

PLAN UPDATE ADVISORY COMMITTEE

Minutes

Room 104, Shelton City Hall

Shelton, CT

Monday, July 12, 2004

Members Present:

**Frank Osak, Chairman
Peter DiCarlo
Tom Harbinson
Jim Tate**

**Fred Musante
Anthony Pogoda
Michael Adanti**

Staff Members:

Richard Schultz

Agenda Items:

I. Call To Order

Chairman Frank Osak called the meeting to order at 4:40 P.M. Anthony Pogoda said he has to leave the meeting at 5 PM to attend another meeting.

II. Pledge of Allegiance

All in attendance pledged allegiance to the flag.

III. Approval of Minutes

Chairman Frank Osak stated that there were no errors or corrections to the June 28, 2004 minutes. **Tom Harbinson made a motion to approve the minutes and Fred Musante seconded the motion. A voice vote was taken, all were in favor, motion passed.**

IV. Discussion: Scope of Services

Chairman Osak stated that in this section of the meeting Glen Chalder of Planimetrics was supposed to be here. I have to bring you up to date on the meeting Tom Harbinson and I had with the Mayor plus I made several phone calls today. If you remember Peter and I had a meeting with the Mayor last Monday and we went over the contract with him showing the \$132,500. His concern was spending more money for transportation as some of us did as well. We spent about 1 ½ hrs. with the Mayor. The way we left was, we shook hands and he said he would take it to the Board of A&T and we asked if he wanted us there to which the Mayor said no, it wasn't necessary. On the morning of July 8,

there was a memo sent from Tom Welch's office (Corporation Counsel). The memo was distributed to the members. There are two items that he recommends as additions to the contract. Richard Schultz stated that the contract does not include the two additions to the contract. Glen Chalder said to Richard that he wishes to meet with the Mayor and couple of representatives from this committee and Corporation Counsel to iron it out. Glen does not think it is a major obstruction. He is concerned that there could be a 90-day period of time when the City terminates the contract and he doesn't get paid. There are some things that need to be worked out.

Chairman Osak stated that if you read the stipulation, non-appropriation, it essentially, if you put it into the contract, it would take it from a contract to a fee for services. My question was this addition a standard boilerplate the City uses? When Tom Welch called me back he said it was a boilerplate used to protect the City if funds don't get re-appropriated in the next fiscal year.

I called Al Cribbins to keep him up to date on this as well. Then Richard Schultz called me and we discussed whether we should postpone this meeting because Glen wants a signed contract before coming to meet with us. Then I called the Mayor and he said at 2:35 this afternoon that he spoke with Glen and that he would be at our meeting and the contract would be finalized this week. So it is 4:45 P.M. and Glen Chalder isn't here. There seems to be some impasse on the details of the contract.

The committee members discussed the second item on the addition to the contract which states that the transportation engineer identified and the cost associated therewith is optional and may only be retained by the Consultant after the City agrees in writing that the City wishes the Consultant to retain said transportation engineer.

Some felt that the reasoning for the second item was just the cost that the Mayor was concerned with.

There was additional discussion of the problem with this deal. It was brought out that it is believed that we don't have the authority to act unilaterally that says whether we are going to do the transportation aspect of this effort or not. The contract as written calls for the transportation aspect to be done. This stipulation says, no it remains optional (who is going to do it), and we will tell you later if you are going to do it or not.

Jim Tate stated that the Mayor feels that since Barkan & Mess has already done a lot of work for the City and has the information available, so why should we re-do it. I say for \$5K, you are wasting my time, collectively let's move on. If it costs us \$5K to make that judgment later on, so be it. We are down to a point where we need to move on and can't be arguing over this \$5K.

The committee members felt that they were spending too much time with the details of this contract and need to start focusing on the details of the plan.

Tom Harbinson made the point that they already budgeted for the \$5000 for the first informational meeting. They could be here today to give us the presentation of their results. That shouldn't be stopping them. They owe the City some work. Richard Schultz said that is why he got the agenda out last Thursday.

Peter DiCarlo made a motion to “stand down” until the details are worked out on the contract.

It was discussed that you need a second to have a discussion. Jim Tate seconded the motion for purposes of discussion.

The members continued to discuss whether they should put a hold on the meetings until the contract is resolved, primarily so that Planimetrics could get started, or is there enough issues for the committee to continue to meet without that resolution.

Chairman Osak asked everyone if they wanted to continue working and they all answered yes.

Peter DiCarlo withdrew his motion and Jim Tate withdrew his second.

Jim Tate suggested we give them a week to get this resolved. We could talk to him as individuals if we have to and let him know this has gone beyond our patience. Let’s move on and it’s breaking up our committee right now. Let’s move on, we don’t have time for this and let’s do that. Given that magnitude I think it will be resolved sooner than you think.

Getting on to future discussions, they discussed the need to meet with Leon Sylvester to go over the long-range plan. Rick Schultz told the committee members that when he receives the printed copy he will hand deliver the plans to the members. It is a very long and detailed plan, which will be a lot of material to read.

V. Future Meeting Times and Schedules

Richard Schultz said that he would confirm when Lou Marusic and Frank Pagliaro will be able to meet with the committee, either July 19 or July 26. The meeting with BOE will probably be Aug. 9. The meeting where Planimetrics will come will either the 19th or the 26th.

VII. Adjournment

Tom Harbinson moved to adjourn the meeting, seconded by Jim Tate. All were in favor, meeting adjourned at 5:25 P.M.

Respectfully submitted,

Marianne Chaya
Secretary, Plan Update Advisory Committee
A tape is on file in the City/Town Clerk’s Office