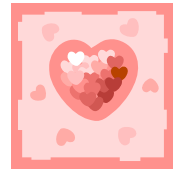




BOARD OF ALDERMEN  
SHELTON, CONNECTICUT  
REGULAR MEETING  
THURSDAY, FEBRUARY 14, 2008

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**Call to Order / Pledge of Allegiance**

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

**Roll Call**

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

Administration:

Corporation Counsel Thomas Welch  
Assistant Corporation Counsel Ramon Sous

There was a quorum present.

**Public Session**

**Al Cameron, Finance Director, Board of Education**

Some of you may have heard on Channel 8 tonight or Channel 30, there were photographs of a school bus accident. The headline was, 'we don't know how many students were injured and taken to the hospital in an ambulance.' Since I was at City Hall, and knowing that you would all be interested, I thought I would share with you that no students were taken to the hospital in an ambulance. I just thought you would see that as good news and be interested to know.

Alderman Perillo stated, the elementary school bus with approximately 20 to 30 students. There were only minor injuries on that bus that were treated on scene and none of the students were transported. There were two patients in the automobile.

**Linda Holmes Hannon, Incoming President, Derby-Shelton Rotary Club**

Fellow Rotarian Pat Tarasovic is with me tonight, and we are number 10.3 on the agenda. We are wondering if you have any questions or concerns of our upcoming event.

Alderman Simonetti asked, will the beer and wine be served out of one booth?

Ms. Hannon replied, yes.

Alderman Simonetti asked, what type of glasses will you serve in?

Ms. Hannon replied, it will be plastic ware. It will be in a gated area with fencing. In addition to that, we will be checking IDs upon registration, and we'll have colored wristbands to help patrol. In addition to that, our entire club will be supportive.

Alderman Simonetti asked, how will the bartenders know when to stop serving someone? Will there be a cut off?

Ms. Hannon explained, the event is going to be from 3 to 7 with a full course meal. We will check IDs as people come up, we will manage the amount of alcohol being served.

Alderman Simonetti asked, are you going to allow people to bring their own coolers?

Ms. Hannon replied no, not at all. People will buy a ticket for the event. The ticket will include the full meal and beer and wine for the timeframe. It will be managed.

Alderman Simonetti stated, so for that ticket I can go and get beer and wine, as much as I want during the timeframe.

Ms. Hannon stated, it is included with the meal, and we also will have Police patrol.

Alderman Finn asked, who will determine whether or not a person has had too much alcohol? The City of Shelton will be taking on a liability,

Ms. Hannon interjected, we will limit it to 3 drink tickets per person with a full course meal. That's easy.

Alderman Simonetti stated, thank you.

Chris Panek, 19 Meghan Lane

Regarding the bus accident, it was my daughter's bus that was in the accident. I got the call at work and I went up there. The emergency services did a great job – everything was great. I spoke to Alderman Perillo's counterpart, Mr. Laucella, and everything's good. One kid might have had a bump, and everybody is alright.

I did want to speak to one item on the agenda tonight – Item 5.1.2 Amendment to RFP Process. On the agenda it reads 'Identification of Professional Services' but I was actually looking at the backup, and it looks like there's a little more to it than that. You're changing a dollar amount for the Professional Services. The only question I have and maybe during the Board's discussion you can check into it or ask Corporation Counsel Welch.

I'm involved right now attending Charter Revision Commission meetings and I'm pretty well aware of the section of the Charter, and when you read that section of the Charter regarding Professional Services, it states at the end that all the provisions of that section of the Charter still have to be followed. Although by Resolution you can change the identification of Professional Services, my only question for the Board is, can you actually change the dollar amount from \$5,000 to \$10,000 because the \$5,000 amount is set by Charter.

Alderman Anglace stated, I think it's going to be covered when we talk about it. Alderman Finn asked the same question of Counsel and got a written response. When we get to the item I'll be sure to explain it.

Alderman Panek stated, the actual item I wanted to talk about was the Senior Tax Relief. I just want to read a copy of a letter into the record. I was hoping the Mayor was going to be here because the letter is addressed to him. I had sent this letter to him previously.

*Dear Mayor Lauretti,*

*As you are aware, the Board of Aldermen unanimously passed the Senior Tax Freeze Ordinance at its full Board meeting on October 11, 2007. The Board of Aldermen passed this ordinance pursuant to the provisions of Connecticut General Statutes 12-170v and 12-170w. During the public hearing on the Senior Tax Freeze Ordinance, we heard from many senior citizens who were concerned about the income limits set forth in the Connecticut General Statutes. I share those concerns and feel that it is important that we immediately take action to increase the income limits to a level that is both accommodating to more senior citizens, yet does not shift any additional significant tax burden to another segment of the City taxpayers.*

*I made a recommendation prior to the passage of the senior tax freeze that we instead use provisions from the Connecticut General Statutes 12-129n. Corporation Counsel's memo dated October 9, 2007 states "the initial review indicates that a municipality would be able to establish a maximum income allowable different than those required by 12-129b inclusive and 12-170aa. However, a municipality is not able to adopt the provisions until such time as a committee has been appointed."*

*Connecticut General Statutes 12-129nb reads, 'prior to initial approval by the legislative body of the plan of property tax relief, the executive authority shall appoint a committee.' This gives our mayor the sole authority to form a Senior Tax Relief Committee. It also means any possibility of increasing the income limits is at our Mayor's discretion. Therefore, I am asking the Mayor to appoint a committee to study Shelton's recently-adopted Senior Tax Relief program with intentions of increasing the maximum income limits so that more senior citizens will qualify. The recently passed ordinance does not go far enough and limits the number of seniors who qualify for the program. I have at least five city residents who have already volunteered to be a part of the new committee. This ordinance is of the utmost importance to all Shelton seniors and I hope that my request meets with your approval.*

I submitted this to the Mayor probably two or three months ago and I'll submit another copy now to the Clerk for the record, and give a copy to the Mayor as well. I feel that based on what other towns are doing and offering, as discussed at last year's Board of Aldermen meeting, I think everybody who was on the Board at that time agreed that it would be a good idea to look into it and investigate it. I think many of the members up there, you'll see in the minutes of the meeting, agreed that it would be a good thing to appoint a committee and I would just ask now that the Board members and the Mayor follow through with that. Thank you.

Irving Steiner, 23 Partridge Lane

Now that the election is over we have pre-election promises yet unfilled. Senior Citizen Tax Freeze. This is little help to senior citizens who earn less than \$35,000 a year and of no help to citizens earning more than \$35,000. After you back off fixed cost of living, most individuals will be below the poverty level. Most surrounding towns have higher income points to include more citizens in the Senior Tax Freeze category.

The Litter Committee. Only time will tell if the work of the Litter Committee will be effective. According to Police records, only one littering fine has been issued in the last six months.

