



**BOARD OF ALDERMEN
SHELTON, CONNECTICUT
REGULAR MEETING OF THURSDAY, SEPTEMBER 11, 2003**

Call to Order / Pledge of Allegiance

Mayor Mark A. Lauretti called the meeting to order at 7:05 p.m. All those present rose and pledged allegiance to the flag.

A moment of silence was observed in remembrance of September 11, 2001.

Roll Call

Aldermanic President John F. Anglace, Jr. - present
Alderman John "Jack" Finn - present
Alderman Stanley Kudej - present
Alderman Joseph Lanzi - present
Alderman Diane M. Marangelo - present
Alderman Kenneth Olin - present
Alderman John P. Papa - present
Alderman Anthony Simonetti - present

Administration:

Mayor Mark A. Lauretti
Corporation Counsel Thomas Welch

There was a quorum of 8 present, 0 absent.

Public Session

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

Dan Martin, General Manager, Chromium Process Company, Canal Street

This evening, you will be voting on proposed easements that affect our property. Permanent roadway, sidewalk and utility easements, as well as permanent drain easements. There is also temporary construction and grading easements.

We don't have a lot of problems with the construction for the road, the sidewalks. We do have some questions about the proposed investment of maybe a quarter of a million dollars in improvements that basically impact Chromium Process Company property. Again, I say, we don't object to the roadway, or granting the easement to construct that. But the plan to put culverts not only in the roadway but also in our property - now, the culverts are going to extend past the roadway an additional 60 feet, which covers Bearing Ground Brook, on our property. There also is proposed fill there. The only problem we have with that is that there is an additional 60 feet to the end of our property that the brook is going to be exposed. That means if we want to do any development on our property, we would have to come up with an expense similar to what the City is doing in that first 60 feet from the street to the middle of our property, and then from that parcel to the end of our property line, we would have to come up with that to make the property equal to what the front of the property is going to be in grading.

Not only that, but the way they're going to grade is, they're going to grade on a two to one basis, so if they start in the street at a 26-foot elevation, they're going to drop it down to 10 feet, so that's a 16-foot drop, and approximately 60 feet. We would propose that they make the grade a little bit better and put the culverts to the end of the property. The question that we've raised with SEDC about this is they don't have the money. We would like to see that in Phase 3, or the end of Phase 2, that they would extend those culverts and make those final improvements to our property.

This way, we feel that putting that kind of money into the property – I'm talking about public money into private property – we think that the City should just buy the property and make any improvements that they want to make. The other thing is, how will these improvements impact on our assessed value of the property? We don't know that. How will this construction impact our operations with transportation traffic for truck traffic? SEDC has said that they would address these problems as they arise, but we have some concerns that once they get into the construction and they get into the winter time, that we're going to have trouble bringing our trucks and common carriers in to load and unload product to our company. I understand that you're not going to be able to address these, but I wish that the Mayor and SEDC would address these issues. Thank you.

Mike Panek, 84 Long Hill Avenue

I've lived at 84 Long Hill Avenue for 15 years, and I've always been concerned about the safety of my wife and my four children, and also the residents of my neighborhood when it comes to traffic on our street.

Our neighborhood is a close-knit group of people who share the same views on the subject. Recently, a handwritten note from Mr. William Bures was stuck in my door, urging me to attend an informal meeting with the Chief of Police and the Traffic Safety Officer about traffic problems on High Street, Division Avenue and surrounding streets.

Being a concerned resident, I attended the meeting. First off, I would like to thank the Police Department and the Mayor for taking the time out of their busy schedules to attend the informal meeting, also the Police Department for the time to review this matter, and their recent presence on lower Long Hill Avenue to try and curb speeding. It doesn't go unnoticed. At the informal meeting I was informed that rumors I had heard were true – a petition had circulated the neighborhood about the traffic in the area, and asked the City to change the direction of High Street, currently a one-way street ending on Long Hill Avenue, to a one-way street in the opposite direction. I felt blindsided. No one came to me to ask for my opinion, or asked for my signature on a petition. I live on the corner of Long Hill and High Street. The Police Department had done extensive research in the area, including a traffic flow study, traffic speed study, and an on-site review of parking in the area. After doing the research, they had come up with the pro solution to the problems, including maps and changes which included changing the direction of High Street, eliminating on-street parking on Long Hill Avenue. These changes, I would like to say as I did at the informal meeting, are not in best interest of the residents of High Street or Long Hill Avenue. I have not seen the petition, or the gentleman who started it, but in a recent New Haven Register article, it was reported that 40 names appeared on the petition. It was also reported in the article that there was strong support to make these changes. Again, I was shocked. At the informal meeting, there were three people present who spoke in support of this proposed change, two of which said they were mainly concerned with

speeding on Division Street, and people cutting through to avoid downtown traffic. I can sympathize with them as speeding is also a problem on lower Long Hill Avenue. Five people were present at the meeting who spoke against the proposal – Mrs. Corrado of 126 High Street, who is in attendance tonight, myself, my wife, Alderman Stanley Kudej and Alderman Joseph Lanzi, both who agreed that the proposal may not be the best fix.

A member of the Police Force is quoted in the article in the New Haven Register as saying that the final decision on the recommendation would come to the Full Board of Aldermen for approval. I was first planning on going to a meeting of the Street Committee on September 2nd, followed by a meeting of the Public Health & Safety on September 3rd. Unfortunately those meetings were canceled due to the Labor Day Holiday, so that brings me here tonight. The proposed changes include changing the direction of High Street in the opposite direction. It seems to me that we're not solving anything - just shifting the problem around. Let me explain. People on High Street will now have to travel through downtown when leaving their house, adding more traffic to downtown. People on High Street will travel the same routes to and from their house, each trip, they will only be reversed. I see no benefit. When driving on High Street, you'll be passing driveways and parked cars on your passenger side, causing limited vision. Residents behind our street, including Division Street, Coram Avenue and surrounding streets, will now cut through High Street – increasing traffic on High Street when returning home – a benefit of only a few seconds from how they travel presently today. Traffic will also increase on lower Long Hill Avenue, due to the extra trips. Cars that zip down lower Long Hill Avenue will now be shooting up High Street – one of the narrowest streets in our City. The plan also calls for the elimination of parking on lower Long Hill, which is very much needed and used every day by the residents with no driveways. Children, of which there are plenty, will be in danger with the increased traffic. The redirection of traffic will not solve the main issue, which, I believe, is speeding in the area.

I did a little research of my own and started talking to the people who live on Long Hill and High Street, and came up with a surprising discovery of my own – they agree that this change is not necessary. I am enclosing a copy of a petition signed by the residents who will be affected by your decision, asking that the Board reject the recommendation of the Police Department to change High Street's direction and the related elimination of parking. Someone once said, if it's not broke, don't fix it. I agree.

Let me say that although this letter may be a bit premature to the Board, I wanted it known before I missed my opportunity to express my concerns as I would have if someone didn't put that handwritten note of the informal meeting in my door. I appreciate your time to hear my concerns, and hope you will agree with Mr. Lanzi and Mr. Kudej and the 31 residents of Long Hill Avenue and High Street who signed the petition when this matter comes before you, now or in the future. Thank you very much.

Mayor Lauretti stated, you can leave a copy of the petition with the Clerk. A copy is going to go right to the Chief of Police, because he is going to pass judgment on this issue ultimately anyway.

