

**BOARD OF ALDERMEN  
REGULAR MEETING  
JUNE 3, 2013**

The Board of Aldermen of the City of Milford held their Regular Meeting on Monday, June 3, 2013 in the aldermanic chambers of City Hall. Chairman P. Vetro called the meeting to order at 7:32 p.m. Chairman Vetro asked those present to join in saluting our flag and reciting the Pledge of Allegiance.

1. Roll Call

Board Members Present

B. Anderson  
B. Bier (7:34 p.m.)  
D. German  
A. Giannattasio  
J. Golden  
R. Nunno  
S. Shaw  
F. Smith  
P. Smith  
G. Stanford  
N. Veccharelli  
P. Vetro  
R. Vitali

Also Present

Mayor Benjamin G. Blake  
J. Berchem, City Attorney  
L. Stock, City Clerk  
S. Fournier, Mayor's Admin. Asst.  
P. Erodici, Finance Director

Excused  
R. Dickman  
G. Gasper

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. He encouraged speakers not to express derogatory or offensive attacks. The time limit granted to each speaker shall be three (3) minutes. He asked each speaker to adhere to the three-minute limit.

J. Cervin – 3 Central Avenue – stated she is a member of the Planning and Zoning Board, as well as an environmentalist. She stated she was here tonight regarding the 8-24 request for 580 Bridgeport Avenue. She continued reading a prepared statement. She stated it was her hope the funds would be designated for open space and not the general fund. She expressed her hope the Board of Aldermen would amend the current language so that the existing monies could be returned to the Open Space Fund.

J. Prisco – 11 Riverdale Road – questioned when work would begin on the basketball courts on Anderson Avenue and also the sidewalks. He stated the courts are in disrepair and that they need to get done. He also stated the grass along Kings Highway is very high and asked what the City was waiting for. Mr. Prisco also spoke about the struggles of the seniors and asked the aldermen to try to give more money to the seniors, especially with taxes going up. He asked the Board to consider giving them \$200 more. He thanked the Board for their time.

3. Consideration of the Minutes of the Regular Meeting of the Board of Aldermen held on May 6, 2013.

Chairman Vetro stated the minutes were not available. No action taken.

4. Consideration of the Minutes of the Special Meeting.

None.

5. Chairman's Report and Communications.

Chairman Vetro thanked all those who attended the Memorial Day parade. He also stated there would be an event honoring Jean Tsang who is retiring after nearly 33 years with the library. He stated the event would take place on June 20, 2013 from 2:00 p.m. – 4:00 p.m.

Ald. Vitali asked Chairman Vetro if in his report he makes the Board aware all correspondence he receives. He stated he send correspondence to the Chairman on May 21, 2013 seeking a ruling. Ald. Vitali explained he attempted to make a motion at the budget vote to re-visit one of the departments and amend their budget. He also stated he attempted to get the verbatim minutes and found out the May 16, 2013 meeting was not recorded. He asked where that responsibility lies, whether it is the Mayor's Office, City Clerk or City Attorney. He reiterated he attempted to make a motion that night and was not allowed. He reiterated he would have like to have had a response to his email request.

Mayor Blake stated he spoke with Ald. Vitali several times and also showed him a copy of the May 16, 2013 minutes. He stated the motion that Ald. Vitali attempted to make was a motion to amend. He also stated his recollection and review of the minutes was in accordance with Robert's Rules of Order. He stated the proper mechanism would have been to appeal the ruling of the chairman.

Ald. Veccharelli, Ald. Golden and Ald. Stanford raised a point of order stating the time had passed.

Ald. Giannattasio requested a 5-minute recess. The Board recessed at 7:44 p.m.

Chairman Vetro reconvened the Board in public session at 7:51 p.m. He extended a Happy Father's Day to all the fathers.

