



BOARD OF ALDERMEN
SHELTON, CONNECTICUT
FULL BOARD MEETING
THURSDAY, MARCH 12, 2009

A

Call to Order / Pledge of Allegiance

Mayor Mark A. Lauretti called the meeting of the Board of Aldermen to order at 7 p.m. All those present 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:

Assistant Corporation Counsel Ramon Sous

There was a quorum present.

Agenda Items

PUBLIC SESSION

Diane Alterio, 211 Summerfield Gardens

I just passed some photos up to you, I'd like you to look at them while I'm talking. These photos are of the current bus parking lot on Riverdale Avenue, which is the topic of our discussion again this evening. We made an appearance at the February meeting at which time you were all totally unaware of the Mayor's intention to make a parking lot and relocate the buses to Constitution Boulevard North at the Wiacek property. If you had not been in the area of the current parking lot for the buses, I'd like you to pay a visit to that, and then drive up to Constitution Boulevard North and drive around Independence and Wellington Court, and see the beautiful homes around there which, until the market downturn were selling in the area of \$800,000 each. Then drive through Summerfield Gardens, which again only a year ago were selling in the upper \$450,000 to \$500,000. Which I might add, the Gardens budget pays \$125,000 a year just to maintain our grounds. Then stop at the site down the road from our entrance and see the marked off area where the potential driveway into the Wiacek property is for the proposed lot, right down from our entrance. Take a walk on that property and see where the families of the Wiacek and Splan family were about to develop on 24 approved lots, high-end homes that this property was in the family for 85 years, which the City of Shelton took by eminent domain.

I'm sure that all of you sitting up there have nice homes or condos in very nice neighborhoods in this City. If this was happening to any one of you in your neighborhoods, tell me that you wouldn't be standing here in my place and all your neighbors would not be standing or sitting behind you right now. This past month, this issue has been played out in all the newspapers numerous times. The latest articles just printed in last Thursday's headlines, "Shelton to Pay More for the Wiacek Property," in which the Mayor is quoted as saying, "the City has not done anything yet with that property but if needed, the land could be used as a school bus lot in the future."

More importantly, you, the Board of Aldermen voted in late 2004 to acquire this property via eminent domain for the purpose of open space and recreation at a cost of \$2.5 million. A Superior Court judge ruled last week that the City will now have to pay an

additional \$856,000 plus interest of \$208,000. So another \$1 million is added to the \$2.5 million purchase price, to \$3.5 million for that beautiful property. If you are willing to pay \$3.5 million and then approve the Mayor's proposal to move the buses from their current location and make a parking lot on this property that you acquired for open space and recreation, are you willing to do that?

One of our neighbors in addition, I found this interesting, was in City Hall last week and it was told to us at our meeting this week that we have earned the label of "Whiners of Summerfield." If this is true, on behalf of the residents of Summerfield, a lot of us are here tonight, I want to tell you that we are not whiners. We are not doing anything that any decent citizen, resident or taxpaying homeowner wouldn't do for their community. I'd rather be labeled as taxpayers of the City of Shelton, concerned citizens and homeowners of Summerfield, or the active community of concerned taxpayers of Gardens of Summerfield.

It's not easy to get up here and speak in front of all of you; most of us are not used to public speaking. Many of the residents here cannot speak before you but are here to support us, and we thank them for that. Taking a look at those photos once again, ask yourselves how difficult it would be to sell the private homes in that immediate area or the condos at Summerfield when a potential buyer drives through the neighborhood and sees that picture. Sixty or more buses, outhouses, fuel tanks, fuel lines, cars, trucks, equipment, diesel smells, traffic – especially when the buses are entering or exiting the lot. It's unsightly and it's an unhealthy scenario for this area. You are our public elected officials and I ask that you do the right thing. Once again, I appeal to you to use this beautiful open space for the purpose it was intended. The Conservation Commission, Trails Committee, at it's January 2009 meeting posted major goals for open space plans to construct trails from the Paugussett Trail through this property. We would encourage you to do that. As taxpayers, we take tremendous pride in our City and our community in this residential neighborhood and we want to preserve its beauty. Do not forget the benefits of open space. Besides economics it includes recreation, quality of life and environmental. The property where the buses were originally parked on River Road is for sale. Consider purchasing that property and move the buses back to their original site.

In closing, you will continue to see us here at every monthly meeting making the same case until you assure us that you will not convert that open space property into a parking lot, and that you will vote no to relocate the school buses to that area. It's the wrong thing to do and you know it. If you could assure us of this tonight, we will not take any of your time in the future. I thank you for your time.

Diane Byron, 6 Mayflower Lane

I represent the residents of Mayflower Lane and Canterbury Lane, a few of which are here with me tonight. We oppose the agenda item brought forth by the Trails Committee tonight to route the Paugussett Trail up through Mayflower Lane. Some of the reasons we oppose this trail to go through our neighborhood are security of our children, there are 24 homes in this neighborhood and amongst those homes are 49 children. We're concerned for safety of our children of having the trail go right up through our neighborhood. We're also concerned that by having a trail entrance right off the cul-de-sac part of this street, we'd be concerned with parking in the cul-de-sac and that would prohibit mail service or other traffic coming through. This is amongst many other concerns that we have.

We have had meetings with the Conservation Commission regarding this matter over the past years. We understand that this is a compromise to use the road rather than the open space in our back yards. But it is not a compromise where anyone wins. Hikers don't want to walk through yards and up roads, and we don't want them to either. We ask that they find an alternative route to connect the trail. Thank you.

Christopher Panek, 19 Meghan Lane

I have three items I want to discuss. The first two are on the agenda; the third is not.

The first item is on your agenda, item 7.1 Anti-Graffiti Ordinance. I just wanted to voice my support for the ordinance and hope that the Board passes it tonight. I believe the Aldermen and the Citizens Advisory Board put a lot of effort into crafting the ordinance did a good job. Although the headline in last week's Huntington Herald spoke about critics of the ordinance, I attended the public hearing and I didn't hear any critics speaking at the public hearing, so I'm not sure where the critics were. In the meantime I just hope that you pass it tonight; I think it's a very well-written ordinance.

