



Board of Aldermen
Shelton, Connecticut
Full Board Meeting MINUTES
Thursday, July 14, 2016

Call to Order / Pledge of Allegiance

President John F. Anglace, Jr., 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 – not 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:

Attorney Thomas Welch, Corporation Counsel

PUBLIC PORTION:

Samantha Tiberi, 9 Woodsend Avenue

I live around ten streets down from the High School. As a representative of the new generation in the Shelton community, I do not think that we should go through with this project. Shelton has unique beauty that cannot be seen in other towns. How are we supposed to teach children, teenagers and adults to take care of themselves when we cannot even do that with our own town, with the environment that surrounds us? Do you want us to lose that insight? When we cut down a beautiful amount of scenery, that cannot be seen again and that scenery is gone. When we do cut down those trees, money will be wasted on buildings that would eventually be knocked down. As you can see, the same fate came upon the factories in downtown Derby. I do agree that this project will increase employment and bring money into our town, but do we have to cut down 100

JULY 14, 2016

**BOARD OF ALDERMEN
FULL BOARD MEETING**

acres? Can we lower the amount of deforestation? Or instead of deforestation, can we fill other plots of land? For example, the empty lot in downtown Shelton that became a result of the Shelton fire. Think thoroughly on this project; think about the outcomes. Yes, money is a positive in this matter but later on down the line we will all realize that consequences come when we mess with nature. There is always a negative in this issue. Please do what is truly best for the Shelton community; listen to our voices and please take them into consideration. Thank you.

Gregory Tetro, 281 Buddington Road

Good evening to the Board of Aldermen. I was actually planning to attend the Board of Ethics meeting that was on the calendar for this evening. Someone told me I should make sure that the meeting was not cancelled. Low and behold, the meeting was cancelled but I had to take a short tour to get the whole story. The Town Clerk stated that it was cancelled, but had a sound of shock in her voice that I had asked. I asked if she knew why. She sent me to the Mayor's Office to speak with the secretary. The secretary explained that there is no Board of Ethics functioning at this time. She stated that two people resigned, leaving one board member and there is not enough to provide a vote on anything. So my first thought is, "there is no ethics in Shelton". Based on the events I found this quite shocking. I really wanted to know what happened to this board. I looked at the past meeting minutes. I found the last meeting was on 10/10/13. I know this because that is the meeting that actually has minutes. The 4/10/14 meeting was cancelled and the 4/9/15 meeting was on the agenda, but no minutes of that meeting were posted.

I also noticed that Jack Bashar had to resign before 12/1/15. I know this because per the Code of Ordinances, he could not retain that position when he became the Mayor's Administrative Assistant. Only by speculation I believed the second person resigned around the same time because the Mayor's secretary stated the two resignations together as though they were one. My first concern is it ethical to post a meeting of the Board of Ethics for this evening, when in fact there is no Board of Ethics? I have several other questions so I will distribute a copy of my speech for everyone.

My second question is obvious. As far back as 2013, were there only 3 members of the Board of Ethics? I went back to the Code of Ordinances, but I first used my Google to define "Code of Ordinances". What I found is ordinances are laws adopted by cities and towns. Basically some major rules by which a city or town govern. As an electrician, I teach code to my students. In any code, the word "shall" means it is a mandatory rule. So, per the Code of Ordinances, Section 5.3.5, the Board of Aldermen shall appoint 5 members to the Board of Ethics. This is required to be in compliance with the general statutes of the State of Connecticut. I have the utmost respect for this board, and have been treated fairly and respectfully since my first meeting, but to be true to myself and fair to everyone in this city I must ask that tough question. Why is there no Board of Ethics in this city? If it is hard to find people to fill these positions, I would be happy to help out. One guarantee I can provide you is you won't read about me in the newspaper, or find me in the courtroom

with my ethics in question. During this time while no Ethics Board was in place, no questions could be asked about the changes being made in this city. This has led to frustration, apathy and the feeling that your voice means nothing.