*Mike Ullrich, Two Congress Avenue
Assistant Chief, Shelton Fire Department*

I'm concerned for a couple of reasons. One, being a taxpayer, we have to fight, as firefighters, for a budget. We asked for almost \$1 million this year.

We're cut back to \$600,000 only to have to hand back an extra \$170,000. We ask for life-saving equipment, and can't get it. That's pretty shameful. We couldn't get pagers for the firefighters. We couldn't get gear for the firefighters. Now we have to come before you because of the Charter Revision. We feel that is going to destroy the morale in the department and make more problems than are going to be needed.

You've got a volunteer department that costs you a half-million - under a half-million since you cut our budget again. Any town this size with career department is looking at \$8 million to \$10 million. What other department in the City of Shelton saves you \$10 million a year? Can you name one, because I can't.

There are 225 active volunteers in this City, and you want to throw them out or make morale problems by having a Charter Revision? Then to make comments saying that we didn't attend any meetings? We attended quite a few meetings, only to see the revisions and the public hearing take a total different turn. What was said at the public hearing wasn't what was approved by you guys. You didn't ask the Commissioners what their opinion was. You just felt that you could wipe them away, wipe the officers away and wipe the department away. I don't know what you plan to do, but as a taxpayer, I don't want to see my taxes go up 8 to 10 mills. I can't afford it as it is.

I hope you take the concerns when we raise our voices that we don't like the Charter Revision. We will push people to vote no for the Charter Revision if you don't act to help us. We help you every day saving lives. As a matter of fact, we saved a City building minutes before this meeting that was actually on fire. It came in as a box alarm and it was a ceiling fire - Long Hill School. Hopefully you'll congratulate some of these members that are here on the fine job that they did. I hope you take our actions and decisions as far as they'll go. Hopefully you'll be able to do something here.

*Chris Jones, 21 Geissler Drive
Volunteer Firefighter, Company One*

I attended the Board of Fire Commissioners meeting last week. After - some comments were made in the paper today that people didn't attend this Charter Revision Commission's meetings over the last 18 months. The Officers' Council submitted letters, Companies followed up with their Fire Commissioners, all to be on deaf ears. No one - When I approached the Board of Fire Commissioners and I asked them, did you, Board of Fire Commissioners, submit this information to the Charter Revision Commission? No one said a word. So you guys here at the Board of Fire Commissioners submitted this lettering, this wording, to the Charter Revision Commission? The response was, "you're reading it as we are reading it." So I ask you, the people that serve on the Charter Revision Commission, who has the authority to write something like that? Where did the Charter Revision Commission - and I'm asking the Board of Aldermen this, which you probably don't know, but the Board of Aldermen has control over the Charter Revision Commission, and don't tell me they don't because they do. We know who calls the shots in this town. The Charter Revision Commission was made up of hand-picked people by the Mayor that was given no opposition - I'm sure there was no checks and balances in the whole system.

This Charter Revision is way, way too gray. I don't know what kind of doors it's leaving open; I don't know what the plan is. The City taxpayers would have never known anything about this if we - look. There are 50 guys here

tonight, 60 guys here tonight to show support. Like Chief Ullrich just said, the budget was cut \$170,000. I couldn't get batteries for my pager. How sad is that? It's probably a 65-cent battery I couldn't get because we didn't have any. You guys better think about this Charter Revision. You better call somebody back – it's already been approved but I know you could open the doors up and say, hey, let's sit back down and re-hash this and add some wording to this. I know you've got the grin on up there, it's all funny to you, I know, Mayor, but this is just a serious issue. Don't respond – we don't need a response from you.

Mayor Lauretti stated, well, I'll tell you what. When you're done speaking and everybody else has had an opportunity to speak, I'm going to have an opportunity to speak, too, because I've been at this game a long time, and I know your tactics, and I'll tell you what, I don't appreciate this at all.

Mr. Jones continued, I know you turn this all the time on me, it's tactics, this is political. Alderman Anglace, this is a political scene here tonight. There are 60 to 75 guys here tonight, because, yes, I rallied them. But after they all went to the Board of Fire Commissioners and went to Officers' Council and fought with them to have their rights heard. And what happened? Somebody rewrote it. Who wrote that Charter Revision Commission? Respond to that. Who put the wording into that? Who? Respond. Who wrote the Charter Revision? The Charter Revision Commission? Who? No one on the Charter Revision Commission could write this. Here is my tactics. Yes, for the next two months my tactics are going to get stronger. So there. We'll see how this. You guys respond to that.

Dolores Collings
Member, Company 4, Pine Rock Park

I just want you to know that we have discussed the Charter Revision repeatedly at our Company. We were following it through, and I was very upset when this revision came through to us, and all of a sudden there are things in the revision that were never discussed at any of the meetings. If you people had an agenda that you wanted included into the Charter Revision, I'd like to know why it wasn't presented to our Committees that were working on this right along. For it to suddenly appear after all of our committees had met, after they turned in their recommendations, I think is a slap in the face to all of the firefighters in the City. Thank you for your attention.

David Collings, 187 Rocky Rest Road
Volunteer Firefighter, Pine Rock Park Fire Company

I've been a volunteer at the Pine Rock Park Fire Department for the last 25-plus years, and I've attended five fire calls within the last 24 hours for this City. I think it is unfortunate that it's necessary for the Fire Department to come down here and discuss this given all of the work that many, many members have put in with the Charter Revision Committee. I, myself, attended meetings, our officers attended meetings, and it is very, very unfortunate for the City and the Fire Service for this to be the situation we're facing today. Thank you.

Mayor Lauretti stated, before we go too much further with respect to the Charter Revision and the issues of the Fire Department, I think it would be helpful to all of us if we could have some specifics about what your dissatisfaction with the language in the Charter was – other than "we just don't like it."

Bill Bures, Division Avenue

First, I'll speak on High Street – that was recommended – the one-way - by the traffic experts – the Chief of Police, Officer Hurliman and Mr. Ptak, who, like, in regards to fire safety, I refer to the firemen, and as for safety on streets, I would go to the policemen. That is my comment. The 40 signatures on the petition are mailed to the Police Department, and I believe, the Aldermen.

Now we're going to get into, just with the Firemen - I'm reading from a Letter to the Editor that I wrote June 7, 2003, just briefly, the first and last paragraphs, and it was entitled, in the Valley Times, "Defend Shelton's Volunteer Firefighters." *The volunteer firefighters are devoted public servants who work hard, continually updating their training, and defend our City, all on their own time. Their voices must be heard, since it is they who risk their lives, save property, and save millions of dollars for Shelton taxpayers.* The final paragraph of that June 7th article was, *The Charter Revision Commission should tread lightly on any changes that might hinder the operation of the volunteer services.* It's time that we have to take care of the Fire Department. We want to encourage more people to join. Let's keep that in mind, because they really spend a lot of time and it's very hard to find people that will volunteer any time today. I just want to thank you.

*Shawn Wheeler, 71 Jane Street
Member, White Hills Company 5*

I'm a third-generation fireman in this town. I've been around this Department for 32 years. I've never seen the morale so low in this Department. Six years maybe, since Mr. Mayor, you threw the test out. That's what I'm unhappy about. You're telling me that in order to cut grass or work for the Public Works Department, you've got to take a test in this town. But to protect the lives and citizens and people that come to this town every day, you ain't gotta take a test? I think that's ridiculous! The only man that passed the test is sitting in the room right now. But since you don't like him, he wasn't appointed Chief. That's what I hate about this Charter Revision. It's an appointment process? To be in charge of 250 volunteers? The man that is Chief right now – I have more certifications than him. I got 16 years in this Department. He supposedly has twenty-something? He has two State certifications. I got seven. You know, you want to make change? You want to bring up the morale? Put a test back in. Put the man that passes the test, that has the knowledge to be Chief of this Department in the position of Chief of this department. That's it.