Next is item 10.4 - Amendment to List of Professional Services. This was on your agenda last month as well. It's regarding, I believe, the Administrative Assistant to the Mayor requested that you add Insurance to Professional Services. Not to reiterate what I spoke about last month, but I don't know if that's such a good idea. Unfortunately there's no backup to this item on your agenda, so I'm not really sure what the discussion will take place about that, but hopefully there will be some discussion about that tonight.

My last item, and a more important item, is regarding an article that was in The Connecticut Post today regarding the sale of City property on Soundview Avenue. I believe that this process which has been followed thus far regarding the sale of this property is a blatant violation of City Ordinance #782 - Procedure to Sell City Property. On Tuesday night the Planning and Zoning Commission had on their agenda an 8-24 referral to sell a portion of the recently-purchased property at 279 Soundview Avenue. Unfortunately on their agenda, the property address was not even listed so it was unbeknownst to me until I read the article in today's Post exactly what they were voting on Tuesday night. The problem is not that the City is considering to sell the property, because that certainly can be debated either way. The problem is that City Ordinance #782 establishes clear procedures that are to be followed when the City wants to sell property of significant value. In fact, the ordinance was worked on when I sat on this Board, and only last month this Board voted 8-0 to make further revisions to the ordinance. So I would assume that the eight Aldermen on the Board are very familiar with the ordinance. The Ordinance reads, "Procedure. Initial determination by the Board. If a request is received by the Board of Aldermen asking the City to sell City-owned property, and the Board of Aldermen determines that the Board has an interest in selling the property, or if the Board of Aldermen decides to sell City-owned real property, the Board shall follow the following procedure: 1) the Board of Aldermen shall request from the Conservation Commission and Parks & Rec Commission their opinion regarding said sale. The Board of Aldermen specifically wants said commissions opinion regarding the property's open space, conservation or recreational value to the City. 2) The Board of Aldermen will consider the information provided by the Conservation Commission and Parks & Rec Commission and determine if the Board wishes to proceed. 3) If the Board of Aldermen determines to proceed, the Board of Aldermen will then seek an 8-24 referral from the Planning and Zoning Commission." At that point the ordinance continues that the Board waits for the 8-24 referral and then decides whether or not to proceed to a public hearing.

So, how was the ordinance violated? Well first, the 8-24 referral came from the Mayor's Office. I have a copy of the memo from the Mayor's Administrative Assistant and that memo went directly to Planning and Zoning. The request to sell the City property according to the memo is coming from the Mayor's Office, which is a clear violation of the ordinance. That is not allowed in the ordinance; the request has to come from the Board of Aldermen. Secondly, the Conservation Commission and Parks & Rec Commission have not even discussed the sale of the property yet or reported their findings to the Board of Aldermen, again, as required by Ordinance 782. Third, the Board of Aldermen has not considered the opinions of the Conservation Commission and Parks & Rec Commission prior to determine if it wishes to proceed with the sale of the property, again required by Ordinance 782. And fourth, the 8-24 referral that was put on the Planning and Zoning agenda was clearly out of order since it did not come from the Board of Aldermen and had not first gone to the Conservation and Parks and Rec Commissions.

Therefore, I plan on sending a letter to Corporation Counsel to investigate the matter and determine if the Ordinance was violated, and by whom. If Ordinance 782 was violated, as I believe it was, then the vote that occurred at the Planning and Zoning Commission

on Tuesday night should be null and void, since Ordinance 782 and the Procedure to Sell City-Owned Property was not followed. Thank you.

Alderman Anglace stated, without getting into a quid pro quo here, I just want you to know that your comments are absolutely on the mark. The Ordinance was not followed. I don't know that the request did apparently come from the Administrative Assistant, it didn't come from the Board. Of course, as you know, we just voted on that like a month ago to change the ordinance. We've got to get in sync and I'll tell you this right now, we will not go further with that until such time as we follow the Ordinance to the letter of the law. We will not consider it. The next step will be, as pointed out in the Ordinance, to ask the opinion of Conservation and Recreation. That will be the next step. Whatever comes to us from Planning and Zoning will be null and void and we'll get to them after we get opinions from Conservation and Recreation. We appreciate your comments.

Eileen Jackson, 121 Summerfield Gardens

I actually have a piece on the exposure to children of diesel and exhaust fumes, which I'm sure we're all aware of. What I'm more upset about is, we're not up to over \$4 million for this piece of property. I'd like to know, if for some reason the courts decide eminent domain is not going to go through, and we have to give this property back, can I expect a refund check from the City of Shelton for what I've been taxed on, with interest? Thank you.

Pat Fazio, 235 Summerfield Gardens

When the City of Shelton took the Wiacek Farm by eminent domain, court papers were filed indicating to the court that the property would be used for open space and recreational use only. With that in mind, I am proposing an ecology, conservation and historic park with trails and benches, using the type of display signs similar to those at the rest areas on the Merritt Parkway with instructional and educational displays. This would be one of the main focuses of the park. In one area, a sign could be used to identify the animals now living on the property with their habitat. The area has deer, turkey, squirrels and many species of birds. Another area perhaps using the expertise and help of the Audubon Society could be a natural bird feeding area. The area of conservation, the area where the wetlands are visible, could have a sign to explain why the wetlands are there, how they got there, and why they need to be preserved. Another area to cover the historical segment of Shelton, enlist the Wiacek family to share their family's history of farming and land use over the last 80-plus years, and preserve the barn and implements that were used over those years to farm and maintain the property and support that family. The special ecological, conservation and historic nature of this park could be used by the Scouts for the badges they need to earn, families, and for school class trips on all grade levels. The fact that most of the property is level would be an advantage for senior citizens and young families with strollers. This project could be done over a five-year period so that the budgeting and spending could be spread out. Enlisting the help of clubs, scouts, especially Eagle Scouts, the Audubon Society, the Historical Society and the Wiacek Family would make this a true community effort. This park could be called "City of Shelton Ecology, Conservation and Historic Trails at Wiacek Farms." I look forward to shaking each of your hands at the dedication and opening of this park. Thank you.