6. Mayor's Report and Recommendations:

Mayor Blake asked the Board for their consideration and action on items 8a-8g on the agenda. He also stated he wished to bring to the Board's attention the creation of Milford's Clean Energy Task Force created pursuant to the Clean Energy Communities Municipal Pledge adopted in September, 2012. Mayor Blake read the appointments as follows:

- J. Alan Brewster, 115 Housatonic Drive, 06460
- Thomas J. Ivers, City of Milford
- Sly Moura, City of Milford
- James Whitaker, Milford Public Schools

Curt A. Krushinsky, 60 Crescent Drive, 06460  
Diane Lentakis, 81 West Rutland Road, 06461

Mayor Blake stated some of those members were present tonight and asked they be sworn in following item 8a. He stated the other item he wished to make the Board aware of is the appointment of the new DPLU Director, Joseph Griffin. Mayor Blake stated Mr. Griffin comes from the University of Connecticut where he was the Code Compliance Director. He stated he expects he will do a terrific job in a very busy department. Mayor Blake also addressed the comments made by Mr. Prisco during public comment. He stated work on the Anderson Avenue basketball courts were scheduled to begin today, but were delayed by rain.

#### 7. Unfinished Business

None.

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

8a. Ald. Veccharelli and Ald. Golden made and seconded a motion to approve the reappointment of (U) Richard Anderson, 36 Hubbell Place, 06460, as the Police-Local 899 representative on the Pension and Retirement Board to complete the unexpired term of Sgt. Daniel Sharoh (retired). Term to expire 12/31/14. Motion carried unanimously.

City Clerk Linda Stock sworn in those members from the Clean Energy Task Force who were present.

8b. Ald. Veccharelli and Ald. Nunno made and seconded a motion to approve the request for Acceptance Agreement Re: Roadway Rehabilitation on CT Route 162 and to authorize the Mayor and Finance Director to take all steps necessary, including signing all documents, to effectuate a construction easement and drainage right of way. Motion carried unanimously.

8c. Ald. Veccharelli and Ald. Golden made and seconded a motion to approve the request per the recommendation of the Planning and Zoning Board dated May 21, 2013, for approval under CGS 8-24 to lease a parcel of City owned land abutting the northeast corner of 580 Bridgeport Avenue to Key Hyundai for parking purposes.

Ald. Anderson stated he wished to offer an amendment with respect to a comment made during public comment. Ald. Anderson made a motion that the funds paid shall be placed into the open space accumulation fund as maintained by the City of Milford.

Ald. Shaw seconded the motion.

Ald. P. Smith expressed concern about liability for the parking spaces. He asked who would have the liability should someone fall.

Attorney Berchem stated Key Hyundai would indemnify the City of Milford and have control over those spaces. He also pointed out the City's Risk Manager had reviewed the lease.

Ald. Veccharelli commented this was a good thing for the City and that the City would be receiving a good amount of money and 10 additional parking spaces, with access. He stated it would give citizens access to those hiking trails that are back there. Ald. Veccharelli also commented moving the funds to maintain open space was a wise thing to do and a nice move for the citizens of Milford.

Ald. Giannattasio asked about the \$2,100 per month amount. He stated in the past only \$1,250 was collected.

Mayor Blake explained the property was previously leased out to the tennis center. He stated this is a separate lease to Key Hyundai.

Attorney Berchem stated the fee was based on an appraisal conducted and market value.

Ald. Giannattasio asked if the amendment offered was due to the open space area the property abuts.

Ald. Anderson spoke of the Beard property where last year a land space manager with discussions of getting more parcels and doing a better management job of our properties. He also stated it provides additional access to Beaverbrook.

Ald. Giannattasio stated he would entertain the thought of giving \$850 to the open space fund and the remaining \$1,250 to the general fund. He stated the City would still realize some income into the general fund.

Mayor Blake responded it was possible, just an extra step for the Finance Department.

Ald. Giannattasio stated he felt they were limited with open space, but that the extra funds to the general fund would be helpful and that would be his amendment.

Ald. Shaw commented there are monies for City owned purposes that do not go into the open space fund.

Ald. P. Smith asked if there is currently income coming in.

Mayor Blake stated there is no income coming in. He spoke of the recent sale of the Downs House which had funds to into the open space account.