People can't come to meetings for a few reasons. We have older people who are concerned but just can't make it to the meetings. You have families who have both parents working to make ends meet. That leaves one parent home and another working, forcing them to miss a meeting. Of course, you have the ones who are so beaten down by changes that they have given up the fight. I wanted to ask several ethical questions to the Board of Ethics. We understand that there is very little information that needs to be posted, regarding Planning & Zoning meetings legally. Is it ethical to censor by omissions the rebuttals to developers' proposals? Is it ethical to shorten, omit or change any speech in a meeting? Is it ethical to have a Mayor meet with a developer and his attorney in the middle of a hearing? Is it ethical for a Mayor to hold a fundraiser for the Chairwoman of the Planning & Zoning Committee during an open hearing, considering he is on record of wanting these changes to our city? In no way I am saying that I know if any laws are broken. What I truly believe is many actions are ethically wrong. I am left nowhere in this city to have my fears heard and acted upon. The only way left to have my fears heard is through the Ethics Board of the State of Connecticut. That is not a process I ever dreamed I would have to consider, but I need to know if the fair and democratic process is still intact. I ask this board to act quickly to put into place the correct number of members into the Board of Ethics before any more irreparable harm is done to the City. Thank you.

Judson Crawford, 8 Jordan Avenue

It has to do with the Special Meeting on 6/28/16. You appropriated a figure of \$2,417,765 that was going to be for bonds to be sold for the City of Shelton. Continuing reading, the listing of all of the items to make up that figure, when I added them all up it came to \$2,417,745. Somewhere in here there is a \$20 error; could it be increased? I just wanted to bring that to your attention.

Alderman Anglace: Those numbers are verified by the Director of Finance of the City and Bond Counsel. I will refer this back to them and will ask them the question again, to have them look at it. They both come to us, and they both agreed that the numbers are correct and projects listed add up to what they say. So if there is a mistake, we will have them look at it again. Generally, they should be right on the money but I am not saying that it is.

Judson Crawford: All I was looking at, was that you had appropriated the figure of 65, and when it was added it was 45. It was just to bring it to your attention.

Alderman Anglace: We will check it and if it is wrong, we will adjust it. Thank you.

Dan Allen, 36 Narragansett Trail

I just wanted to address the Board of Aldermen to basically say thank you for listening to Jason and myself two weeks ago, in regards to the special permit parking and to try to accommodate the residents over there with the guests that they may have, without being inconvenienced. From the proposed that John has sent me today, we have seemed to cover it as best as we can. There is no perfect solution to everything but I do believe that the four guest passes will be sufficient, and that should hopefully take care of our problem.

Alderman Anglace: If I may interrupt, the solution came from Jason Hoefflinger, who is a resident and is impacted by this whole thing. He wrote me an email that was the answer to our prayers, so I just incorporated and forwarded it.

Alderman Anglace closes the public portion around 7:15 PM.

Agenda Items

MINUTES FOR APPROVAL

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

1. Regular Meeting – June 9, 2016
2. Special Meeting – June 28, 2016
3. Public Hearing on Ordinances – June 28, 2016

SECONDED by Alderman Simonetti.

Discussion:

Alderman Finn: For the Special Meeting that was held on June 28, 2016, I would like to abstain from the vote due to the fact that I was in Griffin Hospital. As well, I would like to abstain from the vote for the Public Hearing on Ordinances on June 28, 2016.

Alderman Kudej: Mr. Chairman, for the record on the 28th of June, I was absent due to some surgical procedures that I was undergoing at Griffin.

Alderman Anglace: Thank you. I want to call to your attention Item 8, from the Special Meeting on June 28, 2016: Conveyance of Property located at 381-405 Bridgeport Avenue. There was a technical glitch in there, and what had printed was part of it so I had re-printed for you. So I am offering this as a correction to the minutes. Part of it was left out; the second and the vote was left out. I offer that as a correction.

A voice vote was taken and the motion passed, with two abstentions (Alderman Finn and Alderman Kudej).

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 – NO ITEMS

REPORT OF THE MAYOR – None presented.

REPORT OF THE PRESIDENT – None presented.

6.0 LEGAL REPORT

6.1 CORPORATION COUNSEL BILLING

Alderman McPherson MOVED to authorize a total payment of \$1,567.00 to Corporation Counsel Welch, Teodosio, and Stanek, LLC, for services rendered per statement dated June 1, 2016, with funds to come from the following Legal Services Accounts:

Legal Fees	001-1900-411.30-03	\$1,567.00
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SECONDED by Alderman Simonetti. A voice vote was taken and the motion passed unanimously.

