

**BOARD OF ALDERMEN  
REGULAR MEETING  
JULY 11, 2016**

The Board of Aldermen of the City of Milford held their Regular Meeting on Monday, July 11, 2016 in the aldermanic chambers of City Hall. Chairman P. Vetro called the meeting to order at 7:35 p.m. Chairman Vetro asked those present to join in saluting our flag and reciting the Pledge of Allegiance and remain standing for a moment of silence for those lives lost in Orlando and Dallas.

**1. Roll Call**

**Board Members Present**

B. Anderson  
E. Beatty  
B. Bevan  
B. Bier  
M. Casey  
D. German  
A. Giannattasio  
J. Golden  
J. Grant  
M. Hardiman  
F. Smith  
N. Veccharelli  
P. Vetro  
R. Vitali

**Also Present**

Mayor Benjamin G. Blake  
D. Kelly, Assistant City Attorney  
P. Erodicti, Finance Director  
J. Rohrig, City Clerk  
S. Fournier, Mayor's Admin. Asst.

**Excused**

S. Shaw

**2. Public Statements**

Chairman Vetro opened the meeting for public statements. He stated that 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 stated the time limit granted to each speaker shall be three (3) minutes. He asked each speaker to adhere to the three-minute limit.

Michael and Teresa Nowlin - 14 Robbie Circle – Mr. Nowlin stated he and his wife came tonight regarding the sale of Pomona Avenue. He stated they are against it and have a number of concerns. He stated several years ago he and his wife attempted to purchase the property from the city and were told it was not being sold nor would it be sold. He also stated the individual wishing to purchase the property had already begun taking down trees. He also stated the individual making this purchase has stated he will take a portion of his fence down as well. Mr. Nowlin stated he and his wife had their own survey done and their fence is not on the Pomona Avenue property. He also spoke regarding an easement.

Karen and Eugene Telker - 14 Pomona Avenue – Mrs. Telker stated he and her husband were here tonight to speak regarding item 8f. She stated they are opposed to the sale of this property as well as limiting the sale to only abutting owners. Mrs. Telker continued regarding from a prepared statement her reasons for opposing the

sale of the property. She stated the Planning and Zoning Board's proposal that the property be offered exclusively to the owners at 9 and 21 Pomona Avenue was unfair. She continued that since they received a notice of tonight's hearing as an abutting owner, they should be considered as interested parties to purchase as well. She asked the Board to take their comments into consideration when making its decision.

Janet McAllister - 197 Maplewood Avenue – stated she too is an abutting owner and therefore she received a letter regarding the sale of this property. She stated she is here with her husband and they too are in opposition of the sale of 13 Pomona Avenue. She echoed the comments of the previous speaker who spoke eloquently as to the number of reasons to deny this request. She stated all of the residents should know more of what will happen with this property. She reiterated if the city wants to offer this property for sale, any and all residents should be eligible to bid on the property.

3. Consideration of the Minutes of the Regular Meeting of the Board of Aldermen held on June 5, 2016.

Ald. Veccharelli and Ald. Golden made and seconded a motion to approve the minutes of the Regular Meeting held on June 5, 2016. Motion carried unanimously.

4. Consideration of the Minutes of the Special Organizational Meeting. None

5. Chairman's Report and Communications.

Chairman Vetro thanked Mayor Blake, Economic Development Julie Nash, the Public Works Department and sponsor's of the summer celebration event, which finally took place after a week delay.

6. Mayor's Report and Recommendations:

Mayor Blake wished everyone a happy summer. He spoke of the numerous events that have taken place to kick off the summer. He asked for the Board's consideration concerning items 8a-8d. He stated he would be happy to answer any questions as they come up. He also stated he was pleased to make a few announcements. He stated he was pleased to make the following announcements:

(6a) Mayor Blake congratulated the Finance Director and his staff for once again being awarded the Certificate of Achievement for Excellence in Financial Reporting by the Government Finance Officers Association (GFOA). He noted this is the highest form of recognition and recognizes the significant accomplishment by a government and its management.

(6b) Mayor Blake stated he was pleased to announce Milford's first Poet Laureate was named, Michael "Mick Theebs" Thibodeau, 308 Meadowside Road, Milford. He thanked Paige Migliaro and Christine Angeli for participating in the selection process. He added Theebs is a graduate of Jonathan Law High School and Northwestern University.