Chris Jones, 24 Mustang Drive

I'm just here to make a few comments on The Connecticut Post editorial today in regards to the fire at the High School. The headline on the editorial is "Shelton Faltered on School Inspections." I just want to read a few paragraphs of it. "Shelton Fire Marshal James Tortora does not dispute those numbers gathered by the Shelton Democratic Town Committee, but said the lack of personnel up to two years ago limited the number of inspections his office could perform." The first paragraph here, "The Fire Marshal's office has been falling short in inspecting the City's schools on an annual basis as required by State law. City officials must redouble efforts to comply with the State laws and make the schools a top inspection priority." Well, to its credit the Fire Marshal's Office which now has six members has inspected every elementary school for the past two consecutive years prior to the opening of the school. Yet the High School and

Intermediate School were not inspected, and that's not acceptable. There are good reasons that State law requires annual inspections, and those State laws must be obeyed. The key in this paragraph is, it says that, "The Fire Marshal's office up to two years ago didn't have adequate staff." If you look at the Fire Marshal's office there are six paid people in that office. You have Deputy Fire Marshal Bobby Albert who has been there six years. Deputy Fire Marshal Ben McGorty has been there nine years. Deputy Fire Marshal Robert Novack has been there 20 years. Deputy Fire Marshal Rockwell has been there 25 years. Chris Far, Deputy Fire Marshal, has been there 30 years. The Fire Marshal himself has been there 25 years. I don't understand why they meant lack of manpower – the same six guys have been there for at least six years. It later states, "Accountability is the key issue here." Since I don't understand why the Board of Aldermen have not asked the question why this happened, or is looking into the matter of why this fire happened, why the Public Health & Safety Commission has no items on their agenda, I took it upon myself to get all the documentation out of the Shelton High School fire inspection folder. Hence, there was no inspections to look at for the last 20 years for Shelton High School. So the question is, why hasn't the High School been inspected for 20 years? All these gentlemen, or a majority of them, have been here for 20 years. I took it upon myself to gather all that documentation and I submitted it to the Division of Fire, Emergency and Building Services to Director Robert Ross. He received the complaint and all the documentation and he will follow up with me as the investigation goes on. I would have thought that somebody of our forefathers would have taken the initiative to look into why this has not, the school has not been investigated for the last 20 years. It later states that "Rep. Jason Perillo has submitted legislation to the State Legislature on the current General Assembly to require Fire Marshals to submit their annual inspection reports to local Boards of Education." He sat on this Board for up until last month. He didn't say a word for those two months after this fire. How come all of a sudden now he's bringing it up and trying to say that, let's pass legislation to hold the Fire Marshal accountable now. He could have brought that up and said that.

I hold the Fire Marshal's office totally responsible for lack of inspections on this High School, which, the fire, it was made out to be a cigarette in a garbage can in a storage room. The storage room was a thousand square foot room that burned so heavy and so hot it twisted the steel. Now, the reason that the school is going to be closed over the summer; I don't really think it's because of the gym floor is buckled and they have to work on that. I do think that the real reason is, as stated here on the website, Mesothelioma Center News, it has an article, it's a national cancer website that has an article that states, "Asbestos Removal to Interfere with Summer Use of Connecticut School." Hence, Shelton High School. And the source says it was The Connecticut Post, and I didn't see any of this that's in this letter in The Connecticut Post the other day. So for the statement you made that the gymnasium is not to be used because of water damage to the floor, I think is just a small part of that.

The final note is, just to make matters even better that, this is myself, my own opinion, that I hold the Fire Marshal responsible. And I have no personal vendetta against him, because we belong to the same Fire Company. I'm just trying to make a point here that something wasn't done over the last 20 years that I don't know, can't explain. He hasn't been reprimanded. Nobody has, there's no reprimand. It's a State law that things are supposed, these buildings and schools are supposed to be inspected every year. So what happens, on January 13th, Fire Marshal James Tortora receives a congratulations on being appointed by the Board of Aldermen to the Shelton High School Fire Rehabilitation Building Committee. "Your appointment card is attached." You've congratulated him for being appointed to this committee.

Alderman Anglace asked, where did that come from?

Mr. Jones replied, this came from Theresa Adcox, your Clerk. CC'd Mayor Mark A. Lauretti, Margaret Domorod, and the City Directory. "The Board of Aldermen thanks you for your willingness to serve the City of Shelton."

Alderman Anglace stated, oh, wait a minute. I know what you're talking about now. Those are appointment letters that are sent out to everybody on every committee that's ever appointed in the City of Shelton for the last hundred years. It's the same letter.

Mr. Jones stated, okay.

Alderman Anglace continued, it doesn't mean that he's the only guy that ever got such a congratulatory letter.

Mr. Jones stated, no, he's just being appointed to a committee as 10 other people have been appointed to it.

Alderman Anglace stated, of course. When people are appointed, you send out the customary letters.

Mr. Jones stated, you're congratulating the fox in the henhouse. That's all I'm stating.

Joseph Ramatowski, 16 Woodbridge Avenue, Ansonia

Some of you may recognize me. I'm a retired Shelton Police Officer. On January 8th, Channel 8 aired a piece on the evening news reporting the five towns around Candlewood Lake are being sued for negligence as a result of a fatal boat accident, because there was no marine patrol on the lake. Shelton has a similar situation that exists on the lower Housatonic River, that being the area between the Commodore Hull Bridge and the Stratford Town Line. That area has a problem with constant boating violations, which is a result of little Police enforcement activity. This area has heavy boat traffic on weekends. There have been several boat accidents, some involving serious injuries over the years, along with two aircraft crashes and several boat fires. The DEP has a boat at Ayers Landing. Due to other obligations they spend little time on the river. The DEP Officer I spoke with advised that they try to do about five hours a week but are often called away as they are responsible for the Sound, Indian Wells, and other places. The river is patrolled above the dam by the Yale Boat House by the Lake Housatonic Authority, and below Shelton by Milford and Stratford Police Departments. The Shelton area has little patrol and as a result we attract every reckless boater in the area, because they can do whatever they want with no one stopping them. Traffic and violations in this area are only going to get worse with the completion of the planned expansion of Beacon Point. It will increase their capacity from 50 to approximately 200 boats and by improvements to the Sunnyside Boat Ramp that are being considered by the City. The area of the river needs a constant Police presence with patrols operating on the weekends and the three major holidays – Memorial Day, Fourth of July and Labor Day. Shelton Police have made attempts over the years to set up patrols, but because of manpower considerations they were short-lived and discontinued. Some of the officers were even trained in boat enforcement and given boater safety certificate courses. What I'm asking tonight is that the Board work with the Police Department to try and institute some type of Marine Patrol on the summer weekends and holidays. I've spoken to the management of the three boat yards – Ayer's Landing, River's End and Beacon Point – and they all support the idea. I'm hoping that if we begin to address this now we might have this implemented by the summer. I would be more than willing to assist in planning or as a liaison with the boat yards or in any other way to get this done. I realize that this will cost money and that the economy is in really tough shape at this time. But failure to do this could cost a great deal more in the long run. Thank you.