Ald. P. Smith asked if the monies were adopted into the budget recently adopted by the aldermen.

Mayor Blake responded no.

Ald. Giannattasio stated he was in favor, but thought this Board could strike some kind of a balance in putting monies into the open space account and the general fund.

Motion carried unanimously.

On the main motion, motion carried unanimously.

8d. Ald. Veccharelli and Ald. Golden made and seconded a motion to approve the recommendation of the Planning and Zoning Board dated March 8, 2013 for the abandonment of the unimproved portion of Dawes Street located between #34 and #46 Lindy Street on Map 57, Block 712, between Parcels 82 and 84.

Ald. Veccharelli asked for clarification regarding the abandoned property. He asked if it goes to the property owners on the left or the right or if it is possible for the property owner in the back to receive a portion.

Attorney Berchem explained historically abandonments have been split down the middle, but that he would be happy to look into the rear of it. He stated he would answer that question with an opinion to the Board.

Ald. Veccharelli stated he would like to see this Board have in its power all the information it needs as to how the property can be split up. He stated he would respectfully ask the Board to table this to the Board's next meeting and hopefully the Board would have the information from the City Attorney.

Ald. Veccharelli and Ald. Anderson made and seconded a motion to table the matter until further information is available.

Ald. Veccharelli stated there was not much more this Board could do until they receive the information from the City Attorney.

By roll call vote, the motion to table carried 10 yes (Anderson, German, Giannattasio, Golden, Nunno, Shaw, F. Smith, Stanford, Veccharelli, Vetro) and 3 no (Bier, P. Smith, R. Vitali).

Ald. Bier commented when the meeting started tonight Ald. Vitali had two questions that were not answered. He stated Ald. Veccharelli has tabled a matter that was still being discussed. Ald. Bier stated he was not happy with the way the proceedings were going this evening. He also stated he would like to take this opportunity to ask that he be recognized when he is asking to speak.

Mayor Blake stated during the public hearing a speaker had some concerns as well as others who came forward with additional questions that will need clarification from the City Attorney.

Ald. Bier stated he understands the reason for tabling the matter; however, he still had questions to ask, however, the matter was tabled before he could ask his questions. He stated he could get those questions to the Chairman or City Attorney, but stated it would have been more appropriate at the public meeting.

8e. Ald. Veccharelli and Ald. Golden made and seconded a motion to approve the request for the Resolution Re: Connecticut Neighborhood Assistance Program – 2013. Motion carried unanimously.

8f. Ald. Veccharelli and Ald. Nunno made and seconded a motion to approve the request for the Child Day Care Contract Amendment Number 084-CDC-34 A4 and to authorize the Mayor to take all steps necessary, including signing all documents, to effectuate said amendment. Motion carried unanimously.

8g. Ald. Veccharelli and Ald. Golden made and seconded a motion to approve the request pursuant to the May 22, 2013 recommendation of Milford's Economic Development Commission for the Resolution Re: Commercial Property Assessed Clean Energy ("C-PACE") Agreement.

Mayor Blake stated a representative from C-PACE was present tonight.

Ms. G. Sherman stated she is the manager of the Clean Energy Finance and Investment Authority (CEFIA). She went on to explain the structure of the program and respective statutes (handout).

Ald. P. Smith asked if they then farm out the monies.

Ms. Sherman explained the town is reimbursed for the payment to CEFIA.

Ald. F. Smith asked how the assessment is calculated and how it is negotiated with the owner and lender.

Ms. Sherman explained it typically is a fixed payment schedule. She stated Norwalk was the first town that closed a deal, but that there are over 40 towns now.

Ald. German stated it was his understanding they have taken over the Connecticut Clean Energy Funds and asked how they are distributed.

Ms. Sherman explained resources come from the same pool and that basically they do the financing instead of grants.

Ald. German asked Ms. Sherman if she could explain some of the benefits of financing.

Ms. Sherman stated there are 10 capital providers that are invested in PACE. She stated CEFIA closed on their first bundle of projects and noted there is a range of interest.

