

**BOARD OF ALDERMEN
REGULAR MEETING
MAY 3, 2010**

The Board of Aldermen of the City of Milford held their Regular Meeting on Monday, May 3, 2010 in the aldermanic chambers of City Hall. Vice Chairman P. Smith called the meeting to order at 7:33 p.m. She asked those present to join in saluting our flag and reciting the Pledge of Allegiance and remain standing for a moment of silence for our men and women serving our country.

1. Roll Call

Board Members Present

B. Bevan
B. Bier (7:43 p.m.)
B. Blake
D. German
A. Giannattasio
F. Goodrich
M. Hardiman
B. Joy, Jr.
J. Patterson
P. Smith
P. Staneski
N. Veccharelli
P. Vetro
R. Vitali

Also Present

Mayor J. Richetelli, Jr.
L. Bull DiLullo, Mayor's Admin. Asst.
L. Stock, City Clerk
W. Smith, Jr., City Attorney (10:00 p.m.)

Excused

G. Smith (sick)

Mayor Richetelli reported Chairman G. Smith called and was sick tonight.

Chairman P. Smith deferred to the Mayor for a proclamation.

Mayor Richetelli stated he had a proclamation to offer for City Clerk's Week. He called upon City Clerk, Linda Stock and her staff as he read the proclamation. He also stated the Governor had sent a proclamation acknowledging this week as City Clerk's Week.

Mrs. Stock introduced each member of her staff.

Mayor Richetelli called upon Kathy Huber, President of the Milford Council of PTA's as he read a proclamation acknowledging May 3-7, 2010 as Teacher Appreciation Week.

2. Public Statements

Public statements are limited to the legislative function of the Board of Aldermen. He stated only residents; taxpayers or electors may address the Board. The time limit granted to each speaker shall be three (3) minutes. He asked each speaker to adhere to the three-minute limit.

S. Godek – 154 Mary Ellen Drive – spoke concerning the K2, 3-5 reconfiguration and the Simon Lake School closure. She stated the 2010 census is slated to be available in November 2010 and stated the Board of Education should be waiting for that data. Reading from a prepared statement she expressed concern with busing and how much time children would spend on the bus. She questioned how the K-2 teachers would speak with the 3-5 teachers. She also stated a superintendent should be in place before these changes take place. She also spoke about what children would go through be moved so often.

J. Schuld – 259 Burnt Plains Road – asked the Board to restore the full amount the Board of Education requested. He stated he grew up in Milford and stayed here because of the schools. Reading from a prepared statement he spoke regarding the proposed closing of Simon Lake School and the K2, 3-5 reconfigurations. He stated it is not a good idea for children. He questioned if the Board of Education had considered the drama clubs, how long children would be on the bus, etc. He pleaded with the Board to reinstate the full amount requested by the Board of Education.

B. Nunno – 9 Elm Street – stated he was here tonight to address the Board of Education for those students that attend the Milford Public Schools. He stated he teaches at West Shore Middle School, Simon Lake and Pumpkin Delight. He expressed his hope the Board would do the right thing for the students and restore the monies. He stated he attended the Board of Education meeting last week to learn of the proposed closing of Simon Lake and the K2, 3-5 proposal. He asked the Board to please consider the parents and student when finalizing the budget. He stated the budget is fair to every department and that when he sat on the Board last year they reduced taxes without devastating one department for another. Mr. Nunno asked the Board to show where each of the cuts are being made in each and every department. He stated the \$2,200,000 reduction by the Board of Finance would result in about 45 positions or 13% of the staff. He also asked the Board to explain how class size would not be impacted. He reiterated he was asking this Board to do the right thing and reinstate the Board of Education's request and save Simon Lake.

T. Beirne – 55 Bayshore Drive – stated this is the third time he has come before this Board with suggestions that will not cut teachers or close schools. He went on to speak about a 1991 mandate by the federal government that full time employees be included in social security. He explained how his changes would save the taxpayers and our schools.

M. Rodrigues – 45 Cynthia Drive – stated he has deep concern to restructure the district to a K2, 3-5 system. He asked the Board to provide the adequate funding for the Board of Education and take Mr. Cummings up on his offer to make it a mandate to keep the schools as is. He stated his children currently walk to school and that the restructuring of the neighborhood would have a significant and fundamental change and something that should not be done rashly. He stated the impact will be enormous. He questioned what would happen with drama clubs, daycare, fundraising for PTA, etc. He also stated siblings would be separated, thereby reducing or eliminating role models. He also stated it would put undue burden and stress on families. He stated the proposal affects too many children and given the time constraints the plan cannot and should not be considered. He asked the Board not to consider the K2, 3-5 proposals and keep the neighborhood structure.

T. Ivers, Block Grant Developer – gave the Board an update on the Energy Block Grant progress and also an update on the HVAC system in City Hall. He also spoke regarding the energy incentives received. He spoke regarding the fuel cell project at the Wastewater Treatment Facility building. He stated they would be determine a 5-year funding idea and would come back before this Board in July.