6.2 ASSISTANT CORPORATION COUNSEL BILLING

Alderman McPherson MOVED to authorize a total payment of \$321.75 to Assistant Corporation Counsel Ramon Sous for services rendered per statement dated July 1, 2016 with funds to come from the following Legal Services Accounts:

Legal Fees	001-1900-411.30-03	\$321.75
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SECONDED by Alderman Finn. A voice vote was taken and the motion passed unanimously.

7 LEGISLATIVE - OLD

7.1 ITEMS FROM PUBLIC HEARING

7.1 A PROPOSED ORDINANCE – DESIGNATION OF LIMITED PARKING PERMIT AREAS AND PARKING BY PERMIT ONLY

Alderman McPherson MOVED to adopt the proposed ordinance – Designation of Limited Parking Permit Areas and Parking by Permit Only which is included by reference.

Further, move 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 Simonetti.

Discussion:

Alderman Anglace: We did hold a public hearing and we did get suggestions. Then, we received an email; it came from a resident, Jason Hoefflinger. He outlined pretty clearly how this would impact the residents of what we had proposed. We had come back with what is in front of you, and we had added some language in Section 4B. What we are trying to do based on what he said, it was clear and it made sense. We are going to change Section 3 & 4. Just so it is clear, allow me to read it in its entirety:

The thing that changes in Section 3 is the change of title in that section to “Permit Process”; there are no other changes there. Section 4 deals with the permit application. Under subheading A: The application for a permit shall contain:

- 1 – The name and the address of the resident or proprietor
- 2 – The make, model, license plate number and registration of each vehicle owned by the resident or proprietor for which a permit is to be issued.
- 3 – Such other information as the Chief of Police may deem pertinent in issuing and maintaining records of such permits.
- 4 – Each Permittee shall be issued the number of household resident permits applied for.
- 5 – The signature of the resident or proprietor for the Limited Parking Permit Area shall be designated as the Permittee. Said Permittee shall be responsible for applying all permits to each vehicle and shall notify the Police Department if there is any change in ownership of the vehicle.

B. Temporary Guest Permit / Special Events

1. Each Permittee shall be issued four (4) guest permits for their use.
2. The resident hosting a Special Event (Party/picnics, etc.) in a Limited Parking Permit Area must call ahead to the Police Department to have the ticketing blocked and/or waived for the day of the event.

C. General

1. The Permittee shall make said application under penalty of false statement.
2. The permit shall be renewable bi-annually.
3. There shall be no cost associated with the application for a Permit.

These changes were run by the residents and they concur, so I think we have a pretty good solution and relatively simple. Any questions or comments?

Alderman Capra: What if, God forbid the resident or their guest loses or misplaces the guest pass? Where can they go to get another one?

Alderman Anglace: The Police Department.

Alderman Capra: Will there be a fee?

Alderman Anglace: No there will not be a fee.

Alderman Capra: Okay, I just wanted to make sure.

Alderman Anglace: The object here is to not inconvenience the people, and to resolve an issue that has been harassing the residents in that area.

Alderman McGorty: I think this is really great. This is a great example of working with the residents.

Alderman Finn: John, do you want to have a motion on the amendment? If you look at the original ordinance that was submitted to us, everything that you have included tonight is not included in it. I suggest we make a motion to amend it, to include the changes.

Atty. Welch: There are no amendments; you are moving the proposed ordinance as submitted this evening.

Alderman McGorty: It says, "which is included by reference".

Atty. Welch: I do not think we need to amend it because we have not moved it yet.

Alderman Finn: Thank you.

Public Hearing was held on June 28, 2016.

1. DESIGNATION OF LIMITED PARKING PERMIT AREAS AND PARKING BY PERMIT ONLY

Sec. 1: PURPOSE

The Board of Aldermen (BOA) of the City of Shelton deems it to be in the best interest of the citizens of Shelton to:

- a. Provide for limited parking permit programs within certain sections of the City of Shelton where parking may be limited or may be restricted.
- b. Reduce hazardous traffic conditions
- c. Promote reasonable parking access to Proprietors and Residents within the Limited Parking Permit Areas
- d. Promote the peace, comfort, convenience and welfare of the residents and proprietors therein.

