noted for the clerk to make that change.

A voice vote was taken and the motion passed unanimously.

Minutes can be viewed on the city website: www.cityofshelton.org

5.1 FINANCE COMMITTEE

5.1.1 *NO ITEMS*

5.2 PUBLIC HEALTH & SAFETY COMMITTEE

5.2.1 *NO ITEMS*

5.3 STREET COMMITTEE

5.3.1 – *SIDEWALK REIMBURSEMENT- 384 HOWE AVENUE*

Alderman McPherson MOVED, per the recommendation of the Street Committee, to approve the sidewalk reimbursement of \$13,940 to Shelton Victorian Condominium, 384 Howe Avenue, Shelton, CT 06484 per Ordinance #877 (Section 14-9 of the Code of Ordinances) with funding to come from Sidewalk Reimbursement Account #001-3600-713.80-43.

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

REPORT OF THE MAYOR – None presented.

REPORT OF THE PRESIDENT – None presented.

6.0 LEGAL REPORT

6.1 CORPORATION COUNSEL BILLING

Alderman Anglace MOVED to authorize a total payment of \$2,145.00 to Corporation Counsel Welch, Teodosio, Stanek and Blake, LLC, for services rendered per statement dated April 4, 2016, with funds to come from the following Legal Services Accounts:

Legal Fees	001-1900-411.30-03	\$2,021.25
Foreclosure Fees	001-1900-411.30-03	\$ 123.75

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

6.2 ASSISTANT CORPORATION COUNSEL BILLING

Alderman Anglace MOVED to authorize a total payment of \$1,586.00 to Assistant Corporation Counsel Ramon Sous for services rendered per statement dated April 1, 2016, with funds to come from the following Legal Services Accounts:

Legal Fees	001-1900-411.30-03	\$1,386.00
Foreclosure Fees	001-1900-411.50-01	\$ 200.00

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

7 LEGISLATIVE - OLD

7.1 ITEMS FROM PUBLIC HEARING

7.1 A NO ITEMS.

8 FINANCIAL BUSINESS OLD

8.1 NO ITEMS

9 FINANCIAL BUSINESS NEW

9.1 APRIL STATUTORY REFUNDS

Alderman Anglace MOVED that the report of the Tax Collector relative to the refund of taxes for a total amount of \$40,470.16 be approved and that the Finance Director be directed to make payments in accordance with the certified list received from the Tax Collector with funds to come from the Statutory Refunds Account 001-0000-311.13.00.

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

9.2 FUNDING FOR CITY HALL ROOF REPLACEMENT- LOCIP ELIGIBLE

Alderman Anglace MOVED to approve the agreement between the City of Shelton and Quality Improvements for the City Hall roof replacement.

Further add the roof replacement to the Capital Improvement Plan in the amount of \$249,980 to come from LOCIP.

Further authorize Mayor Mark A. Lauretti to execute any and all documents necessary to effectuate same.

SECONDED by Alderman Simonetti.

Discussion:

Alderman Finn: I just have a comment Mr. Mayor. The White Hill Fire Department was promised a new roof for several years now, and we seem to be put on the back burner. It would be nice if someone starts looking at it and taking an interest in the firehouse.

Mayor Lauretti: Well I am not aware of that. That roof is less than 20 years old, is it not?

Alderman Finn: No.

Mayor Lauretti: Didn't we put the addition on that building?

Alderman Finn: You are talking about the addition, but I am talking about the original roof. During Hurricane Sandy and there were a lot of wind storms since then, the shingles kept blowing off of the top of the building. We find them in the grass, and pick them up and throw it in the garbage.

Mayor Lauretti: I have to tell you that no one has brought that to my attention.

Alderman Finn: I just did.

Mayor Lauretti: Someone needs to make a request; maybe the Captain over there should make a request.

Alderman Finn: If I am correct, I believe our Fire Commissioner in the past has.

Mayor Lauretti: Again, I do not know who he made the request to but I have been unaware of it.

Alderman Finn: Thank you, Mr. Mayor.

Mayor Lauretti: Before we vote on this, this item went out to bid last year, and I decided to hold off until the springtime because I was concerned about the flow of money, and how much we may or may not need. As it turns out, we are ready to go forward with this.

A voice vote was taken and the motion passed unanimously.

9.3 FUNDING FOR TILE FLOOR IN COMMUNITY CENTER HALLWAY

Alderman Anglace MOVED to add the tile flooring for the lower level hallway at the Community Center to the Capital Improvement Plan in the amount of \$1,400.00 with funding to come from LOCIP.

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

9.4 FUNDING FOR PRESSURE WASHER FOR COMMUNITY CENTER POOL AREA

Alderman Anglace MOVED to add a permanently mounted pressure washer for the community center pool area to the Capital Improvement Plan in the amount of \$4,700.96 with funding to come from LOCIP.