R. Smith – 59 Sixth Avenue – commented this administration has recognized cheerleaders, baseball, etc and questioned when the last time was that teachers were recognized. He commented the budget has already been decided, but the process has not. He stated the closing of Simon Lake School is too soon and too fast. He quoted the majority leader as having said there were no cuts to be found on the city side of the budget, but history stated the city side always goes up and has ever received cuts. He stated the only time there was a cut on the city side was when the Democrats were in charge. Mr. Smith also pointed out the majority leader commended Mr. Cummings on his budget and stated he did as well, noting it takes guts to come out with that type of response. He asked the Board to find creative ways to make cuts on the city side and to look for \$1,000,000 on the city side and then given the Board of Education one year to work things out. He asked the Board again to look at the city side of the budget and find the cuts. He noted there are 30 open positions on the city side and those departments are still operating and still surviving. He challenged the Board to side the money on the city side.

J. Kupson – 140 Platt Lane – asked the Board to reinstate the funds to satisfy the request of the Board of Education. He stated the impact of the proposal change will be enormous. He stated he has three children in the school district and questioned how school times would be balanced, how pick-up would be arranged, after school care, etc. He also questioned the impact on one's ability to invest time in a school. He also stated there just are no facts that a K2, 3-5 system works. He referenced an article in the local newspaper, February 2009 regarding the Ansonia Public Schools that had a K2, 3-5 configuration and went back. He pleaded with the Board to reinstate the funds.

A. Wheat (sp) – McDermott Street – questioned how a parent would get to different schools. She stated on her street there are a lot of working parents. Reading from a prepared statement she expressed concern with transporting the children, how long, she questioned the idea of mentoring programs. She stated the proposal is just too quick and questioned why it was moving so fast. She also questioned how a new superintendent would deal with this.

K. Castello – 31 Seaview Avenue – stated she lives in the Simon Lake area. She stated going to Plan 3 friendships would be split and in Plan 4 families and siblings would be split. She stated if the requested budget is restored, Mr. Cummings stated he would take it as a mandate not to close Simon Lake School and not go with the K2, 3-5 restructure. She stated this is the only public forum to address concerns. She asked the Board to pay tribute to the teachers and children by restoring those positions on the block.

A. Petrahai – 32 Orient Avenue – stated he has been a taxpayer since 1964. He stated last year the Board of Aldermen cut taxes and it worked. He also stated there would be no stimulus money next year which will lead to another shortfall. He pointed out Mr. Cummings is home grown, organic and believes in the kids. He also stated there needs to be a solid foundation and that Mr. Cummings has come up with a good system. He expressed his hope this Board comes to a smart conclusion and not an emotional one.

T. Acri – 88 Lenox Avenue – stated he is a teacher at West Shore Middle School and a parent at Simon Lake who they just celebrated 50 years of learning. He expressed his hope the Board would restore the budget. He spoke regarding a sense of community mentoring and also stated he is honored to be an educator in Milford.

Jason (child) – Windsong Lane –stated he is a 4th grader at Simon Lake and started there when he was a kindergartener. He stated they just celebrated 50 years of learning. He asked what would happen to their school and wondered would it be torn down.

Liam Rice – Windsong Lane and Green Street – stated he is a student at Law. He spoke proudly of where his brothers and sisters go to school. He stated it is possible with the proposal that they will be in 5 or 6 different schools and that his step-mom would be driving all over. He also stated he is in honors classes because of the great teachers in our schools.

T. Barry – 300 Meadowside Road – stated their school at Simon Lake is a family. She pleaded with the Board not to take this from their kids. She stated she had options but decided to stay in Milford, but if this proposed system goes through they will not stay in this school. She stated the proposed changes will hurt school and community if it goes through.

C. Rice (child) – 20 Windsong Lane – asked the Board not to sink the Simon Lake sub.

Jerome (child) – stated he will be going to Harborside, but he doesn't know where his sister will go if Simon Lake closes. He asked if the kindergarteners are separated who they would look up to.

M. Rice – 20 Windsong Lane – stated he is a member of the Connecticut Builders Trades Association, a taxpayer and a registered voter with 5 children in the Milford School System. He stated he believes in the Milford schools and that they have a safe learning environment. He stated last week Mr. Cummings made the announcement regarding the changes which his kids have been talking about. He stated he works long hours but came here tonight to request the Board restore the budget and convince the Board of Education not to close Simon Lake School and redistrict the kids. He also pointed out this came without notice.

C. Waters – 50 Seventh Avenue – thanked the Board for allowing her to speak on the budget cuts. She stated she moved here last year from Auburn, ME and spoke personally about the move. She stated she moved here because of the school system. She stated people have a choice of where they live. She spoke regarding the impact the change would have to the value of homes in the neighborhood, but the primary importance is what is best for the academic achievement of our children and referenced a Duke University transition study. She asked the Board to take a long hard look at the budget, to step back and ask if this really needs to be done or is they are just rushing this. She asked the board to please reinstate the funds to allow the appropriate time to do the research.