*Soren Ibsen, 14 Beech Tree Hill Road
Member, White Hills Fire Company*

I was a past Assistant Chief in the City of Shelton for four and a half years. I'm firstly coming here – I'm somewhat appalled by Alderman Anglace's remarks in the Connecticut Post this morning about why the Fire Department wasn't at all these Charter Revision Commission meetings to voice their concern. Well, they were there. I was there at many of them. I spoke at many of them. I'm sure the Mayor read my letter that I read at one of those meetings. And every meeting I went to was, we're not going to talk about the Fire Department this time, it's too much of a controversy.

Every two weeks I was down here at City Hall listening to it, and nothing was done there. The Fire Commission talked to the Charter Revision Commission and made their recommendations, the Officers' Council made their recommendations. I actually saw a draft of the changes, which weren't too bad. I said, "oh boy, they finally listened to us." And just a few weeks ago, I see the new revision that makes these changes, and I said, "where the heck did they come from?" I know where they came from. They come from the Mayor and the puppet Fire Chief - the only ones that had input in here. And I am appalled by that. My biggest concern about the Charter Revision is the paragraph - the last paragraph that said, "*the Fire Chief, subject to the approval of the Mayor, shall appoint such Assistant Chiefs, Deputies and other Officers and Employees of the Department as the Commission deems necessary or convenient to the operation of the Department.*" Now we're going to have one person appointing on how you look, how you smile, how you kiss up to the Chief, as Assistant Chiefs? And it's going to be a Fire Chief that couldn't pass a written test - a 56 out of 100? That's pretty poor. Pretty darn poor. The other part - in the past, the Charter said the Board of Fire Commissioners would do those appointments as they deem fit. That was taken away from them. The Board consists of one member from each Fire Company in this town, and each Fire Company at least has some say on how the Fire Department is run. And it worked good for a lot of years until this administration got so far entrenched in it with the last Charter Revision where the Mayor gets a little more say in it, and now he wants even more say. We are really headed toward a paid Fire Department here, gentlemen. And just some quick calculations on average. Our \$500,000 a year budget over 17,000 households in town, each household pays about \$30 in their taxes to pay for fire protection. If a paid Fire Department comes in here I guess the \$8 million to \$10 million that other people have talked about, which is probably on the low side because you'll have to rebuild all of the firehouses, we're going to be bonding that for the next 20 years, I won't be able to live here. The average per household will go up to about \$600 a year. I'm not sure if, as a taxpayer, I can't pay that much more. My taxes went up 22 percent the last change in revaluation, yet the budget only went up seven percent. I don't know who is paying all the difference; I know I paid a lot of it.

There are a lot of other things that are going on. The Assistant Chief talked about the firefighter equipment not being purchased. I understand P.O.s are being held up. They're sitting on the Mayor's desk. He is micromanaging almost every department in town. We have an air conditioner at the White Hills Firehouse that hasn't worked all summer. We keep asking about it, and it appears that because we're outspoken up there, it's just kind of punishment that you're not going to get it fixed, and we have to sit in the heat after we come back from a fire. It's really bad. Even this year, the Chief and Assistant Chief positions that were open after three years, they were never re-opened. Nobody could ever apply for the positions. This is all becoming political appointments. I think that it's not the way to go here. We need to go back to a testing process. The Mayor should be worried about garbage collection and getting our garbage collected on time, and not two days later, smelling up the streets all over. I mean, it's pretty bad that we can't even get that done right in this town.

*Justin Sabatino. 193 River Road
Fire Commissioner, City of Shelton*

Mr. Mayor, Board of Aldermen, I came here tonight to present the views of the Board from our Chairman, who couldn't make it tonight. In response to the newspaper article, the Board has met with the Charter Revision

Commission to discuss the Charter, and we did make recommendations to them at our meeting and at a public meeting. We turned in copies of letters to the Commission, and cc'd the Board and the Mayor. We gave our input to the Commission. They chose to use some of our ideas, and some they ignored.

Also, I'm here to support my fellow brother and sister firefighters. We do have concerns about these changes, and we know it will have a great impact on how we operate. I don't support the views of Chris Jones in the paper today. We are funded appropriately, and this year's budget, not being based on the shortfalls in the funding to the City by the State, we should be able to fund most of the Companies' requests.

The issue on trucks coming here tonight was not our intention to draw political support, but to show a unity. We decided to come here in our antique truck, which is 50 years old. Fifty years ago our antique served the City when politics was not involved in firefighting. It was never an issue, and we did our jobs. Over the years, the volunteers have been given a picnic to honor the volunteers. It was ended in part to scheduling problems and conflicts. It was supposed to come back as an awards dinner, to recognize the members for their bravery and years of service. This was supported by the chairman of your Board and our Board, and still nothing has been done for the volunteers.

We are the backbone of the City. We risk our lives every day on the line - tonight in particular, protecting our City buildings. Every time an alarm rings we respond. We sacrifice dinners, games, plays, sometimes our own families, to do this job. We need this Board to help us stay volunteers by helping us recruiting for members and also to help us retain membership. This should be a joint effort between the Fire Department and the Board of Aldermen. Thank you.

Tom LaTulipe, 91 Toas Street

I am here this evening because I was a very strong supporter of police commissions. Very outspoken about police commissions. I had a public hearing - it was hosted by the Democratic party where the commissioners were present and answered questions and answers concerning the duties and responsibilities of commissioners throughout Connecticut. They vary in different departments. Their appointments are different, many times. There were Democrats, Unaffiliated voters and the Republican party, that was having the meeting in the next room did not care to attend. I was going to go before the Charter Revision Commission, but the Chairman of the Commission made a statement in the paper that they went through this before; they don't want to hear no more of it.

I'm here this evening because I look around here and I see young and old people, not ancient like me, but they're a good group, and this is the first place for children to learn the responsibilities and what life is all about. You have volunteers here that should be commended. This is not the first time I've seen the firemen come in here in a mass group like this. I've seen it a couple of years ago. I think they should be commended for the job they do and how you can resolve this problem is probably be take a step back and take a second look at it.

The President of the Board of Aldermen said he didn't know where they've been for the last 18 months. When the Charter Revision Commission was meeting. The Chairman or the Committee made the presentation to the

Board of Aldermen, and it was at that time that the President of the Board of Aldermen and the Mayor made further recommendations and sent it back to the Charter Revision Commission if I remember right.

You take firemen or uniformed services I should say, that respond to calls. When they get a fire call everybody thinks they're going to a grass fire. I don't know, I don't like to bring out some of the past but it's not very pleasant if you're the first one on the scene where a mother and a daughter got killed in a car accident, and it's not very nice when you see somebody burning up in the car and you can't get them out and they beg you to kill them, and you can't do that because you'd be arrested. But I've experienced things like that alongside firemen. I don't know if you've ever gone into a building and seen a body that was burnt up – I have - and it's an awful sight, and you live with it every night, even after your retirement, because I wake up in the middle of the night thinking of some of the cases that I was on, with firemen. I think they should be commended for the job they're doing here in Shelton. Aside from the money that they're saving the City, I think their response time is very good. Thank you very much you're your time.