Blasting. Since July 2007, as part of the Committee's goal, 13 members of the Blasting Ad Hoc Committee have been unable to supply instructional material to the homeowner on blasting. As a result, Ad Hoc Committee members, including myself, have occasionally been called by residents living near the blast sites asking us to provide them with advice and information when faced with blasting situations. Knowledgeable residents and proper documentation can prove to be expensive to blasters and developers if damage has to be litigated. This could explain the sluggishness of many of the Ad Hoc Committee members appointed by the Mayor and John Anglace.

Excerpts from The Huntington Herald this past Wednesday entitled "Charter Revisions Reopen Old Wounds" – I stated that CARE wanted to negotiate suggestions with the Charter Revision Commission. Paul Dimauro, the Chairman of the Charter Revision Commission responded and said, "CARE made some good suggestions, but no group has the right to dictate to the Charter Revision Commission." "Negotiate" and "dictate" are not synonymous, and to imply that they are amounts to arrogance to the public. Who are the servants here anyway? Anglace also brushed off my criticism with "he," meaning me, "said the same thing about the Blasting Committee, but that committee has worked out fine." As I stated previously, eight months down the road with 13 committee members and still no instructional material available and in the hands of homeowners.

It is my concern that the Charter, last approved in 1994, is being revisited not for the purposes indicated by this administration but to get the Charter approved by leaving out all controversial issues except for grammar and conformance changes to comply to State Statutes. Our Charter needs and deserves more serious upgrading and should not be approved just to place another elusive arrow in the Mayor's quiver of achievements. I thank you.

Richard Widomski, 49 Christine Drive

Some months ago I spoke to the reasons for a Planner. I'd like to spend the time to do the same, I only wish that the Mayor were here because I think we'd spend some 20 or 30 minutes at that meeting somewhere in March or April with a fine dialogue between Laretti and myself and some questions that he had in regard to the Planner. I don't intend to rehash that. I don't intend to also go over the finances that I had submitted. I think there is probably an inch packet for each one of you except for the two new Aldermen. If you want it you could probably pick it up from the Mayor, or one of the Aldermen. That was the end of last June, the justification for a Planner, and justification for the funds spent and the

money I believe could be saved if a full-time City Planner were hired or retained. I have some additional reasons for a City Planner that came up probably within the past four or five months. I keep track of course of the past years because it would be a little too cumbersome.

I have reasons for Planner. One is the Long Hill Avenue open space. These are some of the things that maybe could have been prevented; could have been solved early on before approvals and before the Board of Aldermen or any other City land use board could have gotten involved with it. Long Hill Avenue open space. That was the one where condominiums – the Zuckerman's condominium. There was a question on that lot and also a question on where the open space was. That probably could have been resolved if the Planner was there.

Birmingham sewers, the check valve. My understanding is there's a check valve in the system that overflows at the sewage treatment plant maybe could have been prevented if somebody caught that.

Probate Court. How many times has that been moved? It's gone from somewhere to White Street, from White Street to Intermediate School, from Intermediate School and now I understand it's going back to White Street. This has been going on for a number of years. You'd think that could have been resolved long ago. Find a permanent home for the Judge of Probate.

Railroad tracks on Canal Street. Are they under consideration to be relocated? How does this impact the downtown project? Who pays the bill in the event the tracks are moved? What caused it? This also could have been prevented had a City Planner looked at this. This may cost the City money; it may cost the developer money; I don't know. My understanding is the tracks are going to be moved.

McCallum property. The application from McCallum, that was approved, I think, in 2006. That's a year and a half ago. How is it the Economic Development Commission, the downtown subcommittee or any number of boards or commissions were not aware of this application until it came to light some months ago when there was an ad in The Huntington Herald. It was on the Senior page rather than the Legal page, and somebody picked up on that, finally, but it was after the fact again.

How expensive is the parking commitment at White Street and the parking lot across the tracks from the Canal Street project? Have we overextended our parking? How many people have we promised parking to? There is only a limited number of spaces on that White Street parking lot. A limited number of spaces on the other side of the railroad tracks. Someone could have looked at it. Everything is going, project, one at a time, putting the figures together. That's the impression I'm getting.

Some of the prints were not updated. The downtown subcommittee prints weren't updated. The developer brought in a set of prints, it wasn't a major update, but it was something small that perhaps could have been prevented had a City Planner been involved before this person, the developer, even came in front of the downtown subcommittee. It could have been prevented with a City Planner.

Now we find that the contractor of Canal Street doesn't have full control of the entire piece of property. This should have been known ahead of time.

Now if someone had mentioned at that meeting that the premise of the project and of the zone change was that the entire plan was by a single entity. It turns out that no, it isn't. There are some questions on property that is still in abeyance, that still hasn't been resolved yet.

How does this impact the Riverwalk? We're spending an awful lot of money on the Riverwalk. Based on the preliminary plans it appears to be a well thought out project by the engineering firm. The engineering firm is doing a fine job. Do we have the property now? Why are we spending this money ahead of time? Are we sure we're going to have the property? Who is going to own the property? Commissioner Sylvester, our local newspaper asked a question of design of the rental units on Canal Street. How far can we go Tony? This is the representative from A.J. Panico Associates. In dictating and demanding what the product is going to be. The answer is, if the Planning and Zoning wanted the façade to be 100 percent masonry, they should have made that clear last year. Last year. Last year. Okay? Why do we need a Planner? That's why.

Why was no board, commission or public official aware of the fact that 250 rental units were to be constructed before the Zoning approval was granted? Again, it was in the local newspaper, I believe it was Mr. Sylvester that stated that he thought they were going to be condominiums; condominiums that were going to be purchased. Now we're going to have, maybe, 250 rental units. This is something new to me. Does it impact the project? Don't know. Did it make a difference in designing? Don't know. Should it have been looked at a year ago when the approval was given? Absolutely. By whom? No one knows. I can tell you by whom, the City Planner, that's by whom.

All of these could have been addressed. Maybe they would not have been resolved, maybe it wouldn't have worked out, maybe it would have been better. I can't believe that on the 11 items I have, that one or two or a good percentage of them could have been worked out ahead of time.

This August I stopped at Lou Marusic's and I tried to find out the contract of A.J. Panico. He had nothing. There's nothing in there. The only thing I was able to get and it was actually October. The amount, the current year estimate was \$50,000, that's from 2007-08, not this year's budget. I didn't look at this year's budget. The amount requested was \$50,000. I gave some of these figures at the beginning of 2007, you should have those already. I have the other figure, that's the billing going back to July of 2007. \$5,600. August, \$3,900. September, \$6,500. I'm rounding them off. That money could be well spent on a Planner, and it could well be A.J. Panico Associates. It could very well be that person. I don't think anybody cares as long as someone is there full time to watch over the store full time. I went looking for the contract and I was told, "go to Planning and Zoning." So I guess I go to Planning and Zoning, the contract is in the Planning and Zoning office, dated May 28, 1997. 1997. Is there a contract between 1997 and today? I suspect so. I suspect there's a new contract. But I couldn't find it. What I'm saying is that we need to look into a City Planner. You've got the information, and the added information I have tonight which reinforces what I said some 10 months ago. A City Planner, gentlemen, is not a luxury. A City Planner is a necessity. Thank you.