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

9.5 FUNDING FOR NIKE SITE SOD INSTALLATION

Alderman Anglace MOVED to add sod installation to the Nike Site Baseball Field to the Capital Improvement Plan in the amount of \$8,995.00 with funding to come from LOCIP.

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

9.6 FUNDING FOR THIRD INSTALLATION OF MAYBECK PROPERTY PURCHASE

Alderman Anglace MOVED to appropriate the sum of \$100,000 as the third deposit for the Maybeck Property Purchase with funding to be provided by bonding pursuant to Section 7.16 of the City Charter.

SECONDED by Alderman Simonetti.

Discussion:

Mayor Lauretti: Is this the last payment?

Atty. Welch: No, we have one more payment.

Mayor Lauretti: I was thinking off the docket that maybe we should just fund the whole thing and be done with it. What is the balance?

Alderman Simonetti: \$100,000 is the balance.

Alderman Anglace: Is there any interest?

Mayor Lauretti: I do not think so. Let's leave this alone because I do not know if the property owner, for tax purposes, has things planned out already so let's leave this alone.

A voice vote was taken and the motion passed unanimously.

9.7 FUNDING FOR ASPHALT PAVER FOR HIGHWAYS & BRIDGES DEPARTMENT

Alderman Anglace MOVED to appropriate an amount of \$125,000 for the purchase of an asphalt paver for the Highways & Bridges Department with funding to be provided by bonding pursuant to Section 7.16 of the City Charter.

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

9.8 FUNDING FOR REPAIRS TO TOWER 7 - FIRE DEPARTMENT

Alderman Anglace MOVED to appropriate an amount of \$51,092.15 for the repairs and refurbishment of Tower 7 for the Fire Department with funding to be provided by bonding pursuant to Section 7.16 of the City Charter.

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

9.9 FUNDING FOR RENOVATIONS AT 20 DONOVAN LANE

Alderman Anglace MOVED to add the renovations at 20 Donovan Lane for the Youth Service Bureau to the Capital Improvement Plan in the amount of \$9,000 with funding to come from LOCIP.

SECONDED by Alderman Simonetti.

Discussion:

Mayor Lauretti: The title may be a little misleading. This is the building that the Youth Service Bureau uses, but they use the lower level. The funding is for the garage in the upper area which needs some attention, as well as the outside of the building. I wanted to make that clear.

Alderman Finn: Are you referring to the garage that we used to store registrar of voter equipment?

Mayor Lauretti: Correct.

Alderman Finn: Those doors were shot.

Mayor Lauretti: Those doors were shot 5 years ago.

A voice vote was taken and the motion passed unanimously.

9.10 CONVEYANCE TAX REFUND

Alderman Anglace MOVED to approve the refund of Town Conveyance Taxes in the amount of \$241.50 made payable to Tammy Mulrooney, 817 Woods Drive, Statesville, NC 28677 with funding to come from the Contingency General Account #001-9900-900.99-00.

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

9.11 PRESIDENTIAL PRIMARY (APRIL 26, 2016)

Alderman Anglace MOVED to authorize the over expenditure of the following Registrar of Voters accounts:

- Commissary
- Poll Workers
- Miscellaneous Services (Police)

SECONDED by Alderman Simonetti.

Alderman Simonetti: Where is the money coming from?

Mayor Lauretti: When you allow an over expenditure, then you deal with it during the last month of the fiscal year, through transfers.

Alderman Anglace: They have submitted what they believe the expenditures will be, no greater than.

Alderman Finn: Mr. Mayor, I would like to recuse myself from the vote because I am a Registrar of Voters.

A voice vote was taken and the motion passed, with one recusal (Alderman Finn).

10 – LEGISLATIVE - NEW

10.1 A AMENDMENT TO CODE OF ORDINANCES CHAPTER 2 ARTICLE IV CORPORATION COUNSEL SEC. 2-134 SALARY (ORD. 836)

Public Hearing Scheduled for May 24, 2016

**AMENDMENT TO ORDINANCE 836
LAST REVISED 3/8/12**

BE IT ORDAINED BY THE BOARD OF ALDERMENT OF THE CITY OF SHELTON

Section 2-134

- (a) Commencing July 1 ~~2016~~²⁰¹⁵ the annual compensation for general matters for the Corporation Counsel shall be ~~\$48,746.00~~ ^{\$44,721.00} to be paid in monthly increments during the fiscal year. The salary for the Assistant Corporation Counsel shall be ~~\$34,093.00~~ ^{\$31,278.00} payable in monthly increments during the fiscal year.
- (b) The Corporation Counsel shall receive, in addition to such sum, the sum of ~~\$764.00~~ ^{\$704.00} per month in lieu of secretarial assistance and the Assistant Corporation Counsel shall receive a payment of ~~\$622.00~~ ^{\$574.00} per month in lieu of secretarial assistance.
- (c) For those matters which are not included within the above referenced items of compensation, specifically litigation, contested matters and labor work, and such other matters as historically have not been included within the annual compensation of the Corporation Counsel, the hourly rate shall be as approved by the Board of Aldermen from time to time.