Ald. Giannattasio asked if the business is entitled to sell up and to others in the grid.

Ms. Sherman responded yes and explained basically they help business owners finance.

Motion carried unanimously.

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

None.

10. Budget Memo Transfers

(a) Ald. Veccharelli and Ald. Golden made and seconded a motion to approve Consideration of Budget Memo Transfers #10 and #11, Fund 10, FY13. Motion carried unanimously.

11. Refunds

(a) Ald. Veccharelli and Ald. Golden made and seconded a motion to approve Consideration of Refunds in the amount of \$10,412.57. Motion carried unanimously.

12. Report of Standing Committees:

a. Ordinance Committee – Ald. F. Smith reported the Committee met earlier this evening to consider one Ordinance and voted unanimously to forward to the full Board of Aldermen with a favorable recommendation.

Ald. F. Smith and Ald. Anderson made and seconded a motion to approve An Ordinance Amending Chapter 2, Administration, Article I, In General Section 2-1 of the Code of Ordinances of the City of Milford (Aldermanic and Voting Districts).

Ald. F. Smith explained this basically follows up on the Ordinance this Board voted on last month. He stated this Ordinance assigns the voting districts and precincts as set by the Registrar's Office. He acknowledged the work of Mrs. Rowland, Ms. McNamee, Mrs. Fellenbaum and Mrs. Carey in the Registrar's office who put together the details of this Ordinance.

Ald. German reminded the Board the Health and Wellness Fair would be held on Thursday, June 6, 2013 and invited all the aldermen to attend. He stated it would be held in the gymnasium at Parsons Complex.

b. Public Safety and Welfare Committee – no report.

c. Public Works Committee – no report.

d. Claims Committee – no report

e. Rules Committee – no report.

f. Personnel Committee – no report.

13. Report of Special Committees:

a. Liaison Sub-Committee – Board of Education – no report.

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 – no report.

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 – no report

q. Liaison Pension & Retirement Board – no report.

r. Milford Government Access Television (MGAT) – no report.

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.

- 14a. Consideration of settlement of Southern Connecticut Gas Company v. City of Milford  
Re: 775 Oronoque Road
- 14b. Consideration of settlement of Kelly Stutzman, et al v. City of Milford, et al  
Re: 9 Lafayette
- 14c. Consideration of settlement of Connecticut Post Limited Partnership v. City of Milford  
Re: 1201 Boston Post Road

He announced those going into Executive Session would be the full Board, Mayor, City Attorney and City Assessor.

Ald. Veccharelli and Ald. Golden made and seconded a motion to enter Executive Session to consider those items announced above by the Chairman. Motion carried unanimously.

The Board adjourned to Executive Session at 8:40 p.m.

Chairman Vetro reconvened the meeting in public session at 8:58 p.m.

(14a) Ald. Veccharelli and Ald. Nunno made and seconded a motion to authorize the City to enter into settlement RE: Southern Connecticut Gas Company v. City of Milford, (775 Oronoque Road), in accordance with the recommendations of the City Assessor and City Attorney as discussed in Executive Session. Motion carried unanimously.

(14b) Ald. Veccharelli and Ald. Nunno made and seconded a motion to authorize the City to enter into settlement RE: Kelly Stutzman, et al v. City of Milford, et al, (9 Lafayette) in accordance with the recommendations of the City Assessor and City Attorney as discussed in Executive Session. Motion carried unanimously.

(14c) Ald. Veccharelli and Ald. Nunno made and seconded a motion to authorize the City to enter into settlement RE: Connecticut Post Limited Partnership v. City of Milford, et al (1201 Boston Post Road), in accordance with the recommendations of the City Assessor and City Attorney as discussed in Executive Session. Motion carried unanimously.

Being no further business to discuss, Ald. Veccharelli and Ald. Anderson moved to adjourn at 9:0148 p.m.  
Motion carried unanimously.

Respectfully submitted,

Kathleen K. Huber  
Recording Secretary