*Tony DeSarli, 36 School Street
Member, White Hills Fire Department*

I've been with the White Hills Fire Department for about 18 years, and I'd just like to address the one issue in the Charter regarding the Chief of the Fire Department electing his own officers and Assistant Chiefs. You've already heard all the issues about him flunking the test and so forth and so on. I'd just like to remind everyone that we are here as a unit to address the fact that we want the best-qualified individual in that position. And again, as other people have said, we go into buildings, we go to accidents, we're on call 24 hours a day 365 days a year and we want to make sure that the qualified person that is leader this Department is truly, in fact, qualified.

The process of the election of the Fire Chief has happened over the last four or five years has been tainted. The policies and procedures have been changed to elect this individual. Now we are also saying we're going to have this individual elect Assistant Chiefs and Officers of the Company. Again, we're going to look into nepotism, favoritism. We're not going to get the property and the most qualified individuals in those positions. Right now, the individual companies elect their own officers. Yeah, there may be some favoritism in there, but you have a majority rule of that fire company. They know the individual, they've worked hand in hand with that individual and they've put their life into their hands. That's what they do. They knew they were a good person and they want to follow that person into an alarm.

If you go forward with this Charter, and have that Fire Chief elect that, elect those officers, then again, based on the process so far where the written test has been deleted, we're not positive that you're going to get the most qualified individual there to lead this Department. Again, there are a lot of people here - 225 members in total with their wives and families and neighbors that are relying on them. I'd like you to take a step back and let's get the most qualified individual in there. The way this Charter is written is not the way to do it.

Ron Pavlucik, 287 Eagles Landing

Good evening. I recognize some of the guys in this room who showed up one day when I was making garlic bread in my toaster oven, and I set off my

fire alarm. Even though I was home, I didn't realize it was ringing at the central office. I'll tell you, they responded very quickly and I was very embarrassed that I ruined their afternoon. I'm glad they were there and responsive, even though it wasn't anything urgent.

I think we've got a problem with spending priorities in this City. I moved to Shelton three years ago with my wife to Aspetuck Village, we're very happy there, from Stratford, where I was raised, and the Fire Department in Stratford, as I recall, has a budget of about \$10 million. It has about 100 members, 5 or 6 officers, they're all nice people – some of them are some of my former classmates from grammar school in Stratford. They've got 3 or 4 fire houses as I recall. They're building a new fire house now for about \$6 million on Main Street, next to the current one. We've had nothing but problems in Stratford over the years with injuries, early retirements and workers compensation cases from the firemen. They ended up costing the Town of Stratford a lot of money in payments to these people, and lawyers' fees. I would hate to see that happen to Shelton, my new adopted home, where I expect to spend the rest of my life. If some of these petty financial issues and organizational issues can't be resolved in a timely manner.

It is shameful to hear some of these people talk tonight about some of the supplies and equipment that they can't get, and get decent working conditions back at the firehouse after they return from helping us in town.

I am particularly annoyed, as some of you know from prior talks up here, about the wasteful spending of the Board of Education. I know before this Board there is a proposal by the school Administrators – they want to have a five-year contract approved by this group – 3.9 percent raise every year for five years, and this is the same group of school Administrators, if you'll recall, that just pushed through the Board of Education earlier this year the early retirement package that gives each of the participating retirees a \$30,000 bonus. There is a reporter in this room that mischaracterized that retirement program in an article a few weeks ago. She misrepresented by saying that it was a golden handshake early retirement package to get school administrators to retire early and save the City some money so that younger people could come up and be promoted at perhaps a lower salary. That is actually a misstatement of the facts. Those are retention bonuses of \$30,000. The school Administrators want to stay on longer in their jobs - they are actually keeping the younger teachers and future administrators from being promoted upward to take their positions. So it's a program that is going to cost Shelton, as you know, \$300,000 plus, if they also come back as consultants at \$50 per hour. So while the Board of Education and Administrators are looking for all of that extra money, a 3.9 percent raise every year for 5 years, you've got guys here that can't get batteries from the Fire Headquarters. So I think the problem is one of misplaced priorities, and I strongly urge you to reject the request by the school Administrators for that outrageous, inflationary increase in their salary, and turn some of that money back to the excellent people in our town that protect us in the Fire Department. Thank you.

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

Mayor Mark A. Lauretti

As I indicated earlier on in the public portion that I was going to take the opportunity to respond to some of the comments. I want to respond, specifically, to the Charter because I think it is probably the single most important issue here.

I also want to make a few general comments with respect to the Fire Department and the service that they provide to the City. I think I speak for the entire community – I don't think there is any one of us up here or in the community that discounts the effort that the Fire Department has given us over the last 50 years of service to this community, or however long that they've been actively involved in protecting the City. That goes without saying, although sometimes it does need to be said, it needs to be said in the proper context and in the proper form.

I am also well aware that there are certain personalities that have a distaste for the people that sit at this table, including myself. That goes back a number of years. I'm not going to get into that, because this is not about that.

When I look at things, I try to look at the policy end of the good and bad and how it affects the overall operation of the City – and not the person, but the position. How does the position either enhance or detract from the overall end product. You know, I am well aware that there is some dissatisfaction with members in the Fire Department about some of the Charter changes, but I really believe that if there was a clarification of what some of your concerns were – some of you, not all of you, are going to have a change of heart and say, some of these things that got said tonight are just not so. Because there is not very much different in today's Charter as what is being proposed.

I want to say that the Charter of this City

[outburst from the audience]

that the Charter of this City has served it extremely well. The purpose of Charter Revision is to revise and to improve and to update different aspects of the Charter that will enhance the operation. I believe it has done that. I have asked Counsel to look at and analyze, for the benefit of the community, the changes that are being recommended for the November ballot, and I want to read to you the memo that he sent to me today, and then I want to expand on a few points, more specifically about the authority of the Chief:

Pursuant to your request, this office has reviewed the proposed Charter changes relative to the Fire Department. Please be advised that Section 6.9.3.2 specifically states that the Board of Fire Commissioners shall be the chief administrative body of the Fire Department.

I believe that language has been modified just a bit, but it clearly, and squarely puts the administration of the Fire Department with the Board of Fire Commissioners.

As the chief administrative body, the Fire Commission is responsible for the management of the Fire Department, as well as adopting and enforcing the Department's policies and procedures.

And the key words here are "adopting and enforcing."

Section 6.9.3.5 provides that the Fire Chief, subject to the approval of the Mayor, shall appoint such assistant chiefs, deputies, and all other officers and employees of the department as the Commissioners deem necessary or convenient to the operation of the Department.

In simple terms, I think that means that the Fire Chief will appoint, subject to the marching orders of the Board of Fire Commissioners. That includes testing procedures, appointments, certified lists for appointment, and all of the above. It doesn't mean that the Chief just arbitrarily picks someone off the street to fill respective positions. It also doesn't mean that the Chief has any involvement or any jurisdiction over the individual fire companies that represent the Shelton Fire Department. The Echo Hose Fire Company, White Hills Fire Company, the Huntington Fire Company and the Pine Rock Park Fire Company are separate entities unto themselves, and they're separate corporations. They pick and choose their own lieutenants, their own captains, and all of their officers, and operate within the same scheme that they always have. The memo goes on to say:

Please note that based on the foregoing, the intent appears to be that the Board of Fire Commissioners as the chief administrative body of the Fire Department adopts the policies and the procedures for the hiring of any officers and/or employees of the Department. The Fire Commissioners would then prepare and submit an eligible list of candidates for the Fire Chief for appointment. The Board of Fire Commissioners selects and recommends the appointment of the Fire Chief, subject to the Mayor's approval.