J. Federico – 14 Breakneck Lane – asked the Board to restore the money to allow enough time to do more research. Reading from a prepared statement she expressed her hope the Board would find the funds to allow the community time for discussions. She stated a vote against restoring the funds is a vote against parental input. She asked the Board to vote with their consciences and stated it would be sad if they were not listening. She also stated it would be a shame if their vote was along party lines. She asked that the Board of Education and the Board of Aldermen work together in a bipartisan effort to solve this crisis. She asked the Board to bring this debate into the open and not vote for the plan.

N. Dostal (child) – Devonshire Road – stated he is a 4th grader with a brother in kindergarten. He stated if they close his school there will be more buses on his road and he will travel further away to school. He stated with more buses there would also be pollution. He stated closing Simon Lake affects everyone.

J. Dostal – 16 Devonshire Road – stated she moved here from Slovakia 6 years ago. She stated she is very happy to live on the same street as their school. She explained her concern for property values on the street if the school closes. She also pointed out Simon Lake is the last school in the Devon section and that it would be a loss to lose this school. She asked the Board to please give some funding back.

T. Onduck (sp) – 156 Settlers Ridge Road – stated she has lived in Milford for 14 years and chose this area specifically. She spoke personally where her kids go to school. She stated under this new redistricting that she will now be a part of District 1. She stated K2, 3-5 children will be without their friends in a new school. She stated her reasons for coming to the meeting tonight were selfish and that she does not want her children to go to a school where they know no one. She stated she was asking for time to understand and further voice their opinion. She stated moving the children as proposed would be detrimental and that this was simply moving too quickly.

G. Perrett – 105 Carlson Drive – stated she is a parent of two children that graduated from the Milford Public Schools. Reading from a prepared statement she spoke as to how the education of our children affects are community. She stated we have an excellent school system that attracts people to our community. She stated our teachers are not overpaid, there are no frills and that they are creative and hard working people. She stated the Board of Education does not magically make due and without sufficient funds they have to find creative ways. She stated she would prefer her taxes raised have to have the education budget reduced any further. She stated she makes that statement and she does not even have children in the system any longer. She asked the Board not to sacrifice the education of the students of Milford.

R. Silver – 55 Governors Avenue – stated it is sad there is a City side of the budget and a Board of Education side of the budget, which becomes adversarial at this time. She stated the Board of Education budget is not filled with gravy and that there are schools that need work, classrooms that need work and more. She stated Mr. Cummings presented and open and honest presentation and she has no doubt he is a man intent on doing the best for the City of Milford and working with the students. She stated during the presentation Mr. Cummings was asked on several occasions what it would take to keep the building open and our system working. She stated she too is looking to pay more taxes.

C. Thomas – 8 Argyle Road – acknowledged the massive amount of people applauding or speaking regarding this budget. He stated the time has come to work across party lines and that there needs to be some long term planning. He admitted there is an economic crisis in our country, but we are fortunate right now to have a bond rating that is excellent. He stated none of the Board challenged the Board of Education's budget. He also pointed out the teachers have a binding contract. He stated it is up to the Board to give the people of Milford time and that he was holding this Board and the mayor accountable. He implored the Board to give the people time.

M. Collins – 121 Lenox Avenue – stated he has two children in the system and that he is very proud of Simon Lake School. He stated we still don't know what the State is doing or what Milford will be receiving in funding and we have already moved to crisis mode. He stated last week parents were told the K2, 3-5 system will be a better system for children, but received no reasons why. He questioned where the data is. He also asked why Simon Lake and commented one reason given was there is no reason for expansion. He stated we found a way to make it work last year, there must be a way to do so this year.

L. Fucci – 136 Welch’s Point Road – asked the Board to look at both sides of the budget with fairness. She pointed out the Board of Finance did not make any cuts to the City side of the budget, but cut \$2,200,000 to the Board of Education budget. She stated there seems to be two main themes working; go back to the teachers for concessions, however, their contract is protected. She stated it is unfair to compare negotiating with teachers who received a binding arbitration award. She also spoke regarding the many unfunded mandates and those related to special education. She urged the Board of Aldermen, Board of Education, Mayor and community to work on these issues together. She stated the Board of Aldermen was the final decision on the budget and reiterated it was important they look at both budgets with fairness and equity.

D. Paul – 54 Terrace Road – stated he works a 12 hour day, but that he took time out of his schedule because of a vote this Board might make. He stated this should not be about Republicans versus Democrats, last year it was the Democrats in charge and this year it is the Republicans in charge and that it just goes back and forth. He stated for months usually beginning in June he hears from those running for office and then he does not hear from anyone to ask what his opinion is. He stated to the members of the Board that they needed to listen to their constituents. He asked the Board to vote on their own, not what their party leader say. He stated it is about accountability and that he would hold the Board accountable come November. He urged the Board to put money back.

L. Toigo – Stoval Street – stated she is a Simon Lake parent and that she chose to come to Milford for her child. She spoke of the repercussions due to change. She asked the Board to please find a way to keep Simon Lake School open and to convince the Board to Education to give the parents a say.