7. Unfinished Business

None.

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

8a. Ald. Veccharelli and Ald. Golden made and seconded a motion to approve the request for the Resolution Re: Grant Application for Consolidated Housing and Community Development Plan.

Ald. Anderson asked if there are new awardees.

Ms. Dravis, Community Development Department, replied yes. She explained there is a rent and assistance program through the Department of Human Services.

Ald. Bevan referred to p. 15 of the application, where it stated the Department Human Resources, which he believed to be a typographical error.

Ms. Dravis stated he was correct and that the error would be fixed.

Motion carried unanimously.

8b. Ald. Veccharelli and Ald. Golden made and seconded a motion to approve the request for the agreement between the City of Milford and Southern Connecticut Gas Company concerning paving projects on Naugatuck Avenue and to authorize the Public Works Director, City Attorney and Mayor to take all steps necessary, including signing all documents, to effectuate said agreement. Motion carried unanimously.

8c. Ald. Veccharelli and Ald. Golden made and seconded a motion to approve the request for the Bid Certificate Form for LREC/ZREC Solicitation of the United Illuminating Company and to authorize the Public Works Director, City Attorney and Mayor to take all steps necessary, including signing all documents to effectuate said bid. Motion carried unanimously.

8d. Ald. Veccharelli and Ald. Golden made and seconded a motion to approve the request for a Second Amendment Lease between the City of Milford and State of Connecticut for 4,797 net usable square feet of space on the first floor and 22 parking spaces located at 44-64 River Street, and to authorize the City Attorney and Mayor to take all steps necessary, including signing all documents to effectuate said lease amendment.

Ald. Bevan asked for an overview of the 22 parking spaces mentioned and how the spaces would be used.

Mayor Blake explained essentially the city is renting back the property to the probation office at that location. He spoke of the Downtown Parking Committee that has been working diligently, which committee includes Ald. Vitali and Ald. Anderson. He stated the 22 spaces previously situated around the building will now be located in the middle of the parking area which was recently paved and striped. He stated at this point there will not be a fee to anyone that wishes to park in the area, and pointed out there is 2-hour parking on the lot.

Ald. Giannattasio asked what would happen with the leases in 2018 if a plan were not in place. He asked if the leases would be extended.

Mayor Blake stated yes, however it would depend on the recommendation of the development committee. He stated the committee recently conducted a review of various companies to award an initial design for the property.

Ald. Vitali asked if all the terminating leases would be flexible.

Mayor Blake stated all of the leases have a renewable clause in their contract, so they all could be renewed.

Ald. Vitali commented as a member of the committee that the timeframe could be tight and expressed the importance to stay in touch with those tenants.

Motion carried unanimously.

8e. Ald. Veccharelli and Ald. Golden made and seconded a motion to approve the request following the approval of the Planning and Zoning Commission pursuant to §8-24 of the Connecticut General Statutes, to enter into the attached Lease between the City of Milford and Susan Hushin for Unit #15, 44-64 River Street, and to authorize the City Attorney and Mayor to take all steps necessary, including signing all documents to effectuate said lease agreement.

Ald. Bevan stated p. 3 is entitled "Utilities," where snow removal and maintenance is referenced, but it is also under the responsibilities of the "Tenant."

Mayor Blake stated it is ultimately the responsibility of the City through the property owner, so it would come back to the city. He stated there is a management company that does hire the snow removal company.

Ald. Bevan asked if the tenant would also have responsibility for snow removal.

Mayor Blake stated this is just one tenant in the complex.

Ald. Giannattasio asked if there is more space available in the complex and if the city is going to continue to keep the property rented to capacity.

Mayor Blake stated he was approached by a tenant. As to keeping the building at full capacity, he stated the city would benefit.

Ald. Giannattasio asked if the city is advertising for leases. He stated he was not under the impression there was space available.

Mayor Blake recognized Bill Parry, Jr. from the maintenance company.

Mr. Parry, Jr. stated this individual approached him about the space. He stated they brought it to the city and reiterated it is additional revenue to the city.

Ald. Vitali asked if there is running water in the building.

Mr. Parry stated there is not, but that the proposed tenant has some type of self-contained water tank.