Alderman Anglace stated, Mr. Ramatowski, just so you know, several years ago, the Mayor suggested that the Board of Aldermen appoint a Housatonic River Estuary Commission, which is headed by Bob Gesullo, and is a Commission composed of the towns of Milford, Orange, Stratford and I don't know who else. Contact Bob Gesullo – he's listed in the City directory. Talk to him.

Mr. Ramatowski stated, I've had a boat on the river for about 30 years. As far as patrol, whatever is in force, very little is happening. I'll see Stratford take a ride through once in a while, and very seldom the DEP manages to be there because again, they're called out for other things. So whatever they're doing, it isn't much.

Alderman Anglace stated, they were formed to get all the towns together and look at the issues and try to give us some direction. Not only to us, but other towns as well. Before

that there was nothing; you're right. There is now lower Housatonic Authority like there is in Lake Housatonic.

Mr. Ramatowski stated, that's where the problem is. They all know that there's nothing down there and they do what they want.

Alderman Anglace stated, that was the reason why we formed the Housatonic Estuary Commission, because Shelton is not going to take on this responsibility by itself. The river doesn't belong to Shelton, it belongs to everybody and we want them all involved.

Mr. Ramatowski stated, I understand, and I think what you'll hear from the other towns is that they don't have any problem going on their side of the river, and they're going to tell us that they're not interested.

Alderman Anglace stated, no, they are interested. The first major hurdle they had was organizing the commission, getting people involved and getting the other towns to agree to sit as equal members. Together they'll start coming up with some plans, because the next step is money.

Paul McCabe, 21 Wellington Court

I'm going to get sidetracked a little bit here, because I know someone had brought up something about the property on Soundview Avenue. I just wanted to mention something about that myself. As a taxpaying citizen of Shelton, I'm obviously concerned when we go out and we pay exorbitant amounts of money at the top of the market for real estate. I understand open space has its merits. I'm originally from Long Island. There we're not in the habit of blowing millions of dollars on open space purchases that may not be especially prudent. I know in this case a developer had bought the land, I guess in a bidding war, for \$1.4 million. I think the original asking price was \$1 million for that property. And it winds up that, after all is said and done, I believe we paid \$2.2 million for that property - \$800,000 over the price that a developer would have paid for that. I understand open space is critical to what we want to do with Shelton. I only bring this up because I think this property is linked to the property that we have behind our property - Summerfield Gardens - adjacent to Summerfield Gardens and also to my home. We have an open space purchase there. That was basically using and exercising eminent domain to take that land, and I believe it was approximately \$2.5 million that was paid for the Wiacek property. I don't mind having the town pay that kind of money if they're going to use it for the purpose that it was intended. And in this case, the Wiacek property was intended to be open space, it was supposed to be, or it was represented that it would be used as open space for recreation or for connecting trails that would be part of the Lakes region in Shelton. I have no qualms in us spending our taxpayer money on things like that. This woman had a good suggestion here, an ecological park. To me that is something that's worthwhile. But I certainly do not believe it's worthwhile to have a bus depot placed directly in the middle of a residential neighborhood. You have Mayflower Lane on the other side of Meadow Street, you have ourselves off of Constitution Boulevard North, Wellington Court, Independence Drive. Toll Brothers is one of the top luxury home builders in America. I don't think they build luxury neighborhoods with the intent of having their residents necessarily living next to a bus depot. They specifically select land for certain reasons, and I think having the wetlands surrounding us and having the wildlife and other amenities that we all chose to live around, I mean, I think that's critical that we preserve it in that fashion.

I think to purchase this property by eminent domain in itself is basically an over extension of the authority given to the town. I understand eminent domain in the years in the 50s and 60s for building infrastructure and highways, but in this case I don't think it was absolutely necessary to exercise that. But however, I think to blow what could be essentially \$3.5 million and to have a bus depot with buses owned by a private company park there, I just think it's an abuse of the land. I think it's defacing the land. Not only that I think it's also going to provide contaminants that are going to contaminate the water in the surrounding areas, the wetlands that, I guess the Planning and Zoning Commission, I don't know who creates wetlands in Shelton but at the same time we're surrounded by them. All those wetlands will be contaminated if this is to pass. Just the basic government - government is to serve the best interest of the people. I think using

this open land as a parking lot for buses is an obvious abuse of power and a betrayal of the public trust. This is a trust, basically a public that Mr. Lauretti was elected to serve. I think if he goes ahead with this proposal I would hope that the Board of Aldermen and others would basically act to shoot this down. I really think it's a misuse of the land; I think it's a betrayal of the trust of the taxpayers of Shelton because they were told one thing and yet another thing is being done. I think a bus depot belongs in an industrial commercial area; it doesn't belong in a residential neighborhood and especially a more luxurious neighborhood. I'm sure if you asked the people in the Berries on the other side of Huntington if they'd like to have a bus depot in their neighborhood, I don't think they'd be very happy about it. This is not a thing about, "not in my back yard," this is about "not in anyone's back yard." Something like this belongs in an industrial commercial district, not a residential area, especially a residential area like over near the High School.

In this case I think it's akin to awakening a sleeping bear and that bear is in a bad mood. You know, it will defend its territory and do what it must in the interest of self-preservation. Myself and my neighbors and the people of Shelton will not sit idle, while Mayor Lauretti considers his plan that will deface this landscape, endanger wildlife, taint the wetlands and the surrounding property with contaminated runoff. I think this runs contrary to common sense and this is another indication of having the straw break the camel's back. We won't stand for this type of injustice and we'll do what we have to do to stop this plan from ever becoming a reality. I don't think it's appropriate; I think it's an injustice to the taxpayers of Shelton and not only, I don't want anyone else to have to go through something like this if it's to go forward. I think it's really not government acting in the best interest of its people. We elected, or a certain percentage of people elected Mayor Lauretti to serve the best interests of this town and I think he should do so by acting in it's best interest and doing what we all know is the right thing, which is to preserve that land, and to use it as open space and to use it for recreational purposes, which is what it was presented as being in the first place. Thank you very much.