K. Gage – 47 Pond Street – stated she is a lifelong resident of Milford and a teacher who will be retiring at the end of the year from Simon Lake School. She stated she was asking the Board to restore the \$2,200,000 cut by the Board of Finance. She stated she has much respect for Mr. Cummings, but that she does not agree with closing a school and that transitions will not affect a child. Reading from a prepared statement she expressed concern with after school programs, the number of schools a child would attend, and disadvantages of K2, 3-5. She stated she did not envy the decision the Board had to make, but requested they consider restoring the money and work with parents and the Board of Education together to discuss what is best for our children.

D. Folloni – 12 Fairwood Avenue – stated he has two children in the school district. He stated with the talk of budgets he had to questions why the lights are always on at Washington Field. He stated in the early morning hours and late night hours you will find the lights on with no games going on. He also asked why the lights downtown aren’t turned off. He spoke about the Oyster Festival and the number of police officers just sitting around. He stated these are just some examples of savings that could be realized on the City side of the budget. He also suggested a furlough for city employees periodically, having police enforce speeding times. He asked the Board to please look at these and tell me why.

D. Guaglianone – 73 Cooper Avenue – stated he is a member of the Cable Advisory Council of Milford. He reported on May 5, 2010, Cablevision will no longer allow televisions without a cable box a signal. He stated he is opposed to this, but needs the support of people to get this resounded and asked those present to e-mail him. He stated the second issue he wished to speak about concerned Mr. Kearney who has been advocating to not allowing him to speak at these meetings. He also spoke concerning AT&T who continues to advertise that they carry Milford meetings, however they don’t and that they owe Milford. He also asked the Board to look into Mr. R. Smith’s connection to the AT&T issue.

C. Saley – 19 Marsh Street – stated he is a lifelong resident of Milford. He stated he has three daughters at Simon Lake School, one who will be graduating this year. He stated it was his feeling things should be done differently and that all the Boards involved should get together and have a conversation. He stated he understood there is declining enrollment, but questioned if closing Simon Lake was the right decision. He stated as a lifelong resident he chose to put his children in the Milford School district and that the average school size is 375-425. He stated if you compared Simon Lake to Pumpkin Delight you would find Simon Lake is the most centrally located and in the most advantageous area to have a school and if you wanted to expand the school you could. He also pointed out it is a natural feeder to West Shore Middle School. He stated the one difference is that Pumpkin Delight sits on more land, but it is strictly a residential area that could be best suited for a recreation area. He also pointed out Pumpkin Delight is the smaller populated school. He went on to talk about the proposed reconfiguration to the K-2, 3-5, which he stated he disagrees with because of the amount of transition. He stated he believed they residents should be more a part of the discussions. He stated Milford is a great community to live and work in, but this last week has been a disservice to our children.

J. Prisco – 11 Riverdale Road – stated he personally is in favor of the K-8 program and that the schools should have stayed that way. He stated it costs less with less busing. He also stated his children and now his grandchildren went through the Milford Public Schools and that he is very proud of his children. He stated he also wished to talk about another problem in Milford and that is with the mosquitoes and what is being done.

N. Blair – 80 Hickory Avenue – stated it is short sided to cut the budget. He stated he is a parent of a Pumpkin Delight kindergartener and under this proposed plan his daughter would go to John F. Kennedy Elementary School next year and then back to Pumpkin Delight. He stated it just isn't a good idea.

L. Massey – 57 Morris Lane – pleaded with the Board to find the money. She stated under the proposed plan her children would be split up. She also stated the proposal would create hardship on working parents. She also stated parents received only three months notice of this plan.

B. Lawless – 44 Court Street – stated this has been the longest week of her life. She questioned how as an active PTA parent, editor of the school newspaper and taxpayer that she learned of the closing from her 9-year old child. She thanked the Board for their thoughtful comments and questions when the Board of Education made their presentation last week, but stated tonight's comments need to go further. She encouraged all Milford taxpayers to keep talking to their legislatures. She stated she is not necessarily saying no, but not so fast. She also commented it was ironic this meeting started with a proclamation and yet just a few short weeks ago Simon Lake School had their own proclamation when it celebrated 50 years.

The Board recessed at 9:48 p.m.

Chairman P. Smith reconvened the Board at 9:58 p.m.

3. Consideration of the Minutes of the Regular Meeting of the Board of Aldermen held on April 5, 2010.

Ald. Vitali and Ald. Patterson made and seconded a motion to approve the minutes of the Regular Meeting held on April 5, 2010. Motion carried unanimously.

4. Consideration of the Minutes of the Special Meeting of the Board of Aldermen.

None.

5. Chairman's Report and Communications.

Chairman P. Smith (Majority Leader) reported Chairman G. Smith was under the weather tonight and stated he would be getting in touch with the members of the Board as to meeting dates for the deliberating and voting on the budget.

6. Mayor's Report and Recommendations:

Mayor Richetelli stated he was submitting for the Board's consideration items 8a-b on the agenda and also items 8 c and d on the addendum. He also stated he wished to report to the Board on several other items. With regard to the search for a new Assistant City Attorney, he reported they received 71 resumes. Mayor Richetelli reported he empowered a Committee consisting of Rita Moore, Christine Gonillo, Jeff Martelon and Lewis Hurwitz to review all 71 resumes and select the semi-finalists. He stated the Committee would forward to him for final review 3-5 resumes for final consideration and selection.