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*Art Gaughran, 40 Woodland Park*

I'd like to speak on your item 5.3.1. I attended the Street Committee meeting and my interest was mainly in the bus stops, but I don't know

what was resolved there. This item came up and it aroused my interest. I must say in talking that I'm a retired New York City general superintendent of construction and a construction manager. That is my background. I twice went down to the site to see what it was all about. I could only say that I can't see where that road would go to. It looks like it would run right into the stream if it was continued. I think you'd be better off abandoning that road, erecting a turnaround so that we could get in and out of there, and from what I can find out, I'm new to some of your laws in this state, but it's my understanding that the builder would have the responsibility of making the turnaround and paving it and putting up a guardrail. Of course he would get two more driveways out of it. As I can see, it's been approved by the Planning and Zoning Commission, the Inland-Wetlands Commission, the builder got himself a soil specialist and he approved it. The one objection I heard during the conversations was that they were afraid the buildings might sink and crack – the foundations. Well, is that part of the Street Committee's jurisdiction? And secondly, with today's technology with reinforced concrete and foundation sciences, any problem like that could be overcome. Thank you.

Alderman Anglace asked if any other member of the public wished to speak. Being none, Alderman Simonetti MOVED to close the public session; SECONDED by Alderman Papa. A voice vote was taken and the MOTION PASSED 8-0.

### **Conservation Commission Annual Report/Presentation**

Tom Harbinson, Conservation Commission Chairman, stated, this is an annual report. We first did it last year in January or February and it's due to the duties the Open Space Committee formally had in terms of reporting the status of the Open Space Trust Account – an account that receives fees in lieu of open space dedications in subdivision applications. We thought we'd expand that report to tell you about the efforts that have been accomplished over the past year. This will be the first full year of activity we'll be able to report to you on.

Our open space activities – Open Space Plan – we are currently updating that with mapping which I have available here. For the benefit of the public, all of our maps and our Open Space Plan draft is available online, as well as this report.

Visit <http://sheltonopenspace.googlepages.com>

The mapping – we are making use of the City's GPS systems in-house. Previous Open Space Plans were outsourced for a fee to outside agencies, professional services, and as volunteers we've diligently just plugged on through it and used the City resources of mapping and computers to do all the new mapping.

In terms of regulations, the Open Space Ordinance, it's the first full year that we've had that in place and received the funding for that. I have a report that as of December 31, 2007 the Open Space Trust Account balance was \$365,658.50, confirmed by the Finance Department. That account has received fees in lieu of over the year. There are a few fees in lieu of that in auditing the account we discovered have not been remitted by a few developers, and that's being bird-dog tracked down to have them properly remit that. It's a small amount but it's a principle that has to be followed through on.

The payments that were expended from the account were primarily for the purchase of the UI property on Buddington Road. The map's a little bit small, but I think you're all familiar with that parcel – a long strip, this piece right here, it's at the end of our Shelton Lakes Greenway, and as you can see the linkage of all the parcels that have been accumulated through the years since 1965 beginning with the piece on Nell's Rock, that is continued down and will eventually connect toward the Far Mill River Greenway.

I should mention that our Open Space Plan in the past has been primarily a tool for acquisition of parcels, and one thing that we will be considering with the new draft is that the areas that we have termed as greenways where open space parcels have been accumulated, that they also are areas that require special examination for future use, whether it be recreation use or if there are parcels that are oversize lots where teardowns and development can occur, ala what happened at Aspen Ridge along Mill Street – oversized lots that primarily you wouldn't think of acquiring as open space a parcel that has development on it, but the change of that character of those two homes and the excess acreage into condos has dramatically changed the character of the scenic road Mill Street. So that is something we're considering of how you conceptually think of our greenway plan. There's an overlay for extra examination, not just property acquisition.

In terms of protecting lands, we did acquire as I mentioned, the UI property in fee simple. There were a few properties that were dedicated as process of the subdivision applications and we also, our major achievement this past year was the purchase of development rights on the Jones Family Farms Homestead acreage. That was the end and fruition of a long process with a referendum for the funding, a grant from the USDA Farm and Forest Protection Program, and a lot of effort on that finally came to fruition by the end of last year. That acreage is now forever protected from ever being developed, and continue in its agricultural use.

Trails activities – we've had numerous trails volunteers that have been out there doing maintenance of the trails, creation of the trails and actively promoting the recreational use of the trails to the public in general. A successful event last year was a Me and My Guy Hike which was the Girl Scouts with their fathers, doing a hike primarily the Bridge to Bridge Hike – the bridge by Route 108 near the Police Department called Pine Lake, all the way from the Bridge in Huntington Center, primarily following the recreation path location. That was a great success, and a lot of the fathers didn't even know that such an extensive trail system existed. It gave an opportunity to promote it to the public.

Again, we did our Shelton Trails Day to coordinate with Connecticut Trails Day, which was National Trails Day, which is the first Saturday in September. We had a good turnout for that.

Also, you may have read a lot in the paper about wildlife observations on our City space, and I can report to you that there is no bobcat in the City open space. However, there are coyotes, and we have actively created a Google map where we pinpoint every report that we get of animal sightings, and you can see primarily the area in town where those occur and the dates that they've occurred. That's all available online for the people to be informed.

Our Conservation Agent Theresa Gallagher has made extensive use of computer technology as I've mentioned, what we're doing here, using a calendar online so that the public is informed of what our office hours are, City website, putting our Open Space maps on a Google website, all of our e-mails being communicated and publicly accessible in real time. I think we're pushing the envelope in that environment.

The Recreation Path is a very important component of the next phase of trails activities. It's going to go from the Bridge to Bridge as I mentioned. A major achievement last year was the installation of the Timber Bridge on top of the Silent Waters Dam. This is what it looked like previously, with a gap in between and then the bridge put in place. The bridge came to us from out west, didn't cost the taxpayers of Shelton a dime in terms of getting the bridge or getting the abutments or putting the railings on the bridge. All of that was through grants that the Conservation Commission and Trail volunteers worked on and were awarded. Quite often when people see that bridge and it opened up to them, gee I didn't realize there was a trail there, and they go up and see all of this trail work and a bridge – they don't realize that it didn't cost the City taxpayer a dime.