Someone said earlier that the Mayor has more power in this Charter. That is absolutely not true. There is no more authority given to the Mayor in the proposed Charter as what already exists today.

The Fire Commission currently has policies and procedures regarding the qualifications and the appointment of officers or employees of the Department. The proposed Charter change does not affect this procedure, but only affects the appointment of the same.

TAPE ONE, SIDE TWO

From a legal standpoint, I think that is as clear as it can be. What's different in this Charter in the proposed language, is that the Chief is responsible for the day-to-day operation. And if anybody here doesn't think that's normal, you have to look around to see what goes on in modern U.S.A. Every major city in the country, every progressive department, has one boss. If the boss is not doing their job, then it's the authority above the boss to remove him or correct it. That comes from the Board of Fire Commissioners.

Some of the things that were said here tonight I find very unfortunate. I don't think that there is any administration, including this one, that hasn't absolutely and positively supported this Fire Department in every endeavor. I know that some of you want to disagree with that, and that's okay. That's your prerogative.

But look at the equipment that has come to this Department in the last couple of years. Look at the equipment that is about to come. Look at the things – you know, someone mentioned about not having the proper turn out gear. There was \$50,000 encumbered out of your budget last year for the purchase of turn out gear. That is not my responsibility to make sure that the turn out gear gets to you, or the batteries for your beepers. With all that being purchased there was still money left over. So I am hard pressed to take on this argument about all of the things that are so badly wrong. You know, at some point in time people need to focus on the big picture. The operation of this City and the operation of the Fire Department is about the big picture. It's about the positions – it's not about the people or the personalities. Because if those are what go astray, then those are easy to replace. This Charter has well served this City. And hopefully it will well serve it far into the future. We don't have near the problems that other communities have. Is it perfect? Of course not. Will it ever be? Of course not. But that is the responsibility of the people in the position of authority to make it work as best it can. And I'm telling you that people have tried damn hard to make this thing work. And I think it has worked far beyond many peoples' expectations – including the operation of the Fire Department. I'm going to stop there, because I don't want to address every single thing that got said here tonight, because some of them are just baseless and not part of what's for the better good of the City.

Agenda Items

Add-Ons

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

- 5.1.3 PVC Lockers – Community Center
- 9.4 Charter Revision Funding
- 9.5 Constitution Park

SECONDED by Alderman Papa.

Alderman Finn added, also item 10.5 - Condemnation - Easements.

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

Alderman Anglace stated, I would like to get all of my ducks in order before we come to this meeting, and nine out of ten times, I can't do it. I've got the most up-to-date e-mail, fax and everything else. I want the information before I get here. I don't want to come to this meeting and have to put pieces together because, as you just saw, we miss it. I'm saying this as an administrative issue, and I want it done, because it's embarrassing. Thank you, Alderman Finn, for picking up on that.

Mayor Lauretti stated, this item was added tonight, so it was impossible to get the information to you.

Alderman Anglace stated, it shows up – that's what I mean.

Mayor Lauretti stated, the only way to solve that is to not add anything the night of the meeting. This is an item that got added today.

Alderman Anglace stated, that is exactly what I'm suggesting.

Mayor Lauretti stated, I believe the reason it was added was because, really, it's an old item.

Alderman Anglace stated, we can't prepare motions, you come in and you don't even have a chance to review it.

Alderman Finn stated, Alderman Anglace you are absolutely correct. We have no backup motion on 10.5. No information whatsoever.

Alderman Anglace stated, it's got to stop. You can't add the night of the meeting. It's got to stop.

Mayor Lauretti stated, from my standpoint this is a pretty simple addition because this is an old item that has been discussed before.

Alderman Anglace stated, it doesn't matter how simple it is, it's just not able to get into the order of business, you can't review it in advance, it's just the wrong thing to do. I've said enough.

Mayor Lauretti suggested, take it off of the agenda, let it wait.

Alderman Anglace said no, we'll leave it on. It's just for the future.

Minutes For Approval

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

1. Regular Meeting of August 14, 2003
2. Special Meeting of August 20, 2003
3. Special Meeting of August 22, 2003

SECONDED by Alderman Marangelo.

Alderman Anglace offered the following correction to the minutes of August 22, 2003 – it is a typo in the minutes – the ballot label for Resolution One (1) should read as follows:

"SHALL THE APPROPRIATION AND BOND AUTHORIZATION OF \$3,000,000 FOR THE RESURFACING OF ARTERIAL ROADS IN THE CITY OF SHELTON BE APPROVED?"

Note: this was a typo - typed as \$3,500,000 however should have been typed as \$3,000,000.

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

5-1 FINANCE COMMITTEE

5.1.1 Approval of Minutes

Alderman Anglace MOVED per the recommendation of the Finance Committee to waive the reading of and accept the minutes of July 22, 2003; SECONDED by Alderman Kudej. A voice vote was taken and the MOTION PASSED 8-0.

5.1.2 Refund of Taxes – August 2003

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 \$33,427.03 be approved and that the Finance Director be directed to make payments in accordance with the certified list received from the Tax Collector. Funds to come from the Tax Refunds account #001-6100-412.80-42; SECONDED by Alderman Kudej. A voice vote was taken and the MOTION PASSED 8-0.

5.1.3 PVC Lockers for Community Center

Alderman Anglace MOVED per the recommendation of the Finance Committee to accept bid #23-42 for PVC lockers for the Community Center locker rooms; and

FURTHER MOVED to transfer \$32,025 from Contingency General Account #001-9900-900.99-00 to Building Maintenance Account #001-4800-716.65-08; SECONDED by Alderman Finn.

Alderman Papa stated, I'm happy to approve this. The lockers that we've had there have been there since the building was opened – they are about 11 – 12 years old. They're metal lockers and they're really in bad shape. This should add to the efficiency of the building and the maintenance of the building.

Mayor Lauretti stated, the real reason for the replacement is not the age of the lockers, because 11 or 12 years is not a long time by anyone's standards. It's the fact that it's the wrong application. It was a metal product and it should have been a fiberglass or what we're doing now. So they're rusting.

I am a little uneasy about the money coming from the General Contingency. I thought that this would be a LOCIP appropriation.

Alderman Finn stated, no, LOCIP would be new. This would be replacing.

Mayor Lauretti stated, that's what LOCIP is for - to upgrade and to replace. I would be hesitant to take the money from Contingency at this point. I would think that this is a LOCIP item. Perhaps we should modify the motion to add it to the Capital Improvements List, and approve it that way, and if it's not a LOCIP qualifier, then it will be back before you at the next meeting.

Alderman Anglace MOVED to AMEND THE MOTION to add the \$32,025 to the Capital Improvement List for the PVC Lockers, with the money to come from LOCIP, and in the event that it is not LOCIP eligible, to proceed with the original motion and take the money from the Contingency General account; SECONDED by Alderman Finn. A voice vote was taken and the AMENDMENT PASSED 8-0.

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

5.2 PUBLIC HEALTH & SAFETY COMMITTEE

NO ITEMS

5.3 STREET COMMITTEE

NO ITEMS

MAYORS CORRESPONDENCE

PRESIDENT'S CORRESPONDENCE

Alderman Anglace stated, I would like to read into the record a note that was addressed to the Board of Aldermen:

My husband and I would like to thank you for approving the removal of the jersey barriers and broken asphalt from the strip of land next to our property at 58 Plaskon Drive. The grass is growing there and it is a great improvement to the whole neighborhood. Sincerely, Ellen and Ben Trabka.