He reported regarding the position of Director of the Permitting and Land Use, they received 46 resumes. He stated a Committee would be empowered shortly to analyze the 46 resumes and forward 3-5 names to him for final review and selection.

Mayor Richetelli also reported last week a bond anticipation sale was held and explained the details of the sale.

7. Unfinished Business:

None.

8. New Business (from Mayor's Report Items 8a-8b)

8a. Ald. A. Giannattasio and Ald. Goodrich made and seconded a motion to approve the appointment of (D) Thomas McGovern, 101 Harkness Drive, to the Library Board to complete the unexpired term of Maria Librandi (resigned). Term to expire 12/31/10. Motion carried unanimously.

Mayor Richetelli introduced Mr. McGovern, who was sworn in by City Clerk, Linda Stock.

8b. Ald. A. Giannattasio and Ald. Vetro made and seconded a motion to approve the Resolution RE: Approval for a Grant from the State of Connecticut Department of Environmental Protection (DEP) for Phragmitie Control Activities along the Banks of the Oyster River in Milford and West Haven.

Ald. Veccharelli commented he thought all these year the phragmitie were protected and now the City is going to exterminate them.

Mayor Richetelli responded he would speak in general terms, but he would call upon Mr. Ivers to elaborate. Mayor Richetelli stated over the last decade they have put in regulations as to when you can take them down.

He stated this is a pilot program and that he has met with Mayor Picard (West Haven), State Representative Richard Roy and Councilwoman Burn (West Haven) regarding work on the Oyster River side.

Mr. Ivers stated they were asking the Board's permission to herbicide. He explained in detail how it is down and stressed it is species specific.

Ald. Veccharelli asked why Milford was chosen.

Mr. Ivers stated he believed it may have been motivated because of the flooding situations and dealing with the flow and control.

Ald. Veccharelli asked if they would mow them down and then spray so the roots will kill the plant. He also questioned if the herbicide was safe.

Mr. Ivers reiterated it is very species specific and works to those nutrients. He also pointed out it would be several years of treatment.

Ald. Staneski commented further to Ald. Veccharelli's question and expressed concern of any sticking agent and also if there was any possibility of runoff or other wildlife.

Mr. Ivers responded it is very natural and something that has been going on at Silver Sands. He also stated it is timed.

Ald. Vitali asked as a point of information why they were protected.

Mr. Ivers replied he did not know, but they are considered invasive.

By roll call vote the motion carried 13 yes (Bevan, Bier, Blake, German, Giannattasio, Goodrich, Hardiman, Joy, Patterson, P. Smith, Staneski, Vetro, Vitali) and 1 no (Veccharelli).

Ald. Blake and Ald. Hardiman made and seconded a motion to re-order the agenda and move item 8c to item 14c.

Ald. Blake stated this item may touch on a personnel issue with potential litigation.

A recess was called for at 10:19 p.m.

Chairman P. Smith reconvened the Board in public session at 10:23 p.m.

By roll call vote the motion to re-order the agenda fails 9 no (Bevan, Bier, German, Giannattasio, Goodrich, Joy, P. Smith, Staneski, Vitali) and 5 yes (Blake, Hardiman, Patterson, Veccharelli, Vetro).

8c. Ald. Blake and Ald. Vetro made and seconded a motion to approve "Consideration of Aldermanic investigation Re: Circumstances surrounding termination of Assistant City Attorney".

Ald. Blake stated there have been several media reports with respect to the termination of the Assistant City Attorney. He stated in the Assistant City Attorney's lawsuit there are administrative allegations to specific officers, unlawful conduct and cohesive, just to name a few. Ald. Blake stated the City Charter give the aldermen investigatory power and added the aldermen are the proper body to do this. He stated the issue touches and concerns matter which are generally taken up in Executive Session and that he finds it peculiar the Board would want to debate this in public. He also expressed concern there is the potential to spend \$2,000,000 on employment lawyers before the matter is concluded. Ald. Blake commented he believed this investigation was warranted to make sure something like this doesn't happen again.

Ald. Joy stated his question was directed to those aldermen (Hardiman, Blake, Veccharelli, Vetro and Patterson) who requested this. He stated he would offer it is only procedure that the mayor and City are named in the course of a litigation action. He stated this has become a method of insinuations and further the Democratic Town Chairman claimed this action has taken place because of some action regarding the selection of the Planning and Zoning chairman. He also noted it was Ald. Blake that made a comment that there are rumors of something else going on and further that Ald. Vetro has alluded to additional on goings concerning a purported \$28,000,000 with Aon, which had no facts and that this Board learned the truth tonight that it was \$100,000 plus that was settled in 2006. Ald. Joy stated he was glad to have this discussion in open forum and that he frankly felt this just stinks of politics. He stated there are a number of reasons not to go that path. He stated the case would be heard in Federal Court and before the Labor Board and that Attorney Anger's claims should make their way through the courts and not through this Board. He pointed out her own attorney stated he did not wish to get involved in City politics. Ald. Joy stated this Board needed to get on track and stick to the facts.