Sec. 2: DEFINITIONS

LIMITED PARKING PERMIT AREA: The area/streets where curbside parking on public highways is restricted by this "Permit Parking Ordinance." The designated districts or areas will be particularly designated on maps titled, "Proposed Permit Parking Areas in [the map will insert named designated area within the City where the Limited Parking Permit Area is determined to be located]" and will be on file in the office of the City/Town Clerk of the City of Shelton, where curbside parking on public highways is limited to parking by permit only. The Board of Aldermen may from time to time designate Limited Parking Permit Areas under this ordinance and will then cause a map showing such designated area to be filed with the City/Town Clerk.

PARKING: The standing of a vehicle, whether occupied or not, upon a highway other than temporarily for the purpose of and while actually engaged in receiving or discharging passengers or loading or unloading merchandise or in obedience of traffic regulations, traffic signs or signals.

PROPRIETOR: A person who owns or leases real property within said Limited Parking Permit Area and who operates a business at an address within the Limited Parking Permit Area. A proprietor shall be entitled to parking permits equal to the number of parking spaces available and contiguous with the property where their/its business is located.

RESIDENT: A person who owns or leases real property within said residential area and who maintains either a voting residence or a bona fide occupancy, or both, at that address.

PERMIT PARKING DISTRICT: A contiguous or nearly contiguous area containing public highways or parts thereof primarily abutted by residential property or business property (including but not limited to such nonresidential activities such as schools, parks, churches, hospitals and nursing homes.) Said Limited Parking Permit Areas shall be so designated from time to time by the Board of Aldermen as set forth above.

Sec. 3 PERMIT PROCESS

The Chief of Police shall issue appropriate permits and shall cause parking signs to be erected in said designated Limited Parking Permit Area. Said Limited Parking Permit Area shall be clearly designated and indicate that parking is limited by permit only and that **violators will be towed at owner expense**. A separate permit shall be required for each motor vehicle.

Sec. 4 PERMIT APPLICATION

A. The application for a permit shall contain:

1. The name and address of the resident or proprietor.
2. The make, model, license plate number and registration of each vehicle owned by the resident or proprietor for which a permit is to be issued.
3. Such other information as the chief of Police may deem pertinent in issuing and maintain records of such permits.
4. Each Permittee shall be issued the number of household resident permits applied for.
5. The signature of the resident or proprietor for the Limited Parking Permit Area shall be designated as the Permittee. Said Permittee shall be responsible for applying all permits to each vehicle and shall notify the Police Department if there is any change in ownership of the vehicle.

B. Temporary Guest Permit / Special Events

1. Each Permittee shall be issued four (4) guest permits for their use.
2. The resident hosting a Special Event (Party/picnics, etc.) in a Limited Parking Permit Area must call ahead to the Police Department to have the ticketing blocked and/or waived for the day of the event.

C. General

1. The Permittee shall make said application under penalty of false statement.
2. The permit shall be renewable bi-annually.
3. There shall be no cost associated with the application for a Permit.

Sec. 5 USE OF PERMITS

- a. All parking permits shall be displayed on or about the front windshield of the vehicle so as to be easily visible from outside the vehicle. Such parking permits shall contain the following:
 - (1) The numerical designation of the parking permit issued; and
 - (2) The expiration date of the parking permit.
- b. The Police Department shall maintain a list of all permits issued and the name and address of each Permittee or resident or proprietor to whom such permit was issued.
- c. A parking permit shall not guarantee or reserve a parking space within the Limited Parking Permit Area. A parking permit shall not authorize the standing or parking of any vehicle in such places and during such times as the stopping, standing or parking of vehicles is in violation of traffic regulations, traffic signs or signals, and shall not excuse the observance of any traffic regulations in the parking permit area.
- d. Whenever the Permittee of a parking permit, no longer fulfills one or more of the applicable provisions of this ordinance or qualify for the issuance of such permit, the Permittee shall so notify the Police Chief who may then direct the Permittee to surrender the parking permit.
- e. Until its expiration, surrender or revocation, a parking permit shall remain valid in the Limited Parking Permit Area for such time as the Permittee continues to qualify for said permit as provided herein.

- f. A parking permit shall be valid only in the Limited Parking Permit Area for which it is issued.
- g. It shall be a violation of this ordinance for the holder of a parking permit to fail to surrender it when directed to do so.
- h. It shall be a violation of this ordinance for any person to represent in any fashion that a vehicle is entitled to a parking permit, authorized by this ordinance when it is not so entitled. The display of a parking permit on a vehicle not entitled to such a parking permit shall constitute such a representation.
- i. It shall be a violation of this ordinance for any person to duplicate, or attempt to duplicate, by any means, a parking permit authorized by this ordinance. It shall also be a violation of this ordinance for any person to display on any vehicle such a duplicate parking permit.