I thought you'd like to know that.

6.0 LEGAL REPORT

6.1 Corporation Legal Counsel

Alderman Anglace MOVED to authorize a total payment of \$2,843.39 to Corporation Counsel Winnick, Vine, Welch, & Teodosio, LLC for services rendered per statement dated August, 2003 with funds to come from the following Legal Services Accounts:

Legal Fees	001-1900-411.30-03	\$ 2,728.82
Foreclosure Fees	001-1900-411.50-01	\$114.57

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

6.2 Assistant Corporation Counsel

Alderman Anglace MOVED to authorize a total payment of \$ 812.50 to Attorney Ramon Sous, for services rendered per statement dated September 1, 2003 with funds to come from the following Legal Services Accounts:

Legal Fees	001-1900-411.30-03	\$ 562.50
Miscellaneous Services	001-1900-411.80-03	\$ 250.00

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

7 LEGISLATIVE - OLD

7.1 Ordinances From Public Hearing

Alderman Anglace MOVED to adopt amendment to Ordinance #668 – Merit System and Personnel Rules Ordinance, as presented at the Public Hearing on Ordinances on August 28, 2003 as attached.

7.4.2 When the examination consists of written and oral interview test components, all qualified applicants shall be invited to participate in the initial written test. Up to ten candidates who have received the highest passing score on the written test shall be invited to participate in the oral interview test. If the examination has been designated as a promotional examination pursuant to Section 1.13, all applicants who receive a passing grade on the written test shall be invited to participate in the oral interview test.

and FURTHER MOVED that this ordinance be published in summary form with a full copy available for review in the Office of the City/Town Clerk. SECONDED by Alderman Marangelo. A voice vote was taken and the MOTION PASSED 8-0.

7.2 Pine Rock Park Improvement Fund

Alderman Anglace MOVED to rescind the action of the Board of Aldermen regarding the Pine Rock Park Improvement Fund passed on April 10, 2003; SECONDED by Alderman Marangelo.

Alderman Anglace stated, just for the record, that action is not necessary since the CRRA settlement money is expended momentarily, and will cover the costs associated with the previous motion.

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

7.3 Contract Revision – Waste Management

Alderman Anglace MOVED that the Board approve the extension of the contract with Waste Management, as revised pursuant to the Nocella Memorandum of August 26, 2003 and to authorize the Mayor to execute the same on behalf of the City; SECONDED by Alderman Simonetti.

Alderman Lanzi asked, are we satisfied with the Waste Management collections? We're still having problems throughout the City collecting garbage.

Mayor Lauretti stated, I would say that there have been some problems. I think that overall, there has been an improvement. Are we where we want to be? The answer is no. But the contract as it sits gives the City all of the flexibility that it needs. We can opt out of there any time we want – we just have to give them 60 day notice. So it doesn't matter whether I sign this or not – you have the ability to get out of the contract. Some people have raised that point to me about – don't sign the contract – but it doesn't matter, we have the ability to get out. That is what is most important.

Alderman Finn stated, we've already approved this, so basically, you're just asking us to approve item #10, which is, "in the event the City privatizes the operation of the transfer station..." Is that the only thing you're asking us to approve?

Mayor Lauretti stated, that's the only change to the contract that you've already approved. That is correct.

Alderman Finn stated, so, the rest has already been approved with the exception of the change, which I'm sure Waste Management has already indicated that they're in agreement with?

Mayor Lauretti stated, yes.

Alderman Finn stated, so we're just acting on item #10.

Mayor Lauretti stated, you're acting on the whole agreement, which included is item #10. You're going to approve a document that you've already approved 99 percent.

Alderman Finn stated, it sounds like we're approving the whole thing again.

Mayor Lauretti stated, we are.

Alderman Anglace stated, item 6, I think it needs to be clarified so it's not misunderstood. Item #6 reads, *"Waste Management will dedicate one employee to be in the City during all hours when routes are being operated for the sole purpose of collecting any residential complaints for a period of up to 60 days or longer if necessary."*

Residential complaints can be in the form of written complaints and he can collect them, but I'm sure that's not our intent. We mean that he can go out there and pick up the garbage that wasn't picked up.

Mayor Lauretti stated, I would interpret this to be someone in a supervisory capacity that can oversee the day-to-day operation to ensure that every street is getting picked up. And, quite honestly, they've gone through three managers since we've taken this issue up at the beginning of July. Marilyn Gannon and I have had regular meetings with their regional people.

Alderman Finn asked, is there somebody from Waste Management in the City on a daily basis?

Mayor Lauretti replied, there is.

Alderman Finn asked, where is he stationed? Is he out driving around?

Mayor Lauretti stated, he's in the field with his personnel. Sometimes they have four trucks, sometimes they have seven trucks.

Alderman Simonetti stated, I've seen the supervisor with the trucks on Howe Avenue discussing problems. He's got a little supervisors' vehicle he drives around in.

Mayor Lauretti stated, I've got to say that they have made an effort. Is service back to normal? Well, the answer is – it's a mixed bag – it's yes and no. And then we had the Labor Day weekend, and everybody thought, there's a delayed pickup. The calls were coming in like crazy on Tuesday – they didn't pick my garbage up yesterday. Well, they're not supposed to, they're supposed to pick it up on Tuesday if you had a Monday pickup. But I made sure they got Aspetuck Village.

Alderman Anglace stated, well, if you look at this thing, coming in where we did with the contract extension, dollars and cents basis, it makes sense. Bear with it a little bit.

Mayor Lauretti stated, I've got to say this again – it's \$125,000 difference between the next bidder, which you'll have no guarantee that they won't go through a learning curve and have problems with personnel. So I'm trying to ride it out. For many years gone by, and I've said this before, they perform pretty well. They had a bad year last year. They acknowledge that.

Alderman Finn stated, just for the record, I just want to let it be known that I'm in agreement with the change on item #10, but I still don't see awarding the contract to somebody who can't provide the service.

A voice vote was taken and the MOTION PASSED 6 Yes, 2 No (Finn, Marangelo).

ADDENDUM ONE, REVISED
CITYWIDE WASTE COLLECTION CONTRACT
BETWEEN WASTE MANAGEMENT OF CONNECTICUT INC.
AND
CITY OF SHELTON

Whereas, an agreement was made and entered into effective as of the 1st day of July, 1998 by and between the City of Shelton, a municipal corporation, and North East Waste Systems, Inc. and

Whereas, Waste Management of Connecticut Inc., a corporation duly organized and existing under the laws of the state of Delaware is the successor to North East Waste Systems, Inc.; and

Whereas, the term of said contract was for a period of five years; and

Whereas, pursuant to paragraph 10 thereof, the city has the right to extend this contract for incremental periods of one year, not exceeding three; and

Whereas, based upon certain undertakings and agreements on the part of Waste Management, the City, subject to the terms of this addendum, has decided to extend the contract for one year from July 1, 2003 to June 30, 2004.

Now, therefore, for valuable consideration, the parties further agree as follows:

1. The total price of said waste collection for said one-year period commencing July 1, 2003 shall be \$618,995.28 payable as set forth in the original contract.
2. The services to be provided include only waste collection and hauling from the City Transfer Station, recycling services having been eliminated from the contract.
3. The Performance Bond in an amount equal to 110% of this contract price shall remain in effect.
4. The City reserves the right to terminate the agreement with or without cause upon 60 days written notice to Waste Management. Waste Management shall only be entitled to compensation on a pro rata basis to the date of termination for services performed.