Fred Kilburn, 171 Summerfield Gardens

I'm totally in agreement with everybody here. I'm sure you gentlemen up there, that is you think only a little bit about this issue that you'll be in total agreement with us also. You would not want this next to your home or in your back yard. Anybody that does want this, I'd like to see them stand up now and raise their hand because I'm sure you'll gladly shift the purpose to there. Thank you.

Thomas Harbinson, 15 Soundcrest Drive
Chairman, Conservation Commission

I think some of the speakers comments earlier on all subjects can probably all be tied together with one theme, and that's communication. I won't go into all of the nuances of the purchase of the Wiacek property by eminent domain – that's been resolved in the courts and so on, and the evaluation of that. I won't go into the evaluation of 279 Soundview Avenue and it's purchase, and then the subsequent request that's coming forth to sell a parcel. And I won't go into discussing the Mayflower Lane residents, again not wanting to have a trail, the Paugussett Trail namely, traverse through their property, through the City property nearby their homes. They have been rehashed over and over. The minutes are available to any City resident regarding the Conservation Commission's presentation as to why the Wiacek as well as the Tall and the Wabuda properties should have been purchased. It was back in 2004. That presentation which is available on the City website it's very clearly spoken why the Conservation Commission thought that property – the Wiacek specifically – should be purchased. You can go into the City minutes and see where the Board of Aldermen funded the purchase and where they funded the purchase from. You can go into the minutes and see why you pursued eminent domain. You can go into the minutes and you can see why the courts approved that process.

I'm tired of having to communicate this back and forth because people don't – and I mean the citizens as well – don't take the effort to look into what's available to them in information. I'm probably not going to make too many friends in the room tonight, but if you go to our website, www.cityofshelton.org or the City of Shelton's conservation website, www.sheltonconservation.org you will very quickly find any information you

want. Open Space Plan. I personally comment on every newspaper article that comes out regarding conservation issues on a blog. You can get access through the Conservation website to that. It's too much time to repeat myself about all the nuances of all these issues time and time again.

Communication from City Hall is also very poor. Soundview Avenue, the request to sell the parcel apparently back to the person who sold the property to the City, I as the Chairman of the Conservation Commission had to find out about it after the fact as well. Not listing the full street address in the agenda of the Planning and Zoning Commission is suspicious to me. They clearly show the address for every other application, why not on this one? As you stated earlier, the process was not appropriately followed, likely because the process just recently changed due to ordinance. I'm glad to hear that will be corrected. When some sort of proposal does come to Conservation, we will comment on it's merits then. I'm disappointed that in the communication of what happens in City Hall and who proposes things, that those efforts are not communicated fully to all of the Commission chairs at the very least. With that, I'll just stop. Thank you.

Alderman Anglace stated, Tom, before you leave, would you take a moment and just explain the definition of open space, recreation, under which the Wiacek property was taken, and what that means, what percentage of land can be used for other things? Would you just elaborate on that a little bit? It might be of interest to the people here.

Mr. Harbinson stated, sure. By the end of your comment, I reference again people's confusion as to percentage of open space and what can be used. The majority of the property around that area was purchased as property from the Bridgeport Hydraulic/Aquarion Company as open space. There are deed restrictions on those specific parcels due to State Statutes as being a Class 3 Watershed that was acquired by the City of Shelton. The voters overwhelmingly, I think it was 98 percent affirmative in the referendum voted to purchase those properties. There are other properties that came from the Summerfield Gardens subdivision according to subdivision regulations that are set aside as open space. Same thing happened for the Toll Brothers subdivision on Independence Drive. Same thing happened on Mayflower Lane on the other side of Meadow Street. All of those parcels that were acquired through subdivision or outright purchase, or in the case of the Wiacek parcel by eminent domain, were following an Open Space Plan. The Open Space Plan identifies greenways in town by which we place special emphasis on regions that should be preserved or conserved as open space. I specifically say conserved as open space because it may not stay open space forever if its not deed restricted. The values for purchasing those properties, if they are from subdivision there's no acquisition cost by the City as to the subdivision process. If it is purchased it's through an agreement with the property owner, come to an amicable agreement and the purchase dollars may come from a City bonding, it may come from the Open Space Trust Account. If it's by eminent domain there's appraisals done for every property so that you as the fiscal authority do not pay too much for a parcel on behalf of the City residents. All this is spelled out. I'm not quite sure what you wanted to know.

Alderman Anglace stated, here's what I want you to explain. The City built the Shelton Intermediate School on open space property. How were we able to do that? What percentage of open space can be used for other purposes?

Mr. Harbinson explained, the property that was purchased from Bridgeport Hydraulic, it is not how much you can use for other purposes, it is how much you 'have' to use for open space. Eighty-five percent of the total acquisition from Aquarion/Bridgeport Hydraulic has to be used for open space purposes. The balance of the acreage that was purchased, and that purchase agreement in 1998 can be used for alternative purposes. The open space purposes specifically says 'passive recreation.' Passive recreation is a definition in the Connecticut General Statutes. The balance of the property you could do whatever you would want with. The City chose to build the Shelton Intermediate School on a parcel of land near Constitution Boulevard North and Route 108. The acreage that it consumed in that construction consumed all of its ability to do anything on any parcel under the purchase agreement with Bridgeport Hydraulic, which includes parcels scattered on Far Mill River and up by the Trap Falls Reservoir and other acres throughout town, because it was the entire acreage assemblage, percentage-wise, you could do

something with, because the rest had to be used for open space/passive recreation. You've used that up. You can build no more parking lots on that property. You can build no more sports fields on that property. You can only use it for passive recreation, a definition in the Connecticut General Statutes.

TAPE ONE, SIDE TWO

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

MINUTES FOR APPROVAL

1. MINUTES FOR APPROVAL

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

Regular Meeting of February 11, 2009
Special Meeting of February 24, 2009

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

5.1 FINANCE COMMITTEE

5.1.1 MARCH 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 \$7,236.76 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 Simonetti. A voice vote was taken and the MOTION PASSED 8-0

5.1.2 APPROPRIATION OF FUNDS FOR FIRE DEPARTMENT TURN OUT GEAR AND PAGERS

Alderman Kudej MOVED, per the recommendation of the Finance Committee, to appropriate \$78,000 from Aldermanic Bonding pursuant to Section 7.16 of the City Charter for the purchase of turnout gear and pagers for the Fire Department; 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

No items.