Ald. Veccharelli stated he was hoping they would be able to get together to discuss this situation, that being the termination of the Assistant City Attorney. He stated he has a number of questions. He stated he would like to see the city hire a City Engineer, but they have not advertised for one. He stated perhaps there is not a need for an Assistant City Attorney, because the City currently outsources their work. Ald. Veccharelli asked what happens if the city loses this lawsuit? Would the Assistant City Attorney be eligible to get her job back?, what would they do with the new one?, how long will it take? He stated he has a lot of questions and would think the Mayor would want to wait.

Ald. Vetro stated he takes great offense to the remarks made by Ald. Joy. He stated when he asked questions to the Board of Education, they were questions the public had asked. He stated he takes great offense to the suggestion that he invented the questions.

Ald. Blake commented that Ald. Joy referenced that the Mayor and City Attorney are always names parties. He stated that is not necessarily true and that in this particular lawsuit, there are specific allegations alleged against both parties. He stated his comment that the City is on track to spend \$2,000,000, that the City is spending way too much money on attorney's fees. He stated he did not wish to go into the particulars because there could be a negative impact to the City.

By roll call vote, the motion failed 9 no (Bevan, Bier, German, Giannattasio, Goodrich, Joy, P. Smith, Staneski, Vitali) and 5 yes (Blake, Hardiman, Patterson, Veccharelli, Vetro).

8d. Ald. Giannattasio and Ald. Staneski made and seconded a motion to approve the request to accept the following highest bids for purchase of City property as the result of a public auction held April 30, 2010:

1.) 2 Welton Street (corner of Stone Street) (Map 16, Block 255, Parcel 1) and combined with 28 ft. of 6 Stone Street (Map 16, Block 255, Parcel 15) to RM Skinner Enterprises, Inc., for \$98,000; and

2) A rear lot on Stone Street (Map 16, Block 255, Parcel 11) to KC Funding, LLC for \$63,000).

Ald. Bier stated he would be abstaining from the vote as he is a partner in one of those bidding on these properties.

Ald. Blake asked if the amount of \$225,000 for the pair. He stated the number being considered is considerably less. He stated with the market slowing creeping back he suggested they might want to wait. He asked when this would be able to be re-noticed and have a re-bid.

Mayor Richetelli stated the item placed in last year's budget was \$225,000 and unanimously accepted by the Board of Aldermen. He stated it is obvious now after three public auctions that this is the fair market value. He went on to explain at the first public auction one person showed up and choose not to bid. At the second auction no one showed up. He explained at the March meeting the bid went to \$125,000. He pointed out the City was very aggressive in their advertising of the lots. He also noted there were three substantial articles in the local newspapers. At the third public auction and after considerable advertising Mayor Richetelli stated they received considerable interest with vigorous bidding. He stated he has been receiving calls from residents in the neighborhood to clean up the area. He also stated it would relieve the burden of the City cleaning up these lots and put the lots on the tax rolls. He stated what is before the alderman is what the market will bear.

Ald. Goodrich commented the area is dense and pointed out the lots will only allow for a single-family home.

Ald. Blake expressed concern with a court ordered auction and that the judge has the final sale. He stated in this situation this Board is acting as the court.

Ald. Joy commented one of the lots is a rear lot and stated the only way to really get any more money would be to hold onto the lots for a long time. He stated in this market the Board could chose to sell now or make a commitment to hold onto them for another two years or more.

Ald. P. Smith stated she lives in the 3rd District so she is well aware where the lots are. She stated for the sake of the neighborhood and what they have been experiencing with these vacant lots she would like to see them developed and that she would be in favor of moving forward.

Ald. Veccharelli suggested in the future it would be a good idea to get an appraisal. He stated it seems more like a "crap shot" as to what the real value of the property is. He stated he feels unsure and would like to have some expert opinion.

Ald. Goodrich stated there really are three choices: 1) sell the lots; 2) leave them vacant; or 3) change the RMS-16 and give the lots to the Milford Housing Authority. He stated those are the choices and the Board should pick one.

Ald. Joy commented the problem with an appraisal is that too much time can go by. He explained an appraisal is a snap shot in time. He also spoke regarding the definition of the fair market value.

Ald. Giannattasio stated one of the lots is a rear lot and therefore somewhat smaller and stated there really isn't much you can do with a rear lot.

Ald. Veccharelli stated there is more information found on an appraisal. He stated he would think an appraiser would be "chomping on the bit" to get one of these. He reiterated in the future he would like to see properties appraised as the information could provide helpful to the Board. He also stated he believes an appraisal is good for one year.

Ald. Vitali commented as to all the talk concerning fair market value and what the market it. He stated it would seem it was the market that showed up at the auction and the prices show the level.