5. The City reserves the right to require Waste Management to supply a suitable waste collection vehicle to be left at a site designated by the City at all times during this agreement. The parties agree to enter a mutually acceptable lease for said vehicle at a cost of \$1.00 per year. The vehicle may be used by the City to collect any residential refuse in the City's discretion that was missed during regularly scheduled collection routes or may hire an independent contractor to collect same. Waste Management shall be responsible for and shall reimburse the City for any and all costs incurred as a result of the City pick up of missed collections which shall include but not be limited to the paying of independent contractors, labor costs, gasoline, repairs and maintenance to the vehicle. Labor costs shall include but not be limited to hourly wages, overtime, benefits, workers compensation payments, etc. Any and all costs incurred by the City as a result of missed collections may be deducted by the City from amount due Waste Management.
6. Waste Management will dedicate one employee to be in the City during all hours when routes are being operated for the sole purpose of collecting any residential complaints for a period of up to 60 days or longer if necessary.
7. Waste Management will supply a radio compatible with its supervisors to allow instantaneous communication for the purpose of checking the status of route collection activities and previously reported complaints.
8. The parties agree to work cooperatively to monitor service levels by logging complaints and formally reviewing said logs on a weekly basis so that Waste Management can take corrective action.
9. Waste Management shall maintain all insurance required by the contract.
10. The City reserves the right at any time to eliminate and delete the requirement of Waste Management to haul from the City Transfer Station *in the event the City privatizes the operation of the Transfer Station.*

All other terms and conditions of the original agreement remain unchanged and in full force and effect except as to matters dealing solely with recycling.

In witness thereof, the parties have caused this Amendment to be executed by their respective authorized officers or agents on the date set forth below.

CITY OF SHELTON
MAYOR

WASTE MANAGEMENT OF
CONNECTICUT INC.

Mayor Mark A. Lauretti

Vice President

8 FINANCIAL BUSINESS – OLD

8.1 Nike Site Improvements – Meeting Room

Alderman Anglace MOVED to add "Improvements to Meeting Room at Nike Site" to the Capital Improvement Plan with funding for demolition of walls, renovations, and upgrades to electricity and plumbing in the amount of \$5,000 to come from LOCIP; SECONDED by Alderman Marangelo. A voice vote was taken and the MOTION PASSED 8-0.

9.0 FINANCIAL BUSINESS - NEW

9.1 Water Main Extension – Fairlane Drive, Millbrook Road, Short Street and North Street

Mayor Lauretti stated, I believe that this item has to go to public hearing before it comes here so there is really no action that is necessary or required by this Board at this time. What the City Engineer has to do is to schedule a public hearing, so I'll instruct him to do that.

Alderman Anglace stated, what we're trying to do with this is to coordinate it so that it falls the same night as one of our committee meetings falls, so we don't find ourselves coming out on two nights.

Mayor Lauretti stated, I also wanted to say that this is a project that probably will not get done until the springtime, because of the inclement weather that's coming and because of being able to maintain the traveled portion of the road properly. That is something we're going to be very close – I really don't see it being possible. By the time you get the public hearing done and all of the comments.

9.2 Pavilion – Downtown Area

Alderman Anglace MOVED to authorize the solicitation of bids for a downtown pavilion located across from the Farmers Market area, with architecture consistent with the existing Farmers Market building. The City Engineer and Purchasing shall draw up specifications and dimensions for the bid; SECONDED by Alderman Papa.

Mayor Lauretti stated, for discussion purposes, I want to recommend that we refer this to the Finance Committee, because I think that there is more discussion that needs to be had on this. I think that the SEDC should be in the loop, because if this is going to go on the site that is on the riverfront, as you know they had overseen that project, and there may be some restrictions, there may be things in the ground such as electrical conduits, water, that they'll need to weigh in on and let the engineer know. So, a meeting has got to be consummated between the two.

Alderman Anglace stated, I was going to suggest that – I wrote down here that I'd like these specs to be reviewed by SEDC and again by the Board of Aldermen, before they go out to bid, so we can get a final look at it. Let them handle it and then it will come back to us.

Mayor Lauretti stated, I do want to say on behalf of the engineer right now that he is down a man, he had a person leave about three weeks ago, and we're in the process of hiring a new person. That is going to take maybe

another month and a half to two months. I couldn't say that this is a priority right now. We've got a lot of other road projects that are going to get finished before the asphalt plant is closed.

Alderman Anglace stated, I think in principal we can proceed with it.

Alderman Papa asked, what Parks & Recreation submitted to the Aldermen was, we are going to give you dimensions and ideas of what we have looked at, and we're going to talk to the engineer – I know he's busy at this time – and also the purchasing agent to get some ideas and specifications on what we're going to look at, in conjunction with the Aldermen, so they could approve it before we even do anything further. It's something that I think we can get downtown. It's not a rush; it's not a priority. It's just something I want to get on the table so we could look at it now and maybe in the spring of next year we could do something.

Alderman Kudej stated, Mr. Mayor, as a member of Parks & Recreation I also support the plan. I would hope that we really consider this.

Mayor Lauretti stated, I think everybody agrees with that thought and that idea. I'm not so sure that it's a bad idea to incorporate the landscape architect who did the Veterans' Memorial, who has a familiarity with the site, I mean, how much more could it cost to have – and this is what these people do. Our engineer is more involved in drainage issues and road construction and surfacing and things like that. That's why I thought that.

Alderman Anglace stated, that would help expedite it also.

Mayor Lauretti stated, I think it would expedite it.

Alderman Papa stated, any assistance you give us, obviously, is going to benefit the City. So if that's the way you want to go, we can obviously go that way. The most important thing is to get the best pavilion we can for downtown, at the best price.

Mayor Lauretti stated, we should ask Jim Ryan to come with the architect to a Finance Committee meeting, and members of the Parks and Recreation, to discuss that project.

Alderman Lanzi stated, I'm thrilled to see that something else will be added downtown.

Alderman Anglace WITHDREW THE MOTION; Alderman Papa WITHDREW THE SECOND.

Alderman Anglace MOVED to refer Item 9-2 – Pavilion – Downtown Area to the Finance Committee; SECONDED by Alderman Lanzi. A voice vote was taken and the MOTION PASSED 8-0.

Mayor Lauretti asked that the Temporary Clerk instruct the Regular Clerk to forward all information and excerpt of the minutes to Jim Ryan at SEDC.

9.3 Waiver of Bids – Plumb Memorial Library Furnace Upgrade

Alderman Anglace MOVED to add \$11,500 to the Capital Improvements Plan with funds to come from LOCIP for repair of the Plumb Memorial Library furnace.

Mayor Lauretti stated, in addition to that motion I think you also need to authorize a waiver of bids for the project. It is immaterial – it talks about the furnace at the Plumb Memorial Library. I believe that the motion you have on the table is fine, you just have to add the waiver of bids portion.

Alderman Anglace FURTHER MOVED to waive the bids on this project subject to the receipt of a letter of recommendation from the Purchasing Agent; SECONDED by Alderman Marangelo.

Alderman Anglace stated, \$11,000 sounds like a lot of money for a furnace. I have electric heat so I don't know.

Mayor Lauretti stated, this furnace is some 25-odd years old and rather than replace all of the ductwork associated with it, the chamber that's bad on it – replace the chamber. It's a specialty-type item, I'm not sure how you would bid that. It has got to be fabricated to the size and shape that's there now.