Sec. 6 EXCEPTIONS FOR SERVICE AND DELIVERY VEHICLES.

The parking restrictions imposed by this ordinance shall not apply to any service or delivery vehicle when used to provide services or to make deliveries to residences or proprietors within the Limited Parking Permit Area, provided that the parking of the service or delivery vehicle within said Limited Parking Permit Area does not exceed one hour in duration on any given day.

Sec. 7 PENALTIES FOR OFFENSES.

Whoever violates any provision of this ordinance shall have their vehicle towed at the owner's expense and/or be subject to a \$100.00 fine. Failure to pay said fine timely shall make the violator liable for further penalties, including imprisonment as provided for in the General Statutes of the State of Connecticut.

A voice vote was taken and the motion passed unanimously.

8 FINANCIAL BUSINESS OLD

8.1 NO ITEMS

9 FINANCIAL BUSINESS NEW

9.1 JULY STATUTORY REFUNDS

Alderman McPherson MOVED that the report of the Tax Collector relative to the refund of taxes for a total amount of \$6,885.33 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 Kudej. A voice vote was taken and the motion passed unanimously.

9.2 HISTORIC DOCUMENTS PRESERVATION GRANT APPLICATION

Alderman McPherson MOVED:

Be it resolved that Mayor Mark A. Lauretti, duly elected Mayor of the City of Shelton, is empowered to execute and deliver in the name and on behalf of this municipality a certain contract with the Connecticut State Library, State of Connecticut, for an Historic Documents Preservation Grant.

SECONDED by Alderman Simonetti.

Discussion:

Alderman Anglace: My understanding is that this is okay to approve, however you should be aware that more needs to be done and it is in the works. The plan of conservation and development, of course is not yet approved and not ready as of July 1, 2016. Therefore, a waiver letter has been sent to the State requesting a waiver, and that is the process that the State has set up and informed us. We will be giving our documents of preservation that the City/Town Clerk uses; \$4,000 to \$5,000 per year. So it should not be a problem and we are on top of it, so we just need to approve this.

A voice vote was taken and the motion passed unanimously.

9.3 LANDMARK STUDENT TRANSPORTATION LEASE OF A PORTION OF BUILDING AT 40 RIVERDALE AVENUE

Alderman McPherson MOVED to approve a lease extension between the City of Shelton and Landmark Student Transportation, Inc. for a portion of a building at 40 Riverdale Avenue in accordance with the attached lease and to authorize Mayor Mark A. Lauretti to execute any and all documents to effectuate same.

SECONDED by Alderman Simonetti.

A voice vote was taken and the motion passed unanimously.

***9.4 EXTENSION OF OPERATION AGREEMENT WITH LANDMARK STUDENT
TRANSPORTATION***

Alderman McPherson MOVED to approve an Extension of Operating Agreement between the City of Shelton and Landmark Student Transportation, Inc. in accordance with the attached Operating Agreement for School Buses and to authorize Mayor Mark A. Lauretti to execute any and all documents to effectuate same.

SECONDED by Alderman Simonetti.

Discussion:

Alderman Anglace: Both of these actions, the Superintendent of Schools is well aware of these, just so you know.

A voice vote was taken and the motion passed unanimously.

10 – LEGISLATIVE - NEW

10.1 A NO ITEMS

EXECUTIVE SESSION

At approximately 7:25 PM, Alderman Kudej MOVED to enter into Executive Session to discuss the following items:

11.1 GIORDANO WORKER'S COMPENSATION

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 REGULAR SESSION

At approximately 7:28 p.m. Alderman Simonetti MOVED to return to Regular Session; SECONDED by Alderman McPherson. A voice vote was taken and the motion passed unanimously.

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

11.1 GIORDANO WORKER'S COMPENSATION

JULY 14, 2016

BOARD OF ALDERMEN
FULL BOARD MEETING

Alderman McPherson MOVED to approve the compromised Permanent Partial Disability rating, in the Worker's Compensation matter of John Giordano.

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

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 7:30 p.m.

Respectfully submitted,

Brittany Gannon

Board of Aldermen, Clerk

DATE APPROVED: _____ BY: _____

Mark A. Lauretti