Ald. Vitali expressed concern there is no running water and no facilities in that building. He commented he was confused as to the process.

Motion carried unanimously.

8f. Ald. Veccharelli and Ald. Golden made and seconded a motion to approve the request pursuant to the recommendation of the Planning and Zoning Board pursuant to §8-24 of the Connecticut General Statutes, for the sale of 13 Pomona Avenue, by sealed bid exclusively to the abutting property owners at 9 and 21 Pomona Avenue, with the condition that the parcel shall not be used as a separate building lot and subject to an easement for the continued use, maintenance, repair and/or replacement of the existing sewer line per the recommendation of the City Engineer, and to authorize the City Attorney and Mayor to take all steps necessary, including signing all documents to effectuate said sale.

Ald. Golden stated she wished to recognize some of her constituents who contacted her regarding the sale of this property.

Mr. Nowlin spoke regarding the trees, the vinyl fence and assessment of the property. He stated he felt there was no need to sell the property. He also pointed out the sale of this property was approved by Planning and Zoning without the knowledge of any of the property owners being notified of any meeting. He reiterated there is just no benefit to the city to sell this property.

Mayor Blake stated this application went directly to the Planning and Zoning Board. He stated the Board had several options regarding this request. She stated the Board could end it back to Planning and Zoning to obtain more information from city offices and neighbors, etc, amend it to open up the bidding or reject it.

Ald. Smith asked for clarification of the language "not to be used as a separate building lot. . ."

Attorney Kelly stated the request came directly to the Planning and Zoning Board. She explained a condition of the easement is that no building can be erected on the property.

Ald. Smith asked what is being discussed since no building can be built.

Attorney Kelly stated this came to this Board so that the applicant could acquire the property.

Ald. Smith stated it is this deliberative body that would make the approval. He stated he would recommend sending this back for more information as the neighbors have made some compelling statements tonight.

Ald. Giannattasio stated he would agree with the suggestion of Ald. Smith to send it back, otherwise he would amend the motion to open it up to all neighbors. He asked about the cutting of trees on this property and that he takes exception to that being done prior to this Board's approval.

Attorney Kelly stated she did not have any knowledge of the removal of trees.

Mr. Nowlin suggested the city continue to maintain the property as it has done for the last 60 years and asked the Board if that was an option.

Ald. Vitali asked if the public works director could provide any testimony.

Mr. Saley stated he had no knowledge of this property.

Mayor Blake reiterated the Board could table this up tonight or assess the issues that have been brought forward tonight.

Ald. Bier stated the matter should be tabled, but that would take more time and it is before this Board tonight, so he would like to continue to discuss. He asked if stipulations could be put on the purchase, such as a minimum bid or splitting the property.

Attorney Kelly stated the Board could put on whatever stipulations it wished.

Ald. Bier stated sometimes people get anxious waiting for a decision and it might be worthwhile to make some type of a decision tonight.

Ald. Veccharelli stated he is not in favor of the city selling every parcel it owns. He stated the neighboring homeowners have stated they are not in favor of the sale.

Ald. Grant asked if the city is doing anything with the property currently, how it is being maintained.

Mayor Blake stated it is not maintained routinely, however, there is a culvert on the property which the city has to maintain so there are not any backups on the property.

Ald. Grant thanked the residents for coming out this evening.

Ald. Golden stated she is a proponent of keeping open space and that it should be left as it is for nature.

Ald. Giannattasio commented he was in agreement with the comments made and noted the individual seeking to purchase the parcel is not here to speak to this purchase.

Ald. Bevan commented regarding the suggestion that trees have come down. He stated if that were the case, he would vote it down.

Ald. Anderson and Ald. Vitali made and seconded a motion to move the question.

Ald. Beatty asked that the motion be re-read.

Ald. Veccharelli re-read the motion.

Ald. Anderson asked for a roll call vote

By roll call vote, the motion failed 1 yes (Bier) and 13 no (Anderson, Beatty, Bevan, Casey, German, Giannattasio, Golden, Hardiman, Smith, Veccharelli, Vetro, Vitali).

