

**BOARD OF ALDERMEN
REGULAR MEETING
SEPTEMBER 13, 2010**

The Board of Aldermen of the City of Milford held their Regular Meeting on Monday, September 13, 2010 in the aldermanic chambers of City Hall. Chairman G. Smith called the meeting to order at 7:33 p.m. He 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 and their families.

1. Roll Call

Board Members Present

B. Bevan
B. Bier
B. Blake
A. Giannattasio
F. Goodrich
J. Patterson
G. Smith
P. Smtih
P. Staneski
N. Veccharelli
P. Vetro
R. Vitali

Also Present

Mayor J. Richetelli, Jr.
Winthrop S. Smith, Jr., City Attorney
Linda Stock, City Clerk
L. DiLullo, Mayor's Admin. Asst.

Excused

M. Hardiman
D. German
B. Joy, Jr.

Ald. Blake stated Ald. Hardiman was hospitalized and extended good thoughts and wishes to him on his recovery. He also reported the Irish Festival would be held this Saturday at Fowler Field.

Mayor Richetelli added that Ald. German had a graduate class and Ald. Joy had a business conflict.

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. Ald. G. Smith thanked the public for taking the time to address their Board of Aldermen.

R. Miller – 141 Cornfield Road – stated he has lived in Milford the last 25 years. He stated he is concerned that the City of Milford does not have a noise Ordinance. He stated he has called several city officials and will continue to do so until something is done. He invited the Board and any city official to come to his home and listen to the sound of motorcycle engineers late into the evening.

A. Beloin – 12 Overton Avenue – stated she has a complaint about her neighbor whose excessive watering of his lawn has created problems for her. She stated her driveway is cracking and that her house is sinking as well. She also stated he does not cut his branches and that she recently found out there is an Ordinance that stated

how long they can be. Ms. Beloin stated she has also spoken with the Mayor and City Attorney about another neighbor who shoots at least six deer in a week and then hangs them in the yard to guts and cleans it. She stated it is right outside her kitchen window where this is done.

A. Petrahai – 32 Orient Avenue – stated he has been a taxpayer since 1965. He spoke regarding an article two weeks ago regarding municipal workers and their and that they make more money in retirement. He also spoke regarding 401k's and also regarding the Board of Education. He stated on August 26, 2010 there was an article in the New Haven Register who had conducted a survey as to how many municipal employees in the City of New Haven actually live there.

L. Carlberg – 144 Maplewood Avenue – stated she was before the Board tonight regarding a tree issue. She stated she has been told many different things as to responsibility. She gave the Chairman a photograph of the tree she was speaking of and stated a lot of people walk in the area and that she was afraid something might happen if the tree were to fall. She stated the tree is in an area where children wait for the school bus.

J. Prisco – 11 Riverdale Road – spoke regarding tree damage during a recent storm. He also stated the railings in the area of Anderson Avenue still are in need of repair. He stated he has lived in this area since 1954 and nothing has been done. He stated only Ald. Veccharelli and former Ald. Toohey were the only ones to come and look at the railings and they don't even represent his district. He commented the city still does not have a city engineer and something should be done. He also asked that something be done regarding the Board of Education meetings, because you cannot hear the video and that it basically stinks. He also spoke regarding the mosquito problem and suggested the city get rid of the company they use. He stated they come to the same spot every year. He also stated he does not like the idea of a pump station on the beach.

R. Platt – 132 Platt Lane – stated he was delighted to see item 8a on the agenda, the appointment of the Historic Study Committee and also doing the Historic Properties Study Committee. He stated the committee was a group of excellent and knowledgeable people.

B. Genovese – 19 Belmont Street – applauded the Board for putting the Gulf Street Historic Committee together. She stated the other issue she wished to speak concerned the new fire house. She stated she understood the reasons for a new fire house being safety and was glad the city was not taking the property by eminent domain. She expressed concern with the location and suggested it would be safer to have it moved to Pepe's Farm Road.

D. Guaglianone – 73 Cooper Avenue – stated he is a member of the Cable Advisory Board. He stated he had a FOI hearing in Hartford last week and that she Assistant City Attorney had stated to him that the Attorney General had not heard from him. He stated he has a copy of the Attorney General's letter dated June 7, 2010. He stated he also wished to make the Board aware that at the FOI hearing MGAT agreed to consider show their meetings live and hold the meeting in City Hall. He also stated in June he requested a copy of the MGAT program logs from January 2010 to June 2010. He stated he finally heard on September 7, 2010 that they did not keep these logs. He stated the 2009 members of this committee know full well the logs are required by the FCC and DPUC.