There's a lot of work that's been done with trail maintenance throughout the trailed network. I want to show you a couple of photos of what the Land Trust has accomplished on their parcel on Lane Street. This is on Lane Street where the Recreation Path will follow on their property, and they have brought it up to a standard where it will be the crushed stone, they put the filter fabric down, and it really was a quick project. You can see it through the meadow there, some equipment that was put into place, a little Bobcat and an excavator. This is the meadow by Lane Street. That's available to the public to enjoy, it's a private entity – the Land Trust – but they quite often do their activities and coordination with the Conservation Commission. This is near an area where there is a beaver. This pretty much shows you what the recreation path will look like – about a five foot wide crushed stone walkway, just kind of meandering through the woods from Huntington Center to the Shelton High School area campus.

That's pretty much the report of our activities for the past year, and we look forward to working with you as we have in the past to accomplish these successes for the City of Shelton and all its residents.

Alderman Anglace stated, something that you didn't mention, the City has benefitted from the fact that the Conservation Commission has been asked a number of times to look at various properties we were considering, to look at various issues that have come up as far as the Board of Aldermen, you always come back to us with good advice which we follow, most of the time.

Mr. Harbinson stated, we don't always agree with every person on the Board, but as you allude to the acquisition of property, it's a complicated issue just as developers, whether they are a local developer or a nationally funded Toll Brothers type developer – they are trying to make relationships with property owners for the development of their land. That is their business. Likewise, we try to establish relationships and understandings with property owners as to what the City's goals are with open space and the preservation of their property and perhaps its current character. We've been very grateful – I forgot to mention one location – it was a small piece of property, but Mr. Basil Dikovsky dedicated a small portion of open space to the City for no fee, and it easily accomplishes

the rec path location for grade and handicap accessibility. Establishing those relationships is very important for us to succeed in accomplishing preservation of open space in the future.

Alderman Anglace stated, on behalf of the Board I want to thank you and the entire Conservation Commission for their efforts throughout the year. This year, last year, and many years before. Your group has come a long way, and the City has come a long way as a result of your group.

Mr. Harbinson replied, it's a joint effort. Thank you.

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***Add-On to the Agenda***

Alderman Papa MOVED to add Item 10.4 Assigning of Name to Upper Elementary 5/6 School; SECONDED by Alderman Finn. A voice vote was taken and the MOTION PASSED 8-0.

**Agenda Items**

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***Minutes for Approval***

Alderman Papa MOVED to waive the reading of and accept the minutes of the special meeting of January 10, 2008 and the Public Hearing of January 22, 2008; SECONDED by Alderman Finn. A voice vote was taken and the MOTION PASSED 8-0.

**5.1 FINANCE COMMITTEE**

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***5.1.1 FEBRUARY STATUTORY REFUNDS***

Alderman Kudej 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 \$4,551.12 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 Papa A voice vote was taken and the MOTION PASSED 8-0.

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***5.1.2 AMENDMENT TO RFP PROCESS – IDENTIFICATION OF PROFESSIONAL SERVICES***

Alderman Kudej MOVED, per the recommendation of the Finance Committee, to amend the list of Professional Services included in the Resolution entitled 'Request for Proposal Process' and adopted by the Board of Aldermen on June 11, 1998, amended December 14, 2000, further amended January 11, 2001 and January 11, 2007 to include Licensed Environmental Professionals, pursuant to Section 7.14.3 of the City Charter; and further,

MOVED to amend the Resolution entitled 'Request for Proposal Process' adopted by the Board of Aldermen on June 11, 1998 and amended on June 8, 2000 to change the dollar amount for Professional Services from \$5,000 to \$10,000, pursuant to Section 7.143 of the City Charter; SECONDED by Alderman Simonetti.

Alderman Finn stated, in answer to Mr. Panek's question, I sent a letter to Counsel inquiring about this because the Charter does say \$5,000. Counsel has advised me that this is not going out to bid. This is something that the Board can change. Counsel responded to me in writing.

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

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**5.1.3 RELOCATION OF A PERSON DISPLACED BY FIRE**

Alderman Kudej MOVED, per the recommendation of the Finance Committee, to transfer \$4,100 from Contingency General Account #001-9900-900.99-00 to an account number to be determined by the Finance Director to cover the expenses from the December 16, 2007 relocation of a person displaced by fire per Connecticut's Uniform Relocation Assistance Act (Connecticut General Statutes 8-266 et. Seq); SECONDED by Alderman Finn. A voice vote was taken and the MOTION PASSED 8-0.

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**5.1.4 WAIVER OF RFP PROCESS FOR SERVICES TO PREPARE AND ADMINISTER THE RADIO FREQUENCY CHANGES FOR THE POLICE AND FIRE DEPARTMENTS**

Alderman Kudej MOVED, per the recommendation of the Finance Committee, to approve the waiver of the bid process and authorize Mayor Mark A. Lauretti to enter into contract with Oliver Associates to prepare, administer and manage the request for radio frequency changes for the Fire Department and Police Department with total costs not to exceed \$8,500 with funds to come from the Police Department's Professional Services Account 001-2500-511.30-01; SECONDED by Alderman Finn. A voice vote was taken and the MOTION PASSED 8-0.

**5.2 PUBLIC HEALTH & SAFETY COMMITTEE**

No items.

**5.3 STREET COMMITTEE**

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

Alderman Olin stated, at our last Street Committee meeting we decided that we are going to take no action on the Wells Avenue item. After much discussion, we have a lot of items that we are trying to clear up in our minds as to whether we do have wetlands or we don't have wetlands. At this point we are not going to take any action.

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**5.3.2 PROPOSED INSTALLATION OF DIRECTIONAL SIGNAGE FOR WESLEY VILLAGE**

Alderman Olin MOVED, per the recommendation of the Street Committee, to deny the request for the installation of directional signage for Wesley Village at the intersections of River Road (Route 110) and Long Hill Avenue and Constitution Boulevard South and River Road; SECONDED by Alderman Kudej. A voice vote was taken and the MOTION PASSED 8-0.

**REPORT OF THE MAYOR**

None presented.

**REPORT OF THE PRESIDENT**

Alderman Anglace stated, I'd like to give each of you a letter that I've received from State Representative Jason Perillo where he has acted in response to our earlier request to amend the Senior Tax Freeze law to exclude medical expenses when determining income eligibility.