REPORT OF THE MAYOR

None presented.

REPORT OF THE PRESIDENT

None presented.

6.0 LEGAL REPORT

6.1 CORPORATION COUNSEL BILLING

Alderman Papa MOVED to authorize a total payment of \$2,760.86 to Corporation Counsel Winnick, Vine, Welch, & Teodosio, LLC for services rendered per statement dated March 5, 2009 with funds to come from the following Legal Services Accounts:

Legal Fees	001-1900-411.30-03	\$1,166.00
Foreclosure Fees	001-1900-411.50-01	1,425.00
Miscellaneous Fees	001-1900-411.80-03	169.86

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

6.2 ASSISTANT CORPORATION COUNSEL BILLING

Alderman Papa MOVED to authorize a total payment of \$2,445.33 to Assistant Corporation Counsel Ramon Sous for services rendered per statement dated March 1, 2009 with funds to come from the following Legal Services accounts:

Legal Fees	001-1900-411.30-03	\$2,275.00
Miscellaneous Fees	001-1900-411.80-03	170.33

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

7 LEGISLATIVE - OLD

7.1 ITEMS FROM PUBLIC HEARING

7.1.A WATER MAIN ASSESSMENTS – SORGHUM ROAD

Alderman Papa MOVED to approve the water main assessments as set forth by the City Engineer for Sorghum Road in his memo to the Board of Aldermen dated February 4, 2009; and further,

MOVED that these assessments be published in summary form with a full copy available for review in the office of the City Engineer; SECONDED by Alderman Kudej. A voice vote was taken and the MOTION PASSED 8-0.

7.1.B WATER MAIN ASSESSMENTS – WALNUT TREE HILL ROAD

Alderman Papa MOVED to approve the water main assessments as set forth by the City Engineer for Walnut Tree Hill Road in his memo to the Board of Aldermen dated February 4, 2009; and further,

MOVED that these assessments be published in summary form with a full copy available for review in the office of the City Engineer; SECONDED by Alderman McPherson.

It was the consensus of the Board members to authorize Alderman Anglace to send a letter to Mr. Alan Potter in order to meet with him to discuss possible avenues in regard to the water main assessment.

Alderman Anglace stated, I'll send all of you a copy of the letter.

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

7.1.C WATER MAIN ASSESSMENTS – BOOTH HILL ROAD

Alderman Papa MOVED to approve the water main assessments as set forth by the City Engineer for Booth Hill Road in his memo to the Board of Aldermen dated February 4, 2009; and further,

MOVED that these assessments be published in summary form with a full copy available for review in the office of the City Engineer; SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 8-0.

7.1.D ANTI-GRAFFITI ORDINANCE

Alderman Anglace stated, I think this Anti-Graffiti Ordinance has to be sent back to the Public Health & Safety Committee. If you look in the ordinance, under Section C – Enforcement, Section ii(3) needs rewriting. The property owners who are the victim in this case, are being made to clean up the graffiti in 10 days. In discussions I've had with the Mayor and Corporation Counsel, I've suggested that as much as 30 days should be given the victim in this case. Sometimes you've got weather conditions and you just can't abate the graffiti. It would be putting the victim in a bad situation. I think at the end of this ordinance we should write in the method to be used by anyone who wishes to appeal the allegations that they've violated the ordinance. The method should be clear at the end of the ordinance how they appeal it..

Alderman Finn stated, if you go to the next page to paragraph 3 in the bold red. It states, the City of Shelton Police Department may extend the period for an additional 10 days for weather conditions. Tonight if you wish to, we can change to 30 instead of 10.

Alderman Anglace stated, yes, I would appreciate that. If you look at the end of the ordinance, the appeal business, some things are in there, I think the appeals should be reference, Section I-24ab, rather this clearly is how you go about making an appeal if you wish to appeal it.

Alderman Finn stated, the appeals process would be the same as it would be with the burning ordinance; that they would appear in front of the committee.

Alderman Anglace stated, there is no statement here at all about the appeal.

Alderman Papa stated, we did discuss this at Public Health & Safety. My only concern is, when there is something like down at the ball field there was some racial comments made on the dugout and the Police Department called Highways and Bridges or Parks and Recreation and we had to clean it up immediately. If you have religious or racial slurs or derogatory statements on somebody's property, whether it's public or private, I don't want to wait 30 days to remove it. I think it should be done within a period of time.

Alderman Kudej stated, to clarify that, it wasn't cleaned up, it was just painted over. We still had to re-do it.

Alderman Anglace stated, you can address it when we send it back to Public Health & Safety, address that right into the ordinance and bring it back next month.

Alderman Papa stated, I don't think we should wait 30 days. That's too long of a time to wait.

Alderman Anglace stated, you can clarify it to say, in the judgment of the Police Department, it's derogatory or inflammatory racial slur...

Alderman Simonetti stated, I don't think you should put that burden on the Police Department.

Alderman Kudej stated, in this particular case it was the Police Department that came down with some paint and covered it up. And we had to re-do the building.

Alderman Papa stated, we also had to do it on the bridge. The Police Department and the State reacted very quickly and they painted right over it. I think to delay it is the wrong way to go. You could send it back to committee. Why should the City be responsible to clean it up immediately and the homeowner has 30 days?

Alderman Anglace stated, the difference is the homeowner becomes the victim. Some perpetrator came in and did this to his property, then we come on top of it and say look, you've got 48 hours, you've got 10 days. Now it's the middle of winter; what if he can't get it done?

Alderman Finn stated, 30 days extension would only be related to weather conditions. If it occurred at Riverview Park we'd expect it would be corrected in that 10 day period of time.

Alderman Anglace stated, up to 30 days may be granted, not necessarily 30 days in every case. Some judgment has to be applied here by the Police Department.

Alderman Papa stated, it's already 10 days, the Police Department could extend it another 10. So that's 20 already. We'll take it back to Public Health & Safety it's just the idea, I don't want to extend it too far out because I think that's not the proper way to go. We could settle it right now like Alderman Finn suggested.

Alderman Papa MOVED to adopt proposed Anti-Graffiti Ordinance as amended and provided by Corporation Counsel which is included by reference; 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 Finn.