By roll call vote, the motion carried 9 yes (Bevan, German, Giannattasio, Goodrich, Hardiman, Joy, P. Smith, Staneski, Vitali) and 4 no (Blake, Patterson, Veccharelli, Vetro), with 1 abstention (Bier).

9. New Business not on the Agenda which may be introduced by a two-thirds (2/3) vote of those present and voting.

10. Budget Memo Transfers

(a) Ald. Giannattasio and Ald. Vetro made and seconded a motion to approve Consideration of Budget Memo Transfer 11, Fund 10, FY 2009-2010. Motion carried unanimously.

(b) Ald. Giannattasio and Ald. Vetro made and seconded a motion to approve Consideration of Budget Memo Transfer No. 12, Fund 10, FY 2009-2010.

Chairman P. Smith announced representatives from the various departments were here if anyone had any questions.

Ald. Blake asked if there was a need for the desk. He commented the City has storage sheds throughout the City and suggested looking to recycle a desk. He suggested in these economic times that would be the way to go.

Mayor Richetelli stated the request came from the Democratic Registrar of Voters, Antoinette Carey. He stated according to Mrs. Carey she has gone through several desks that have come up from the basement and that she has indicated the current desk is no longer safe. Mayor Richetelli pointed out the amount being requested is on the low side for a desk.

Ald. Blake commented in one vain there is talk of closing a school which is full of desks. He remarked the Board of Education could loan the City a desk.

Mayor Richetelli responded he would invite Ald. Blake to discuss his ideas with the Democratic Registrar of Voters. He stated the desk is decades old, lopsided and the laminate is breaking off and stabs you when you walk by.

Ald. Veccharelli stated he would be supporting this because of the safety issue. He stated he would also support this if it were for the Republican Registrar of Voters.

Ald. Bevan asked about the item regarding the fire department. He asked if that was for firefighting clothing. He also asked the cost of a helmet.

Chief LaVecchia stated the transfer was for turnout gear at a cost of \$1,900 for pants, coat and boots. He went on to explain the department is currently on a 7-year cycle, which should be a 5-year cycle. He stated these funds would bring them back to a 5-year cycle.

Ald. Bevan asked the cost of a helmet.

Chief LaVecchia responded \$400.

Ald. Blake stated a question he had during budget deliberations was how much money would be transferred from Regular wages. He stated he recalled that figure was \$30,000, but this transfer is for \$45,000, which he stated is what he queried a week ago.

Chief LaVecchia responded he recalled the question, but that he remembered the question being addressed to overtime. He stated he was working on a response to that question.

Ald. Blake stated his question was Regular Wages.

Chief LaVecchia responded the number is \$100,000.

Ald. Joy asked about the fax machine. He asked if a fax machine at a cost of \$600 was necessary in the tax office.

Mayor Richetelli stated the current fax machine is 20 years old. He spoke of the amount of volume the tax office uses the fax machine.

Mrs. Haley (Tax Collector) explained there is a median price that suits their needs. She stated this particular machine suits needs for the amount of faxing they do to law offices, department of motor vehicles, etc. She also pointed out other departments use the machine as well.

Motion carried unanimously.

11. Refunds

(a) Ald. Giannattasio and Ald. Goodrich made and seconded a motion to approve Consideration of Refunds in the amount of \$7,589.14. Motion carried unanimously.

12. Report of Standing Committees:

a. Ordinance Committee – Ald. Giannattasio reported the Ordinance Committee met earlier in the evening to consider five Ordinances and that the Ordinances were all forwarded to the full Board with a favorable recommendation.

1. Ald. Giannattasio and Ald. Goodrich made and seconded a motion to approve an Ordinance Amending Chapter 18, 'Article VII, Section 18-90 of the Code of Ordinances of the City of Milford (Planning and Zoning Board fees). Motion carried unanimously.
2. Ald. Giannattasio and Ald. Patterson made and seconded a motion to approve an Ordinance Repealing §§9-14 (a) and (b) of the Code of Ordinances of the City of Milford and Substituting §§9-14 (a) and (b) Rules and Regulations Generally. Motion carried unanimously.
3. Ald. Giannattasio and Ald. Vetro made and seconded a motion to approve an Ordinance Amending Chapter 14, Article IV, and adopting Section 14-53 of the Code of Ordinances of the City of Milford (Prohibition on Blocking the Box). Motion carried unanimously.
4. Ald. Giannattasio and Ald. Patterson made and seconded a motion to approve an Ordinance Amending Chapter 20.5 Taxation, and Adopting Section 20.5-13 of the Code of Ordinances of the City of Milford (Income & Expense Penalty Waiver). Motion carried unanimously.
5. Ald. Giannattasio and Ald. Goodrich made and seconded a motion to approve an Ordinance Establishing Compensation of City Officials and Employees in the Service of the City of Milford (Registrars).

By roll call vote, the motion carried 12 yes (Bevan, Bier, German, Goodrich, Giannattasio, Hardiman, Joy, Patterson, P. Smith, Staneski, Veccharelli, Vitali) and 2 no (Blake, Vetro).