8g. Ald. Veccharelli and Ald. Golden made and seconded a motion to approve the request pursuant to the recommendation of the Planning and Zoning Board pursuant to §8-24 of the Connecticut General Statutes, to allow the owners(s) of 262 Point Beach Drive and 16 and 20 Westmoor Road to construct driveway access within the right-of-way of Westmoor Road, subject to the attached agreement, and to authorize the City

Attorney and the Mayor to take all steps necessary, including the signing of all documents to effectuate said agreement.

Ald. Bevan asked Attorney Lynch specifications of the proposed driveway.

Attorney Lynch stated the plans have not been reviewed by the fire marshal, and that typically the fire department will require sprinklers in a rear lot. He stated the specifications would be based on the recommendation of the fire marshal.

Ald. Bier asked if this is an 80' lot.

Attorney Lynch stated it is two (2) 40' lots. He stated the lots have already been approved, it is simply access.

Ald. German asked if it is simply a paper road.

Attorney Lynch stated his clients are proposing locating a driveway on the far southeast end of the property.

Ald. Giannattasio asked why the request has not been made to make this a city street and why this is before this Board as a driveway. He also asked if the owners of the property would pay for the driveway.

Attorney Lynch stated there is a presence of wetlands on the property. He stated his clients meet with the public works director as well as the Inland Wetlands Compliance Officer and a driveway is a better option.

Ald. Giannattasio asked about safety issues with the size of the driveway and if two cars would be able to pass.

Attorney Lynch stated the only people likely to be driving on the roadway would be the two people that live there.

Ald. Giannattasio asked if the Planning and Zoning Board voted favorably for this approval.

Attorney Lynch stated it was unanimously approved. He stated he also wished to address a comment made during public comment as to the series of proposed approvals. He explained initially his clients were going to request a variance, but decided to go the §8-24 route.

Ald. Giannattasio asked about any application to the Inland Wetlands Agency.

Attorney Lynch stated it was not a requirement of the Inland Wetlands Agency and that this request did not have to be noticed by the Planning and Zoning Board. Attorney Lynch stated it was noticed for tonight's meeting in the Milford Mirror.

Ald. Vitali asked about fire apparatus being able to access the driveway.

Attorney Lynch stated a fire vehicle could drive down the driveway, but likely would not be able to turn around, so it would back out.

Ald. Vitali spoke about the photographs that were distributed tonight and the comments of neighbors regarding flooding.

Attorney Lynch stated any recommendations would be made by the City's Engineering Department and Fire Marshal's office.

Ald. Bier commented regarding drainage and flooding and asked the Assistant City Attorney if the city would have any liability if there is severe flooding caused by this driveway, if approved.

Attorney Kelly stated the application is just a request for approval to allow the applicant the driveway access over city right-of-way. She stated the applicants would still need to go before the other city agencies for the various approvals.

Ald. Veccharelli stated he had a number of concerns. He stated the previous owner spoke tonight and stated he attempted to develop this area and was denied. He stated now there are new owners who are attempting to develop the same area. He also referenced the memorandum that was mentioned that came from the previous zoning enforcement officer and public works director who stated a roadway needed to be put in. Ald. Veccharelli stated his major concern is regarding the flooding in this area and since this property had been looked at for the possibility of building lots but there were water problems. He also stated the property and level of the driveway will need to be raised according to the flood zone in the area. He stated he did not feel he had enough information in front of him to make a decision as to whether a driveway or roadway should go in. He also reiterated if this is going to cause a hardship to abutting neighbors he would not be in favor of it, but he would like to know if a bigger problem could be created. He stated he would like to see this matter postponed until the next meeting so that further investigation can be conducted by other city agencies with information being provided to this Board.

Ald. Giannattasio asked why this application is before this Board without prior approval by other city departments, such as the fire department, city engineers, etc.

Attorney Kelly stated this is the proper due course to process the application.

Ald. Giannattasio stated he felt the driveway was not proper and that he would rather postpone this until more information was available, otherwise he could not support this.

Ald. Bier stated he felt this Board needed to give Attorney Lynch direction to provide to his clients. He stated what is needed is a road that will work for all.

Ald. Giannattasio stated he was looking for something with more substance.

Ald. Beatty stated it is her understanding this is before them to allow the owner(s) the right to construct driveway access within the city's right-of-way.