Alderman Anglace stated, the motion is on the floor to accept the Anti-Graffiti Ordinance as it appears in front of each member with the red cross-outs and changes in red, and what Alderman Papa said is already written in there, and that's the way you want to adopt it. Do you want to make any changes to it?

Alderman Papa stated, this went to Corporation Counsel, because he came to our meetings. He added those extra 10 days into this ordinance. I just think extending it another 10 days - I don't think it should be that long of a time. We don't have to amend it. It's already in here for 10 days, and the Police Department can extend it another 10. That's 20 days. And, don't they all have appeals?

Alderman Anglace stated, the City of Shelton Police Department may extend the period for an additional 10-day period for weather conditions. Okay.

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

7.1.E OPEN BURNING ORDINANCE

Alderman Anglace stated, I'd like to suggest that we are on the right track here in the direction we're going. But it has come to our attention that the State has a Bill that is working in this Session that parallels our Ordinance. It asks that wood smoke in particular be added to the Connecticut Public Health Nuisance Code which would then enable local health inspectors, in this case Valley Health, to investigate and take action against people responsible for smoke that is causing a nuisance. If passed, there would be no need for us to amend our ordinance. So I suggest we send it back to Public Health & Safety and wait to see what happens at the State. Jason Perillo is well aware of this and is the one who kept us informed on it.

Alderman Kudej stated, I saw that and Dan stated that he didn't hold much hope for it to pass.

Alderman Anglace stated, if it doesn't pass...

Alderman Kudej stated, he said it was becoming on us to have our own ordinance.

Alderman Anglace stated, before I learned of that, you have to know that there were a lot of questions coming to the Clerk. People were asking to confirm that this ordinance applies only to outdoor wood burning situations. There was some confusion. Our

ordinance does not focus on the cause of the smoke, but the smoke itself and it's impact on health. Where we're going with it is, I've seen people living here in town with one acre properties whose wood burning stove didn't cause a health hazard traveling one acre to the next property. But I've seen also people with wood burning stoves whose chimney comes out and the smoke goes into the second floor of the house next door because they're in such close proximity. That does cause some health hazards. That shouldn't be for us, we have to give the Health Department the tools to work with so that should this be causing somebody a health hazard, then it can be abated regardless of the origin of the smoke.

Alderman Kudej stated, I believe Dan's comment was that the proposed Bill was termed as "nuisance smoke." He didn't think it was going to pass.

Alderman Anglace stated, I think it would be very favorable if it passed.

Alderman Simonetti stated, listening up at the State Capitol, the woman who is complaining the most is an elderly woman from Hamden, her home is old, and when the people next door burn their wood burning stove the smoke seeps into her home. The houses are close. She has a problem with breathing. It sounds like the State suddenly doesn't want to micromanage this problem that's happening in Hamden.

Alderman Papa stated, probably each case should be handled individually. So many people have wood burning stoves and pellet stoves, and also heat their house with oil. There is some smoke, some fumes from burning oil. If you're going to have somebody complain next door to you, you'll have a Pandora's Box of complaints.

Alderman Simonetti stated, I think we should send it back to Public Health & Safety Committee and wait for the State.

Alderman Anglace stated, the serious part of this is, the problem is a health hazard. That's the serious part. Jason Perillo and I have been working with a gentleman in the second ward who he and his family for the last two years have had to live with this situation where the property owner next door in a small one family house, his smoke goes right into the second floor apartment where this gentleman and his family live. It's causing them a health hazard. The current ordinance, wood burning ordinance, that we are trying to amend, doesn't regulate the smoke. It regulates outdoor wood burning. That's what it does. That rightfully belongs with the Fire Marshal. The problem of smoke causing a health hazard belongs rightfully with the Health Department - Valley Health - who represents us. They're better qualified and able to get out there and determine whether or not something is truly a health hazard and abate it. All we're doing is to give them the tools. If we do, it'll be a positive move. I still think we should at least wait until the State takes action on the bill so we can see what happens. If it doesn't go through the State, then we can pursue it. It's House Bill 6616 - An Act Establishing Wood Smoke to be a Public Nuisance.

No action.

8 FINANCIAL BUSINESS OLD

No items.

9 FINANCIAL BUSINESS NEW

9.1 MERIT SYSTEM EMPLOYEE INCREASES

Alderman Finn excused himself from discussion and action as his daughter is a Merit System Employee. He stated, I sent a letter to the Ethics Board, the Board of Aldermen and the Mayor's Office as required.

Alderman Papa MOVED to increase the total compensation for non-union Merit System Employees by an amount not to exceed \$38,000 which is to be allocated pursuant to Section 5.6 of the Merit System and Personnel Rules, effective July 1, 2009; and further,

MOVED to amend the salary schedule for non-union employees with a recommended increase for classes 21 through 29 of 6 percent, effective July 1, 2009; SECONDED by Alderman Kudej.

Alderman Anglace stated, you know that this comes up annually. These are the non-union Library, City Hall, and other folks that work for the City that aren't represented by a union. These are full-time employees. We act on this measure annually. I'm not so sure that a six percent increase in the rate ranges is appropriate or is needed. It doesn't cost any money to do that, all it does is to move the rate ranges at the bottom and the top by six percent so that those people who are employed in those rate ranges would have room to receive an increase. Otherwise, a lot of people who might be at the top of the rate range would not be able to get an increase if they were at the top of the rate range. Some increase would be appropriate, but I haven't studied it. It won't cost any money to do it. If we look afterward, we see them and they're high, next year we just don't increase them, we leave them where they are.

The six percent refers to the movement of the rate ranges. The \$38,000 is the pool of money that the Administrative Assistant and the Mayor have, once they do the Merit evaluations on every employee, then they have to make a judgment call and people can receive a lesser amount or higher amount, but they can't exceed the \$38,000.

A voice vote was taken and the MOTION PASSED 7-0.

Alderman Finn returns to the meeting at this point.

9.2 EXTENSION OF BROKER OF RECORD CONTRACT FOR ONE YEAR

Alderman Papa MOVED to approve the Broker of Record Contract Extension between the City of Shelton and Ned Miller Associates; and further,

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

Alderman Anglace asked the Board to consider, page 2, item 2, "the term of this agreement shall commence as of January 1, 2009 and end December 31, 2009." I want to ask you to consider amending the motion to change the term from 1/1/09 to 6/30/10. That is an 18 month period. Amend it also on the next page, item 4, Compensation to the Agent - "the agent shall receive as compensation the fixed sum of, for that 18-month period, \$50,000." If you agree and would amend the motion to incorporate those two changes, then we'll discuss it.