Alderman (State Representative) Perillo stated, I have introduced the concept to the Finance, Revenue and Bonding Committee of the General Assembly to amend Connecticut General Statutes as they regulate property tax freezes. This is something I became familiar with as an Alderman last year when we were discussing tax freezes, and a number of constituents brought to my attention that, specifically, the income limits are difficult to meet for many folks, and a lot of folks, especially in their senior years, have significant medical expenses. It became very apparent to me that there is a need to exclude medical expenses permitting income calculations. What I mean by that is, if you have income of 'x' dollars, yet you have medical expenses of 'y' dollars, those medical expenses of 'y' dollars should be subtracted from your income when determining whether or not you are eligible for a senior tax freeze. That would make more folks eligible for a tax freeze if they do have significant medical expenses in any given year. It's really meant to help folks who are hit with medical expenses. We see it all the time and I as ambulance chief see it frequently, it makes life difficult. That is the intent of the bill. I spoke with leadership on Finance and it's certainly not a law yet, it's in the early stages up in Hartford, but I'm optimistic. We'll see what happens. It's introduced with the best of intentions.

Alderman Anglace stated, if it's passed, the exclusion of medical expenses will allow the current ordinance that we have in place to go forward and be amended to include the same disability provisions and more people will definitely qualify.

Alderman Perillo stated, it will make many more people eligible for a senior break.

Alderman Anglace continued, next I have a copy of a letter that I sent to Chief Joel W. Hurliman with respect to information I wanted them to look at regarding the Bridge Street closure. I will tell you also that tonight, the clerk, who also is the Secretary for the Police Department, brought tonight with her Chief Hurliman's response to that letter. I have it here. Tomorrow I'll have this copied, which is the response, and you can take a look at it – the questions that were asked and the responses that were given might help you in looking at that. Remember, we have an 8-24 referral in front of us to accept the closure of that street. We would have to take an action, probably at our next meeting. If we don't want to go along with closing that street, we would need six votes, 2/3 vote, to override their 8-24 referral.

Alderman Finn asked, who requested the 8-24 referral?

Alderman Anglace replied, the 8-24 referral was requested by the Administration, by the Mayor. The developer is not asking. The developer in his discussions with Planning and Zoning, there were two meetings that they discussed this. I have the minutes for both. I looked at them exhaustively. The comment from the builder was, he will proceed either way, if we close it or if we don't close it. I think Planning and Zoning wants it closed, definitely. I'll get into the reasons why – let's take it step

by step. I'll get this to you. This is my letter asking the Chief to take a look at it, this is his response, we'll get it to you and schedule it and talk about it. I just wanted to report tonight.

The next thing I have is an email I received from Mike Duarco, the Chairman of Connecticut Municipal Conference for Fiscal Responsibility. They are part of a much larger group consisting of the Connecticut Conference of Municipalities, the Education Association's CAFE, and others. I received this, and it's excellent information and I wanted to pass it on to you so you can look at it. It's the same story this year as it was last year. The legislature is back in session.

The next thing I want to bring to your attention, and I think everyone received a very well done presentation from Edward Witkofski of 62 Ten Coat Lane who is suggesting a Civil War Monument in the City of Shelton. He did an excellent job of researching and making a presentation. It was extremely well thought out. Tonight I would suggest that a Civil War Veterans Ad Hoc Committee be formed to study this petition and report back to the Board of Aldermen with a recommendation. I would suggest to you that the three members of the permanent War Memorial Commission be part of that. Marty Coughlin, who is the President of the Huntington Historical Society, James Tate who designed and created our downtown memorial, Ron Deetman who is the Commander of American Legion Post 16 and Edward Witkofski who made the presentation, should all be part of it.

I would like you to think about this, and if you think there is a consensus, we can instruct the Clerk to contact these people and see if they'll serve, and at one of our next meetings we'll go ahead and appoint them, and let them start working on it.

Alderman Finn stated, this past Sunday at the American Legion we had a meeting. We voted unanimously in favor of supporting the monument down at the Riverwalk.

Alderman Simonetti stated, I would also like to recommend Jim Connery who is a Civil War buff to be on that Ad Hoc Committee too. I believe we also have at least one person at Shelton High School too, a young lady who is a teacher there.

Alderman Anglace stated, if you want to, get the names to Theresa and tomorrow I'll tell her that there appeared to be a consensus, to start calling those people, and see if they'll serve.

**6.0 LEGAL REPORT**

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**6.1 CORPORATION COUNSEL BILLING**

Alderman Papa MOVED to authorize a total payment of \$1,529.86 to Corporation Counsel Winnick, Vine, Welch, & Teodosio, LLC for services rendered per statement dated February 1, 2008 with funds to come from the following Legal Services accounts:

Legal Fees	001-1900-411.30-03	\$1,215.90
Foreclosure Fees	001-1900-411.50-01	175.10
Court Costs	001-1900-411.80-84	138.86

SECONDED by Alderman Perillo.

Alderman Finn asked, on the foreclosure fees, is this something that the court assigned to you or does it have to do with the City?

Corporation Counsel Welch replied, it has to do with the City. As you can see, that's on the Fuge piece. Usually in foreclosures – the ones that we don't take title to, the taxpayer reimburses costs and expenses by Statute. But this piece, the anticipation is that we're taking title to it, so it's going to be costs that come right out of our account and don't get reimbursed.

Alderman Finn stated, in the Milford area there's somewhere around 400 homes they're having foreclosures on and some of the attorneys here in Shelton have been contacted by the court system to do the foreclosures.

When there is a foreclosure by sale, those attorneys in the specific judicial district the court has a list of attorneys that want to be on that list, and they act as the auctioneer. Those Saturday foreclosure sales, that's when you'll see local attorneys names – they're the court appointed committee – the court liaison – to conduct the sale on behalf of the court. It's only when there's equity in the property and you see a sale where the United States is a party. If there is no equity you don't see them in the paper, and the bank just takes them over after a certain period of time.

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

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## **6.2 ASSISTANT CORPORATION COUNSEL BILLING**

Alderman Papa MOVED to authorize a total payment of \$1,911.20 to Assistant Corporation Counsel Ramon Sous for services rendered per statement dated February 1, 2008 with funds to come from the Legal Fees Account 001-1900-411.30-03; SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 8-0.

## **7 LEGISLATIVE - OLD**

### **7.1 ITEMS FROM PUBLIC HEARING**

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#### **7.1 A. AMENDMENT TO (COMP. ORDINANCES 1975, 3.1(6)) SEC. 14-3 REMOVAL OF ICE AND SNOW ON SIDEWALKS REQUIRED**

Alderman Papa MOVED to adopt as proposed the amendment to Compiled Ordinances 1975, 3.1 (6) ) Sec. 14-3 Removal of Ice and Snow on Sidewalks Required as presented at the Public Hearing on Ordinances held on January 22, 2008; 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 Perillo.

Alderman Anglace stated, it's incorporated by reference, and the change is that the fee is going from where it is now, which I believe is \$15, to \$250 – which is the penalty for failure to clean the snow within 12 hours.