10.2 WAIVER OF BIDDING PROCESS FOR ELECTRICAL GENERATION FOR THE CITY

Alderman Anglace MOVED, per the recommendation of the Purchasing Agent, to waive the bidding process for electrical generation services for the City of Shelton.

Further authorize Mayor Mark A. Lauretti to sign any and all necessary documents to effectuate same.

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

10.3 223 CANAL STREET SITE DEMOLITION REMEDIATION AND REDEVELOPMENT PROJECT

Alderman Anglace MOVED to approve the following resolution:

BE IT RESOLVED that the Board of Aldermen hereby authorizes and approves an agreement entitled the Assistance Agreement by and between the State of Connecticut acting by the Department of Economic and Community Development and City of Shelton regarding the City of Shelton project entitled 223 Canal Street Site Demolition Remediation and Redevelopment Project. The Mayor is further authorized to execute said document and all related document submissions in accordance with proposed Work Plan and as may be required by the State.

Further, the Board of Aldermen appropriates \$205,000.00 which represents the estimated cost of the project for ineligible costs not covered by the CT DECD (this includes state and local legal costs, administrative, reporting requirements and related items) grant which is in the amount of \$875,000.00. The total cost of the program is \$1,080,000.00 with \$205,000.00 to come from Canal Street Referendum and \$875,000.00 to come from the CT DECD grant.

Further, the Shelton Economic Development Corporation, the implementing agency for the City of Shelton, is authorized to provide management services for this program on behalf of the City of Shelton.

Further, Whereas, pursuant to Connecticut General Statutes Section 32.9cc, the CT Department of Economic and Development is authorized to assistance to Economic Development projects and

Whereas, desirable in the public interest that the City of Shelton make an application to the State of \$875,000.00 in order to undertake the City of Shelton Project entitled 223 Canal Street Site Demolition, Remediation and Redevelopment Project and to execute the assistance agreement.

Now, therefore, be it resolved by the Board of Aldermen of the City of Shelton.

1. That it is cognizant of the conditions and prerequisites for the state financial assistance imposed by Section 32-9cc of the CT General Statutes.
2. That the filing of an application for State financial assistance by the City of Shelton in an amount not to exceed \$875,000.00 is hereby approved and that Mayor Mark A. Lauretti is directed to execute and file such application with the Connecticut Department of Economic and Community Development, to provide such additional information, to execute such other documents as may be required to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an agreement is offered, to execute any amendments, decisions and revisions thereto, and to act as the authorized representative of the City of Shelton.

SECONDED by Alderman Kudej.

Discussion:

Alderman Capra: Mr. Mayor, it is good that we are passing and voting on this tonight. I am happy to see that the Avalon in Shelton will hopefully be soon getting a new neighbor in the future. I would like to ask for an update on the progress of the Chromium Plant? Also, if there are any plans for the Conti Building to get renovated or upgraded? For someone that works downtown, for me, I have seen a lot of progress not really picking up; it has been pretty slow. What do you think that could help move things along? I would be curious to know if there is anything in the works?

Mayor Lauretti: Yes, there are a lot of things that are in the works. The whole downtown process is slow. If you think it is slow after six months, I have been sitting for 25 years beating this drum, and having to deal with a whole lot of bureaucracy from the railroad, to the state and the federal government, to all of the environmentalists. So put your seatbelt on because you are in for a long ride. There is some good news on the Chromium Process front in which after the project was bid, the numbers came in extremely high. We shifted course a little bit, reevaluated the project, did some more environmental testing. We narrowed it down, and took the doubt out of the equation for all of the bidders. The bids came in today and they are significantly lower than they were six months ago. So it looks like the progress in being able to get the Chromium

Processing building remediated and on the ground a lot sooner. Sooner, rather than later as they say.

Alderman Capra: Is it a funding issue?

Mayor Lauretti: It was a funding issue until today. The funding issue solved itself with the rebid. The bids came in extremely high the first time because there was speculation of what kind of contaminants, the amount of contaminants in the building was an unknown quantity so naturally bidders had to cover themselves and they came in with a big number. That has changed. In terms of progress, we have not had new construction on Howe Avenue, that I can't remember how long. I want to say forty years but I just cannot remember. We got it now, and the Matto project, they can come and pull permits tomorrow and start tomorrow. So the ball is in their court now; there is nothing left for us to do but that is a private issue.