Alderman Simonetti stated, I have to tell you, that \$11,000 I don't think is just for the purchase of the equipment, but includes the installation. They also have to take the old one out. The furnace is only a portion of that. I think it's a good price.

Mayor Lauretti stated, that's correct. This is the total job.

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

9.4 Transfer of Funds – Charter Revision

Alderman Anglace MOVED to appropriate \$231.00 from Contingency General Account #001-9900-900.99-00 to Charter Revision, Account #001-0300-412.80-93 for clerical costs; SECONDED by Alderman Lanzi.

Alderman Anglace stated, you might recall that we took an earlier action on this and Jud Crawford from the Board of A & T had raised some questions with respect to this. I have a memo to go over which explains everything. I'll go over it with Jud first and I'll pass this to the Aldermen explaining what this is all about. The \$2,000 in the budget – the whole thing.

Mayor Lauretti stated, based on our contract of today, we're probably not going to need this money.

Alderman Anglace stated, this is money for clerical costs. All their money in last year's budget reverted back to the General Fund. We had to appropriate money for some clerical costs for this year.

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

9.5 Constitution Park

Alderman Anglace MOVED to authorize professional services to modify existing plans, develop specifications and authorize bidding for improvements to Constitution Park; and

FURTHER MOVED to appropriate \$4,800 from Professional Services account #001-0100-411.30-01 to pay for the services and authorize Mayor Mark A. Lauretti to sign any necessary documents to get this done; SECONDED by Alderman Kudej.

Alderman Papa asked, can you give us an idea of what this is going to entail – are there existing plans?

Mayor Lauretti stated, yes, we had, some four or five years ago, full scale plans drawn up by a landscape architect for the full build-out of that park at the bottom of Long Hill and Constitution. It was pretty pricey and pretty ambitious. Then we decided about a year or so back that we would start to phase things in, and we have. We've been doing some plantings up there and we did a water main installation. This will be for the build out of the flagpole and the area with brick pavement surrounding the flagpole. We're also going to put in electricity for lighting and extend a portion of the irrigation.

Alderman Anglace asked, this \$4,800 is just for the professional services of the person that is going to lay it out and follow it through.

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

10 LEGISLATIVE - NEW

10.1 Appointment – City Fence Viewer

Alderman Anglace MOVED to appoint Theodore Wandishion (R), of 40 Trolley Bridge Road, Unit 9, Shelton, as the City's Fence Viewer for a two (2) year term to expire September 30, 2005; SECONDED by Alderman Marangelo.

Alderman Anglace stated, I just want to raise the issue with Counsel. I think the appointment of a Fence Viewer's term is coincident with the term of the Mayor and the Board of Aldermen. I don't think we can make the appointment for two years. Can you take a look at it?

Corporation Counsel Welch replied, I will, I'll give you a written response.

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

10.2 Condemnation – Chromium Process Company Easements

Alderman Anglace MOVED to approve the acquisition of the permanent roadway, sidewalk, and utility easement along with a temporary construction/grading easement #1, temporary construction easement #2, permanent 25-foot drainage easement, permanent drainage easement and temporary construction easement as described in Schedule A as same are convenient and necessary to put into effect the Municipal Development Plan for purposes of contributing to the economic welfare of the City of Shelton; and

FURTHER MOVED, to authorize and allocate the sum of \$1,400.00 as compensation for the foregoing acquisition with said funds to be paid from the Shelton Enterprise and Commerce Park, Phase II, Account #401-0000-950.80-75; and

FURTHER MOVED, to authorize the Shelton Economic Development Corporation to act on behalf of the City of Shelton as the condemning authority.

SECONDED by Alderman Marangelo.

Corporation Counsel Welch explained that Schedule A is the description that is attached to it – your legal description. Please note that Schedule A is the legal description dated December 13, 2002, as well as the map attached.

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

10.3 Condemnation – Samarius Wernick, Trustee Easements

Alderman Anglace MOVED to approve the acquisition of the permanent roadway, sidewalk, and utility easement along with a temporary construction/grading easement #1, temporary construction easement #2, permanent 25 foot drainage easement, permanent drainage easement and temporary construction easement as described in Schedule A as same are convenient and necessary to put into effect the Municipal Development Plan for purposes of contributing to the economic welfare of the City of Shelton; and

FURTHER MOVED to authorize and allocate the sum of \$900.00 as compensation for the foregoing acquisition with said funds to be paid from the Shelton Enterprise and Commerce Park, Phase II, Account #404-0000-950.80-75; and

FURTHER MOVED to authorize the Shelton Economic Development Corporation to act on behalf of the City of Shelton as the condemning authority.

SECONDED by Alderman Marangelo.

Corporation Counsel Welch explained that the property description and map are Schedule A. On each of the maps, there are certain references – with some respects to removal of a fence or things of that nature. All of the items listed on the map are part of the condemnation process.

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

10.4 Condemnation - Rolfite Company

Alderman Anglace MOVED to approve the acquisition of the permanent roadway, sidewalk, and utility easement along with a temporary construction easement as described in Schedule A attached hereto, as the acquisition of the same are convenient and necessary to put into effect the municipal development plan for purposes of contributing to the economic welfare of the City of Shelton; and

FURTHER MOVED, to authorize the Shelton Economic Development Corporation to act on behalf of the City of Shelton as the condemning authority.

(NOTE: the valuation of the acquisition is a -\$500.00. Therefore, no funds need to be appropriated.)

SECONDED by Alderman Marangelo.

Corporation Counsel Welch explained that the property description and map are Schedule A. The map and the notes included on the map are part of the condemnation.

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

10.5 Condemnation: Fuge Easements

Alderman Anglace MOVED to approve the acquisition of the permanent roadway, sidewalk, and utility easement along with a temporary construction/grading easement as described in Schedule A as same are convenient and necessary to put into effect the municipal development plan for purposes of contributing to the economic welfare of the City of Shelton; and

FURTHER MOVED, to authorize and allocate the sum of \$1,500.00 as compensation for the foregoing acquisition with said funds to be paid from the Shelton Enterprise And Commerce Park, Phase II, Account #404-0000-950.80-75; and

FURTHER MOVED, to authorize the Shelton Economic Development Corporation to act on behalf of the City of Shelton as the condemning authority.

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

11. EXECUTIVE SESSION

At approximately 8:35 p.m., Alderman Anglace MOVED to enter Executive Session to discuss the following items:

- 11.1 AOD V. GOODKIND & O'DEA
- 11.2 MARINO BROS.

And invited Corporation Counsel Welch to remain in the auditorium; SECONDED by Alderman Marangelo. A voice vote was taken and the MOTION PASSED 8-0.

At approximately 8:42 p.m., Alderman Marangelo MOVED to return to Regular Session, with no votes having been taken during executive session; SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 8-0.

11.1 AOD v. Goodkind & O'Dea

No action taken.

11.2 Marino Bros.

Alderman Anglace MOVED to accept the sum of \$7,500 as full and final payment for Marino Bros. of New England, Inc., relative to the case entitled "City of Shelton v. Marino Bros. of New England, Inc."; SECONDED by Alderman Finn. A voice vote was taken and the MOTION PASSED 8-0.

ADJOURNMENT

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

The meeting adjourned at approximately 8:45 p.m.

Respectfully submitted,

Patricia Regan Sullivan
Temporary Clerk
Board of Aldermen

Date Submitted: _____

DATE APPROVED: _____

BY: _____

Mark A. Lauretti
Mayor, City of Shelton