Alderman Finn stated, after the last snowstorm two days ago, I noticed that we had several sidewalks in the downtown area where the snow was not removed, including the parking lot by the Post Office, which is under the City's control. We should set the example and have the snow removed on all City property.

Alderman Simonetti stated, I'm not disagreeing with Jack, but I do know that there was some caution to removing the snow that if it was going to rain it might freeze and you might have a worse situation with the ice than the snow.

Alderman Anglace stated, the point is well taken. However, enforcement is up to the Police Department. All we are changing is not the content of the ordinance, but just the fine. That's all.

Alderman Papa stated, after 12 hours it rained and that snow was gone anyway.

Alderman Finn stated, the sidewalk itself on Coram Avenue, the snow was never removed.

Alderman Anglace stated, everybody should know, and I think you all do know, but just for the record I'll remind everybody, if an ordinance is violated and the Police issue a citation, that citation is subject to review by the Citation Officer who is Freda Keklik. She is an attorney, I believe. The person receiving the citation could schedule a hearing with her, she would review it and her decision is final.

Alderman Finn stated, we used to have three people.

Alderman Anglace stated, we had two people, but they acted independently. One would hear some, and the other would hear some, but they didn't act jointly.

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

BE IT ORDAINED BY THE BOARD OF ALDERMEN THAT:

It shall be the duty of any owner, occupant or any person having care of any land adjoining any paved sidewalk within the city to keep the same clear from snow, ice or sleet, and to remove the same within (12) hours after it has fallen. In the event of failure to comply with this section, such owner or occupant shall upon conviction pay a penalty to the city ~~not to exceed fifteen dollars (\$15.00)~~ of Two Hundred and Fifty Dollars (\$250). If after the time limit in which to remove such snow, ice or sleet, it has not been removed, it shall be the duty of the commissioner of streets to cause the same to be removed, and the expense thereof shall be reported by the commissioner of streets to the clerk of the city, who shall notify the owner or occupant in writing, and if payment is not forthwith made, the expense of such removal shall be recorded in the name of the city in a any appropriate form of civil action. (Comp. Ords. 1975, 3.1 (6) )

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**7.1 B      AMENDMENT TO ORDINANCE 447 – PERTAINING TO  
PROHIBITION OF INTOXICATING BEVERAGES ON  
PARK/CITY PROPERTY**

Alderman Papa MOVED to adopt as proposed the amendment to Ordinance #447 – Pertaining to Prohibition of Intoxicating Beverages Park/City Property as presented at the Public Hearing on Ordinances held on January 22, 2008; 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 Olin.

Alderman Anglace stated, again, this amendment deals only with raising the fine to \$250.

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

Ordinance 447

Pertaining to Prohibition of Intoxicating Beverages Park/City Property:

Be it ordained by the Board of Aldermen, City of Shelton:

That the possession and use of intoxicating beverages are strictly prohibited in any park or City property, unless authorized by the Department of Parks and Recreation, Board of Education or other duly authorized agents.

Any person violating this ordinance shall be subject to a fine of Two Hundred and Fifty Dollars (\$250).

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**7.2 OPEN SPACE AREA ASSOCIATED WITH BLUESTONE PROJECT  
LOCATED ON IVY BROOK ROAD**

Alderman Papa MOVED to accept open space area associated with the Bluestone Project located on Ivy Brook Road Open Space Parcel (4.2 acres) as identified on partial map of Shelton Office Park Two; SECONDED by Alderman Kudej.

Alderman Perillo stated, I should add, typically I agree with the Conservation Commission, they do a wonderful job, but I think I may have discussed this with a few of you, on this one I think they're wrong. This is land that by virtue of owning it the City would gain no incremental benefit. This is a situation where payment in lieu of open space would do the City better than with the acceptance of open space.

Alderman Anglace stated, I'm not sure that I understand the point. It may be that I didn't hear it all.

Alderman Perillo stated, the City may, in lieu of open space, accept a payment in lieu. This is one of those situations where I believe the City would be better served by a payment in lieu rather than the deeding of a small bit of property that isn't developable anyway. In effect this parcel would remain as open space whether the City owns it or not. Further, it's in a wetland area so it couldn't be built on.

Alderman Anglace stated, I'm not so sure it's in a wetland area, because I have the map in front of me and I don't see any wetlands. I walked the property with the builder. From the beginning of the subdivision, they have earmarked the property and we have accepted already from the beginning of Ivy Brook Road on Constitution all the way up to where the cul-de-sac is at the end – all the property on the left-hand side already was designated for open space, has already been conveyed to the City and we accepted it. This property that we're talking about is 4.2 acres that borders Ivy Brook from the point of the cul-de-sac where there is now a guard house and goes along the left side of Sure Source and borders the river.

The map shows a conservation easement to the City of Shelton right along Ivy Brook. We found that the conservation easement was never

recorded, therefore it doesn't belong to us, so we're adopting not only the parcel of open space but that conservation easement as open space. So it's all one package we're picking up tonight, it's 4.2 acres. So I think it has merit.

I think that the Conservation Commission saw it as protecting the brook – Ivy Brook. But the Mayor if you recall, at one of our earlier meetings, had said to us that by accepting it it would open us to a lot of illegal dumping and stuff like that. He is absolutely right, but not this property, the property that we already own. That is where the intrusions have been. And when I talked to the developer and I talked to the Mayor, I said, you guys have to work this out because it's easy, nobody can see along that road, and the big boulders they've got are spaced far enough apart so people can drive up with their trucks, unload a washing machine or something, throw it over the side, and down it goes 40 feet into the ravine into Ivy Brook. We've already had to go up there and clean some of those out. So the Mayor is not too happy, but he's not too happy about the wrong thing. We already own that so we've got to get the developer to go back and put some more rocks in.

Alderman Finn stated, originally years ago when it was first being developed for the industrial site Commissioner Wilbur and Commissioner Jones at that time wanted to look at Ivy Brook so it would be Ivy Brook (inaudible) down to the river.

Alderman Anglace stated, that's right – that's exactly where Conservation was coming from. I can appreciate the point, but I think we ought to proceed and accept it.

A voice vote was taken and the MOTION PASSED 7 Yes, 1 No (Perillo).