Alderman Papa MOVED to amend the motion; SECONDED by Alderman Finn.

Alderman Anglace explained, as you know the Broker of Record contract was formerly \$50,000 a year. The gentleman who provided that passed away. The same agency is going to be selected. The agreement is to go 18 months so that this ends with our fiscal year, and we won't have it ending in the calendar year. He's willing to do it for the 18-month period for \$50,000.

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

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

[The Board observed a one- minute recess so the Clerk could upload the sound file.]

9.3 AMENDMENT TO CONTRACT BETWEEN THE CITY AND KONOVER CORPORATION

Alderman Papa stated, this is going to be a change to the original suggested motion.

Alderman Papa MOVED to approve the amendment between the City of Shelton and Konover Corporation and authorize Mayor Mark A. Lauretti to sign any and all documents to effectuate same; SECONDED by Alderman Kudej.

Alderman Anglace stated, the thing is, Konover Corporation was who we contracted with originally. They changed their name, and this reflects the change in name, but the contracts have to be amended.

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

9.4 BID WAIVER – EMERGENCY FUNDING – SHELTON HIGH SCHOOL CLEANUP

Alderman Papa MOVED to waive the bids for the replacement of materials at Shelton High School for the emergency cleanup project as recommended by the Purchasing Agent; SECONDED by Alderman McPherson.

Alderman Finn asked, Connecticut Tank Removal, somebody wrote next to it, “hold for discussion.” On the second page, it’s \$10,000. Is the committee asking us not to act on this one?

Alderman Anglace stated, these are the documents that were given to us, given to the Building Committee by Ken LaCroix. As I explained earlier to Alderman Finn, when the cleanup began we were meeting with CIRMA, our insurance agent on this. We said to them, we need some money, things have to be done, we have to get the kids back in school, the cleanup is going to happen, we just can’t delay. We asked them for some money up front and they gave us \$300,000 up front. We immediately went to work and started getting things done to get the kids back to school within a week. Had we not done this and asked them for the money up front, when we identified things that needed to be cleaned up, ceiling tiles replaced and such, they would have just brought somebody in, done it, paid for it, and we wouldn’t have been involved. It was all part of expediting the process. We thought it would be a good idea to take all the bills we’ve received to date on this, bring them here, and get a blanket bid waiver. All these are going to be reimbursed by the insurance company.

Alderman Finn asked, the Connecticut Tank Removal, that was approved?

Alderman Anglace replied yes, everything was approved by the Building Committee.

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

10. - LEGISLATIVE - NEW

10.1 ITEMS TO PUBLIC HEARING

No items.

10.2 PAUGUSSETT TRAIL – APPROVAL OF ROUTE

Alderman Anglace stated, I would suggest that we take no action on this. There are a couple of issues here that need further discussion with the Mayor and others. We need to agree on the exact route for the trail in at least two locations. I think you all have a map of the proposed trail. As the route goes through the former Wiacek property, we need to reach an understanding, as it’s shown on the map here, it goes right through the center of the property. I think we’ve got to ask some questions of the Conservation Commission Trail Committee and understand that we may move that, and I don’t think that will be a major problem for them either, but depending on how this property ultimately gets used some time in the future, we may have to move the trail, and I’m not sure just what they intend to do by way of a base for the trail through there. That needs to be discussed. Also, the map shows two alternatives around the Mayflower Lane area and I think the Mayor has told me that he has a third alternative that he wants to propose and discuss. I think it would be in the best interest not to take any action on

this at this point, just get the alternatives together and arrange a meeting with the Mayor and Conservation Commission.

No action.

10.3 AMENDMENT TO ANTENNA SITE LEASE – PINNACLE TOWERS

Alderman Papa MOVED to approve/disapprove the Third Amendment to Antenna Site Lease No. 200588001N0048 by and between Pinnacle Towers, LLC and the City of Shelton; and further,

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

10.4 AMENDMENT TO LIST OF PROFESSIONAL SERVICES

No action.

10.5 APPOINTMENT TO THE BOARD OF BUILDING APPEALS

Alderman Anglace stated, the Board of Building Appeals requires minority representation under the State law. It requires one electrician, two general contractors, one plumber and one architect or engineer. We need to get people to fill these openings. The problem is that people are reluctant to do it. This is what State law requires; we can't just put anybody in there. These kinds of people do work in this town. They won't volunteer. They're not going to jeopardize their business to serve on a board where they can't do business in this town. It looks like a catch-22. We need at least one electrician, two general contractors, a plumber and an architect or engineer.

Alderman Simonetti asked, and they have to live in the City of Shelton?

Alderman Anglace replied, yes.

Alderman Simonetti stated, but they'd cut their own throat if they did?

Alderman Anglace replied, yes.

Alderman Simonetti asked, who thought this one up?

Alderman Anglace replied, it's a State law. We have appeals that these people have to decide, and we've got appeals pending. We can't get people to serve.

Alderman Simonetti asked, can they be retired?

Alderman Anglace replied, they can be retired, sure. As long as they've got the appropriate experience. If anyone's interested in serving, they can contact me. That's one of the reasons we brought it up here, to get the word out. Retired people would be ideal.

Alderman Finn, INAUDIBLE.

Alderman Papa asked, is there any stipend on this?

Alderman Anglace replied, no.

No action.

11 EXECUTIVE SESSION

At approximately 8:37 p.m. Alderman Anglace MOVED to enter into Executive Session to discuss the following items:

- 11.1 Wiacek Farms, LLC Litigation
- 11.2 Sosnoff Litigation

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

Return to Regular Session

At approximately 8:55 p.m., Alderman Papa MOVED to return to Regular Session; SECONDED by Alderman Simonetti. 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

11.1 WIACEK FARMS, LLC LITIGATION

No action.

11.2 SOSNOFF LITIGATION

No action.

ADJOURNMENT

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

The meeting adjourned at 8:55 p.m.

Respectfully submitted,

Patricia M. Bruder, Clerk
Board of Aldermen

Date Submitted: _____

DATE APPROVED: _____ BY: _____

Mark A. Lauretti
Mayor, City of Shelton