Attorney Lynch stated the parcels already are approved legal building lots. He stated the propose of this application is get approval by this Board and bring it to the engineering firm, the city engineer and other city departments for final approval and requirements. Attorney Lynch also pointed to the language that protects the city.



Ald. Vitali commented there seems to be confusion as to design and that he felt he might be voting on something he did not have enough information on.

Ald. Vitali and Ald. Veccharelli made and seconded a motion to postpone a vote on this matter until the Board received further information.

By roll call vote, the motion carried 13 yes (Beatty, Bevan, Bier, Casey, German, Gianattasio, Golden, Grant, Hardiman, Smith, Veccharelli, Vetro, Vitali) and 1 no (Anderson).

Attorney Lynch asked for clarification as to who would be providing additional information to the Board.

8h. Ald. Veccharelli and Ald. Golden made and seconded a motion to approve the request for the sale of certain delinquent tax and sewer use liens to a third party in accordance with the provisions of Section 12-195h and 7-258 of the Connecticut General Statutes and the conditions as contained in the attached Request for Proposals. The minimum sales price shall be the full amount due the City. The Mayor, in consultation with the City Attorney, Finance Director and/or Tax Collector is authorized to take all steps necessary, including the signing of all documents to effectuate said delinquent tax and sewer use lien sale.

Ald. Anderson stated there was a great deal of information in the Board's packet, and recognized this has been done before however, the missing piece is how many liens there are, the approximate amount and also on average, the size of the sewer lien that the city would be looking to have an agency dispose of.

Mayor Blake stated this is the same RFP that has gone out for a while, the last time being June 2014. He explained there are safeguards for homeowners. He stated as to the list of outstanding tax liens, there is a list, but there are hardship cases and certain properties for one reason or another, the city may not be moving forward at this time. Mayor Blake stated if approved, the city attorney's office would work with the tax office. He stated the closing would not likely happen for at least another thirty (30) days, but asked the aldermen to bring any cases of hardship to his attention or that of the tax office.

Ald. Anderson stated he was asking the average size of the liens and sewer liens.

Mayor Blake stated it would vary between commercial and personal properties.

Motion carried unanimously.

8i. Ald. Veccharelli and Ald. Golden made and seconded a motion to approve the request for Resolution Re: Establishment of Accounts Related to Police Application Fees. Motion carried unanimously. Motion carried unanimously.

8j. Ald. Veccharelli and Ald. Golden made and seconded a motion to approve the request for Resolution Re: CDBG-DR Infrastructure Repair Grants from the State of Connecticut, Department of Housing for additional funding for flooding study and drainage improvements at Milford Point Road and Bayview Beach and reconstruction of Moringside Revetment. Motion carried unanimously.

Mayor Blake stated this is additional grant monies to Milford for the funding for flooding study and drainage improvements. He stated this would strengthen the shoreline areas and make it more resilient.

8k. Ald. Veccharelli and Ald. Golden made and seconded a motion to approve the request for the Director of Health Employment contract as required by §19a-200 of the Connecticut General Statutes.

Ald. Bevan referenced p. 1 of the contract and pointed out it references January 5, 2015. He asked if this is being catch-up.

Mayor Blake stated he would defer to Attorney Kelly, but that the change was necessary due to a statute change.

Attorney Kelly stated the dates are accurate and the January 5th date is the date the health director commenced employment. The only change in the statute is that a contract be in place, due to the Public Act, which dates back to her initial employment date as health director.

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.

10. Budget Memo Transfers

(a) Ald. Veccharelli and Ald. Golden made and seconded a motion to approve Consideration of Budget Memo Transfers #9 and #10, Fund 10, FY 16. 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 \$9,754.16. Motion carried unanimously.

12. Report of Standing Committees:

- a. Ordinance Committee – no report.
- 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 – Ald. Bevan reported the two turf fields on Orange Avenue are on schedule to be completed this year.

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

s. Liaison – Milford Progress, Inc. – no report.

t. Liaison – Police Department – no report.

u. Liaison – Fire Department – 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.

None.

There being no further business to discuss, Ald. Veccharelli and Ald. Golden moved to adjourn. Motion carried unanimously.

The Board adjourned at 9:23 p.m.

Respectfully submitted,

Kathleen A. Kennedy  
Recording Secretary