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### **7.3 CHANGE ORDER #15 FOR WASTE WATER TREATMENT FACILITY EXPANSION AND UPGRADE PROJECT**

Alderman Papa MOVED to approve Change Order #15 between the City of Shelton and C.H. Nickerson & Company for the Waste Water Treatment Facility Expansion and Upgrade Project to extend the contract duration a total of one hundred eighty-two days from February 1, 2008 through July 31, 2008 to perform riverbank stabilization in the vicinity of the outfall structure, complete remaining punch list items and to perform pending change order proposal activities; and further,

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

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### **7.4 CHANGE ORDER #16 FOR WASTE WATER TREATMENT FACILITY EXPANSION AND UPGRADE PROJECT**

Alderman Papa MOVED to approve Change Order #16 between the City of Shelton and C.H. Nickerson & Company for the Waste Water Treatment Facility Expansion and Upgrade Project for estimated final costs to be a decrease in the contract by \$51,989.76; and further,

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

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**7.5 SHELTON SANITARY SEWER COLLECTION SYSTEM  
IMPROVEMENTS AMENDMENT #8 CWF 165-C**

Alderman Papa MOVED to approve Amendment #8, Shelton Waste Water Treatment Facility Expansion and Upgrade; CWF 165-C in the amount of \$174,000 with funding to come from the Wastewater Collection Systems Referendum Bond; and further,

MOVED to authorize Mayor Mark A. Lauretti to sign all documents and effectuate said agreement; SECONDED by Alderman Kudej.

Assistant Corporation Counsel Ramon Sous stated, Mayor Lauretti has asked regarding this that this matter be referred to the Finance Committee so that McGuire can come and make a presentation regarding the amount of the increase.

Alderman Finn MOVED TO TABLE this item TO REFER IT TO THE FINANCE COMMITTEE; SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 8-0.

**8 FINANCIAL BUSINESS OLD**

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**8.1 FUNDING FOR PROBATE COURT REFURBISHMENTS**

Alderman Papa MOVED to add additional expenses for miscellaneous repairs/enhancements to new Probate space on White Street to the Capital Improvement Plan with Funding in the amount of \$8,000 to come from LOCIP; SECONDED by Alderman Simonetti.

Alderman Finn asked, is this going to be the only bill in front of us for the move? Are they moving the phones once again?

Alderman Anglace stated, I don't know of any other bills that are coming. We can take it as a rhetorical question and forward it to the Probate Judge if you wish.

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

**9 FINANCIAL BUSINESS NEW**

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**9.1 APPROPRIATION OF FUNDS FOR THE RESTORATION OF THE  
MAIN ROOF OF THE COMMUNITY CENTER**

Alderman Papa MOVED to approve the contract between the City of Shelton and Gold Seal Roofing & Sheet Metal Inc. for restoration of the main roof at the Shelton Community Center and to authorize Mayor Mark A. Lauretti to sign any and all documents necessary to effectuate said agreement; and further,

MOVED to appropriate the sum of \$270,900 with funding to be provided by bonding, pursuant to Section 7.1.6 of the City Charter; SECONDED by Alderman Olin.

Alderman Finn asked, is this the same contractor that put the roof on over the swimming pool?

Alderman Papa stated, I think it's a different one; that was Silktown.

Corporation Counsel Welch stated, yes, this is the first time I've seen this company.

Alderman Anglace stated, the Board remembers the meticulous approach we took to this with the x-ray of the entire roof. We have a pretty good fix on what needs to be done. Usually roofs have about 25 year guarantee; we'd better be sure that's built in. We all should understand that we, the Board of Aldermen, under our authorization to bond, will be including this \$270,900 at the end of this year.

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

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## **9.2 LOCIP FUND SPENDING ADJUSTMENTS**

Alderman Papa MOVED to increase the revenue line item LOCIP Proceeds #001-0000-331.21-00 by \$275,000; and further,

MOVED to increase the expenditure line item LOCIP Projects #001-6100-951.80-57 by \$275,000; SECONDED by Alderman Perillo. A voice vote was taken and the MOTION PASSED 8-0.

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## **9.3 WAIVER OF BIDS FOR A PREVENTIVE MAINTENANCE PROGRAM FOR POLICE AND FIRE DEPARTMENTS RADIO SYSTEMS**

Alderman Papa MOVED, per the recommendation of the Acting Purchasing Agent, to waive bids for a preventive maintenance program for the Police and Fire departments radio systems; SECONDED by Alderman Farrell.

Alderman Anglace stated, the goal is to have all of the preventive maintenance under one roof – under one vendor for both Fire and Police. They both came and presented this jointly, and it was good to see them working together on a program. The Board of Education, EMS, and Public Works also will be under this one roof as well.

Alderman Perillo stated, it puts in one central location all of the preventive maintenance within one organization. What has happened in the past is, depending on who the low bid was for a project, different companies did work on the system and on the equipment throughout. Nature of the business, everybody does things a little bit differently to come up with a fix. This will provide for a continuum of care for the equipment.

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

## **10. - LEGISLATIVE - NEW**

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### **10.1 ITEMS TO PUBLIC HEARING**

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#### **10.1 A. AMENDMENT TO ORDINANCE SECTION 2-134 CORPORATION COUNSEL SALARY**

Public hearing scheduled for February 26, 2008 at Shelton City Hall.

Alderman Anglace stated, I would like to share with you something that I pulled out of the newspapers, just so that the Board and the public is aware of what a deal we're getting from our Corporation Counsel and Assistant Corporation Counsel. In yesterday's paper, "Judge Orders Ansonia to Pay Lawyer \$19,000." He submitted his bill to Ansonia for \$400 an hour. The judge knocked it down. It was too much. She knocked it down to \$350 an hour. Our guys are charging us \$140 for extra stuff that they do that isn't covered in their salary. That's a heck of a deal. Thank you.

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**10.2 APPOINTMENT TO THE ANTI-LITTER COMMITTEE**

Alderman Papa MOVED, per the recommendation of the Mayor, to appoint Audrey Nefores of 2 Keron Drive to the Anti-Litter Committee effective immediately; SECONDED by Alderman Perillo. A voice vote was taken and the MOTION PASSED 8-0.

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**10.3 SERVING OF BEER AND WINE ON PARK/CITY PROPERTY FOR DERBY-SHELTON ROTARY EVENT**

Alderman Papa MOVED to allow the serving of beer and wine on Park/City Property for the Derby-Shelton Rotary Club's Old Fashioned Lobster Bake event to be held on the Riverwalk on August 2, 2008 provided there is police presence and supervision during the hours the wine and beer will be served; SECONDED by Alderman Simonetti.

Alderman Finn MOVED to AMEND the motion to include: Drinks are limited to three drinks per ticket holder; SECONDED by Alderman Simonetti. A voice vote was taken and the AMENDMENT PASSED 8-0.

Alderman Papa stated, the Rotary Club plans to use some of the funds to build a pavilion on the Riverwalk area.

Alderman Simonetti stated, it's important for safety reasons near the river to limit the drinks to three per ticket holder.

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

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**10.4 ASSIGNING OF NAME TO THE UPPER ELEMENTARY 5/6 SCHOOL**

Alderman Papa MOVED per the recommendation of the Board of Education to approve "Perry Hill School" as the official name for the new Upper Elementary 5/6 School; SECONDED by Alderman Kudej.