- b. Public Safety and Welfare Committee – no report.
- c. Public Works Committee –
- d. Claims Committee – no report.
- e. Rules Committee – no report.
- f. Personnel Committee – no report.

13. Report of Special Committees. Vice Chairman P. Smith noted the minutes of the following Committees can be found on the city's web-site or are available at the next meeting. She stated if any liaison would like to give a report on the following committees, they may do so.

- a. Liaison Sub-Committee – Board of Education

Ald. Blake commented there has been much ballyhoo regarding the Board of Education's proposal to . . .

Ald. Staneski raised a point of order, stating reports were for those liaisons to the particular committee.

Ald. Blake replied he was not giving a report, but was speaking to an issue on the agenda.

Ald. Staneski requested a 2-minute recess. The Board recessed at 11:17 p.m.

Vice Chairman P. Smith reconvened the Board in public session at 11:20 p.m. She ruled the point of order raised by Ald. Staneski was well taken and that this portion of the agenda was for liaison reports.

Ald. Blake stated he wished to challenge the ruling of the Chairman and made that in a form of a motion.

Ald. Vitali seconded the motion.

By roll call vote, the motion failed 9 no (Bevan, Bier, German, Goodrich, Giannattasio, Joy, P. Smith, Staneski, Vitali) and 5 no (Blake, Hardiman, Patterson, Veccharelli, Vetro).

- b. Liaison Sub-Committee – Flood & Erosion Board – no report.
- c. Liaison Sub-Committee – Park, Beach & Recreation Comm. – no report.
- d. Liaison Sub-Committee – Planning & Zoning Board – no report.
- e. Liaison Sub-Committee – Sewer Commission – no report.
- f. Liaison Sub-Committee – Harbor Management Commission – no report.

g. Liaison – Council on Aging – Ald. Staneski reported the Senior Center would be celebrating their 40th anniversary on May 23, 2010 and extended an invitation to the aldermen as well as the public to attend.

- h. Permanent School Facility Building Committee – no report
- i. Liaison Sub-Committee – Library Board – no report
- j. Liaison Sub-Committee – Fowler Memorial building – no report
- k. Liaison Sub-Committee – Milford Redevelopment & Housing Partnership – no report.
- l. Golf Course Commission – no report.
- m. Inland Wetlands Agency – no report.
- n. Liaison Health Department – no report.

o. Devon Revitalization Committee – no report.

p. Human Services Commission – Ald. Vetro reported on the programs offered. He reported the Rent-A-Kid program begins May 25. He also reported the staff has begun the back-to-school backpack program.

q. Liaison Pension & Retirement Board – Ald. Blake reported on the issue regarding consultants and choosing a consultant. He stated pursuant to their aldermanic rules he would like to recognize a constituent, Tom Beirne.

Tom Beirne – 55 Bayshore Drive – stated there has been some mis-information regarding medical insurance. He stated tonight was the first he heard of \$50,000 being returned. He stated he does not recall monies being returned to this Board.

Ald. Staneski raised a point of order. He stated the role of the liaison or designee is to report information relating to what happens at a Pension Board meeting. She stated these remarks are out of place.

Chairman P. Smith recessed the Board at 11:27 p.m. The Board was reconvened in public session at 11:31 p.m.

Chairman P. Smith stated the point of order was well taken. She stated right now the Board was hearing reports from the liaisons of the Special Committees of the Board of Aldermen.

r. Milford Government Access Television (MGAT) –

14. Executive Session. A two-thirds (2/3) vote of those present and voting is required for any item to be considered in executive session. A two-thirds (2/3) vote of those present and voting is required to go into executive session.

The Chairman shall announce, in public session, those items to be covered in executive session and call for a vote to enter executive session. If a two-thirds (2/3) vote, to enter executive session, is obtained, the hall shall be cleared and executive session declared.

Chairman P. Smith stated the Board would go into Executive Session re:

- 14a. Status report and consideration of settlement of Devon Power, LLC v. City of Milford RE: "0" Naugatuck Avenue; and
- 14b. Status report of pending litigation re: Sidepockets d/b/a v. City of Milford No. 3:03 CV 2134 (AWT) and Keepers, Inc. d/b/a et al v. City of Milford, No 3:07 CV 01231.

Ald. Vetro and Ald. Veccharelli made and seconded a motion to go into Executive Session. Motion carried unanimously.

Chairman P. Smith stated the full Board, joined by the City Attorney, City Assessor and Mayor would be present for item 14a; and the full Board along with the City Attorney, Mayor and on a conference call with Attorney Scott Berthold for item 14b.

The Board adjourned to Executive Session at 11:34 p.m.

Chairman G. Smith reconvened the Board in public session at 12:14 a.m.

Ald. Blake and Ald. Vetro made and seconded a motion to approve Consideration of Settlement of Devon Power, LLC v. City of Milford RE" "0" Naugatuck Avenue, as discussed in Executive Session. Motion carried unanimously.

Ald. Patterson and Ald. Hardiman moved to adjourn at 12:15 a.m. Motion carried unanimously.

Respectfully submitted,

Kathleen K. Huber
Recording Secretary