As you may or may not know, Conti has been in and out of Zoning for any number of times this past year to have different uses approved, different businesses that are coming into their building. They have made, and are planning to make some aesthetic changes to the outside of the building. We are pushing them to repair that sidewalk on Howe Avenue, in front of their building. Also, I am in discussions with Eversource to lease a piece of land, across from the Ascot Club, that would be able to house another 150 cars in terms of parking so that agreement will be hopefully coming before this board within the next couple of months. So there is a lot of things that go on behind the scenes, and yes at times it seems that progress is slow, but the process for some of these development projects is a long time. As an example, the grant that we had just received and the approval that you gave for the grant of \$875,000, came as a result of us having to shift gears in how we were going to deal with the reconstruction of Canal Street because of the Army Corps decision not to let us fill the canal. I thought it was crazy to spend \$1 million to fill 12 feet of it. So that issue within itself took about one year to shift gears, and I told Jim Ryan that this is crazy and we might as well take the building and knock it down, pay the guy and continue with the road. That is what we ended up doing, but in the process John Guedes came in with a proposal for zoning as everyone knows, got it approved. That sweetened the deal for the state, for them to come up with some Community and Economic Development money to the tune of \$875,000. There is progress, and there is nothing like seeing a shovel in the ground so it is conceivable that you can see a couple of shovels in the ground, in a couple of different locations this year. It is important for everyone to understand that it is key to hit the right part of the cycle, because if you miss the economic cycle the developers sit it out. That is because they are not going to put their dollars on the line for speculation, and we are in that part of the cycle where we really need to move, and to get these approvals on the table to get the shovels in the ground. I hope I have answered your questions.

Alderman Capra: Thank you very much.

A voice vote was taken and the motion passed unanimously.

10.4 RESOLUTION RELATIVE TO THE REFUND OF CONVEYANCE TAXES

Alderman Anglace MOVED to approve the following resolution:

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

If the Town Clerk determines that a conveyance tax fee that was paid is to be refunded and said sum is less than \$1,000.00, the Town Clerk, with the approval of the Administrative Assistant, may process said refund with the Finance Office and there is no need to obtain Aldermanic approval. Said refund shall be paid from the Conveyance Tax Fee Revenue Account. On each occasion where a refund is provided as set forth above, the Town Clerk shall send a written report to the Mayor and the Board of Aldermen.

SECONDED by Alderman Kudej.

Discussion:

Mayor Lauretti: To further your question Jim about progress, you noticed that we have already started to build another extension of the Riverwalk. That was something that we were working on with our Public Works staff over the winter with state grant monies. All of that is in progress; that extension of that Riverwalk will be concluded this summer.

Alderman Capra: That will look fantastic.

Mayor Lauretti: Not only that, but the testing that we have been doing for the last five years on the Axton Cross site is now coming to an end, so that property can be, and will be made for sale for private development. As an example, that was every bit of 5 to 6 years by the time the testing was approved and when the testing was completed so the property can go for sale. So progress is slow; there is no question about it unfortunately.

A voice vote was taken and the motion passed unanimously.

EXECUTIVE SESSION

At approximately 7:40 PM, Alderman Anglace MOVED to enter into Executive Session to discuss the following items:

- 11.1 FINN VS. CITY OF SHELTON
- 11.2 GIORDANO VS. CITY OF SHELTON

and invited Corporation Counsel Welch to remain in the auditorium during the Executive Session; SECONDED by Alderman Simonetti. A voice vote was taken and the motion PASSED unanimously.

RETURN TO EXECUTIVE SESSION

At approximately 7:45 p.m. Alderman Kudej MOVED to return to Regular Session; SECONDED by Alderman Simonetti. A voice vote was taken and the motion PASSED unanimously.

It was noted that no votes were taken in Executive Session.

11.1 FINN VS. CITY OF SHELTON

Alderman McPherson MOVED to consent to the resolution, as recommended by Connecticut Interlocal Risk Management Agency.

SECONDED by Alderman Simonetti. A voice voice was taken and motion passed, with one recusal (Alderman Finn).

11.2 GIORDANO VS. CITY OF SHELTON

Alderman McPherson MOVED to approve an advance of 5% on the Permanent Partial Disability rating, as presented.

SECONDED by Alderman Simonetti. A voice voice was taken and motion passed, with one recusal (Alderman Finn).

APRIL 14, 2016

BOARD OF ALDERMEN
FULL BOARD MEETING

ADJOURNMENT

Alderman Kudej MOVED to adjourn; SECONDED by Alderman Simonetti. A voice vote was taken and the motion PASSED unanimously.

The meeting adjourned at approximately 7:50 p.m.

Respectfully submitted,

Brittany Gannon

Brittany Gannon, Clerk
Board of Aldermen

DATE APPROVED: _____ BY: _____

Mark A. Lauretti
Mayor, City of Shelton