Alderman Simonetti stated, I understand the Board has been naming schools after streets and cities, but this City has a wealth of people who come through the school system, our wonderful teachers and educators and just great citizens of the City, and I think we should honor them as we have in the past. Whether it was Kingsley, this school was named after someone, Elizabeth Shelton School was named after someone, Commodore Hull School, Ferry School. We should think about this, table the motion, and think about naming the school in the name of Mary Lou Cook who recently passed away and was a wonderful person who not only brought education to the regular students but also was a pioneer in taking care of the handicapped students, not only from the City of Shelton but in the State of Connecticut and helped us form what we now have as a very good program for these people.

Alderman Simonetti MOVED TO TABLE.

Alderman Anglace ruled the motion to table out of order because discussion is still taking place. We haven't finished discussing it yet, and you may not want to do so after we finish discussing it.

Alderman Anglace stated, I think what you just did was to cite the very reason why generically we name these schools by generic names. There are any number of people that have come through the system or through the City that we could all make a case on naming something after them. I think that's the main reason why. The schools that were named after a person were named many years ago and for the last at least 30 or 40 years we've stuck with generic names. I don't have a problem, and neither does anybody else and neither does the Board of Education. The Board of Education has named Ed Finn Stadium. Items within the school system and items within the town can be named after somebody. Like an auditorium. I would suggest that an auditorium or something like that be named in honor of Mary Lou Cook, or Richard Belden, or, I'm sure we could find any number of people. This is good discussion because we can give it back to the Board of Education and ask them to consider it. We name the school, but we don't name the auditorium, we don't name the internal things, and they've got plenty of things they could name things after. I totally agree with the contributions that Mary Lou Cook made, that Leon Sylvester made, any number of people. Your motion would be in order if you still want to table it.

Alderman Simonetti MOVED to TABLE.

There was no SECOND to the motion.

A voice vote was taken and the MOTION PASSED 7 Yes, 1 No (Simonetti).

## **11 Executive Session**

At approximately 8:30 p.m. Alderman Papa MOVED to enter into Executive Session to discuss the following items:

- 11.1 Echo Hose Firehouse Floor – Szeker Engineering, Inc.
- 11.2 Michael McPadden Settlement Agreement
- 11.3 Stop & Shop v. City of Shelton – Tax Appeal
- 11.4 Simons v. City of Shelton – Tax Appeal
- 11.5 Connecticut Commercial Investors Co. v. City of Shelton – Tax Appeal
- 11.6 Loren Casertano – Workers Compensation
- 11.7 Purchase of Property (Subject to 8-24 Referral)
- 11.8 Louis Gherlone Excavating v. City of Shelton
- 11.9 City of Shelton v. Phoenix Housing of Shelton
- 11.10 Environmental Protection Agency Matter
- 11.11 Purchase of Property (Subject to 8-24 Referral)

and invited Tom Harbinson to remain for two Conservation issues; Corporation Counsel Welch and Assistant Corporation Counsel Sous to remain in the Auditorium; SECONDED by Alderman Finn. A voice vote was taken and the MOTION PASSED 8-0.

## **Return to Regular Session**

At approximately 9:10 p.m. Alderman Kudej MOVED to return to Regular Session; SECONDED by Alderman Olin. A voice vote was taken and the MOTION PASSED 8-0.

Alderman Anglace noted that there were no votes taken in Executive Session.

### ***Motions from Executive Session***

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#### ***11.1 Echo Hose Firehouse Floor – Szeker Engineering, Inc.***

No action.

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#### ***11.2 Michael McPadden Settlement Agreement***

Alderman Papa MOVED to authorize a settlement as presented in the case of Michael McPadden v. Thomas Musbeck and to accept the sum of \$58,000 as a partial payment toward the City of Shelton's Workers Compensation lien; and further,

MOVED to authorize Mayor Mark A. Lauretti to execute any and all documents and releases necessary to effectuate said settlement; SECONDED by Alderman Perillo. A voice vote was taken and the MOTION PASSED 8-0.

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#### ***11.3 Stop & Shop v. City of Shelton – Tax Appeal***

Alderman Papa MOVED to approve the stipulation for judgment as presented in the tax appeals case entitled 'Stop & Shop Supermarket Company v. City of Shelton'; SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 8-0.

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#### ***11.4 Simons v. City of Shelton – Tax Appeal***

Alderman Papa MOVED to approve the stipulation for judgment as presented in tax appeal case entitled 'S. Brian Simons et al v. City of Shelton'; SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 8-0.

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#### ***11.5 Connecticut Commercial Investors Co. v. City of Shelton – Tax Appeal***

Alderman Papa MOVED to approve the stipulation for judgment as presented in the tax appeal case entitled 'Connecticut Commercial Investors Ltd. Co. v. City of Shelton'; SECONDED by Alderman Kudej. A voice vote was taken and the MOTION PASSED 8-0.

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#### ***11.6 Loren Casertano – Workers Compensation***

Alderman Papa MOVED to approve the promise rating in the Workers Compensation matter of Loren Casertano of 31.5 percent as provided in the correspondence dated January 25, 2008 from Connecticut Health Care Workers Compensation Trust; SECONDED by Alderman Perillo. A voice vote was taken and the MOTION PASSED 8-0.

**11.7 Purchase of Property (Subject to 8-24 Referral)**

Alderman Papa MOVED to approve a contract between the City of Shelton and the Huntington Development Group, LLC for the purchase of real property known as 279 Soundview Avenue, Shelton, Connecticut, for a price of \$2,224,500; with a gift from the seller of \$100,000 for a net price of \$2,124,500; with initial funding of \$700,000. \$200,000 is to come from the Open Space Account and \$500,000 is to be provided by bonding pursuant to Section 7.16 of the City Charter; and further,

MOVED to authorize Mayor Mark A. Lauretti to execute any and all documents to effectuate same, subject to review by Assistant Corporation Counsel, and further, subject to a favorable 8-24 referral from the Shelton Planning and Zoning Commission; and further,

MOVED to appropriate the amount not to exceed \$500 for a title search and \$3,889 for title insurance with funding to come from the Open Space Account; SECONDED by Alderman Finn. A voice vote was taken and the MOTION PASSED 8-0.

**11.8 Louis Gherlone Excavating v. City of Shelton**

No action.

**11.9 City of Shelton v. Phoenix Housing of Shelton**

No action.

**11.10 Environmental Protection Agency Matter**

No action.

**11.11 Purchase of Property (Subject to 8-24 Referral)**

No action.

**Adjournment**

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

The meeting adjourned at approximately 9:20 p.m.

Respectfully submitted,

Patricia M. Bruder, Clerk  
Board of Aldermen

Date Submitted: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_ BY: \_\_\_\_\_

Mark A. Lauretti  
Mayor, City of Shelton