3. Consideration of the Minutes of the Regular Meeting of the Board of Aldermen held on August 2, 2010.

Ald. Vetro and Ald. Patterson made and seconded a motion to approve the minutes of the Regular Meeting held on August 2, 2010 as presented. 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 G. Smith reported he spoke with Mike Manente of MGAT and he assured him the Board of Education was being corrected. He also thanked those individuals who put on the September 11 Remembrance.

6. Mayor's Report and Recommendations:

Mayor Richetelli stated he was respectfully submitting for the Board's consideration items 8a-f on the agenda and stated he would be happy to answer any questions. He also stated he wished to take this opportunity to thank the members of the Historic District Study #3 expressing his respect and admiration for volunteering their time and expressed his hope the Board act favorable. He also stated last month he made the Board aware of the hiring of the new director of the DPLU and spoke of her impressive resume. He stated tonight he was pleased to introduce Jocelyn Mathiasen to the Board.

Ms. Mathiasen thanked the Board for their applause. She stated she was very excited about the job and thanked the Board for the fabulous opportunity. She stated she is a lifelong and personal advocate of customer service in government, adding there are three things necessary 1) customer service; 2) effectiveness and 3) efficiency. She also stated what would make these things fail were bureaucracy and inconsistency. She stated the mission of the new department is an important issue and that it was important to protect the character and environment of the City of Milford. She continued on with her goals and mission for the department with emphasis on being customer friendly.

Ald. Staneski stated as a taxpayer and citizen she went through the permitting process and what she found most difficult was going from department to department.

Ms. Mathiasen responded with the ability to go on-line there would no longer be that need.

7. Unfinished Business:

None.

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

8a. Ald. P. Smith and Ald. Patterson made and seconded a motion to approve the request for the Resolution Re: Appointment of Historic District Study Committee – Gulf Street Area (May 4, 2009) and Aldermanic Resolution Re: Appointment of Historic Properties Study Committee (October 5, 2009), Board of Aldermen approval is requested for the following appointments to the:

Historic Study Committee III

(D) Alice Fowler Oliver, 404 Gulf Street, 06460
(R) Janet M. James, 7 Snug Harbor Road, 06460
(U) Daniel G. Blanchet, 180 Gulf Street, 06460
(D) Maryanne C. Baker, 191 Gulf Street
(R) Edith Murphy Hartford, 99 Old Field Lane, 06460

Alternates:

(R) Holly Bonessi, 157 Gulf Street, 06460
(R) Barry W. Bonessi, 157 Gulf Street, 06460

Ald. Blake commented this is the area he lives in and grew up in and that he looks forward to working with and keeping track of this committee. He also concurred with the remarks made by Mr. Platt that the individuals chosen are excellent and have a strong understanding of Milford's history and commitment.

Chairman G. Smith also echoed the comments of the Mayor and Mr. Platt of the dedicated group of individuals. He stated he realized there would be a lot of hard work and thanked the individuals for their service.

Motion carried unanimously.

8b. Ald. P. Smith and Ald. Goodrich made and seconded a motion to approve the request for renewal of lease between the City of Milford and TEAM, Inc., for space at the Margaret Egan Center. Motion carried unanimously.

Those members present came forward and were sworn in by the City Clerk, Linda Stock.

8c. Ald. P. Smith and Ald. Vetro made and seconded a motion to approve the request to amend a Resolution Re: Approval for a Grant from the State of Connecticut Department of Environmental Protection (DEP) for Phragmite Control Activities Along the Banks of the Oyster River in Milford and West Haven (passed by the Board of Aldermen on May 3, 2010) by adding Sections 5 and 6.

By roll call vote the motion carried 11 yes (Bevan, Bier, Blake, Giannattasio, Goodrich, Patterson, G. Smith, P. Smith, Staneski, Vetro, Vitali) and 1 no (Veccharelli).

8d. Ald. P. Smith and Ald. Goodrich made and seconded a motion to approve the request for Resolution Re: Acceptance of the Request for Proposal (RFP) Process Used by the Capitol Region Council of Governments (CRCOG) to Procure Permitting Software and authorization to execute the Participating Agreement between the Capital Region Council of Governments and the City of Milford, and View Point Engineering, Inc. concerning the Licensing and Implementation of Regional Permitting System.

Mayor Richetelli stated throughout the Kimball report and Kimball implementation this was a common theme. He stated this was a major aspect of change and bringing the City into the 20th century. The Mayor stated he attended a demonstration of the proposal and was quite pleased. He pointed out several other local cities have purchased this package and it has worked quite well. He stated he would strongly recommend this program and asked the Board for their approval.

Ald. Blake asked what other programs were investigated. He also noted Ms. Mathiasen's former employer used this program in the Hartford area, but asked what else was out there and why Milford chose to go with this program.

Ms. Mathiasen explained the grant received from the State to explore opportunities, so on one vendor was identified. He went on with a lengthy explanation as to the process, the RFI demonstration and the PFP that was written by an IT manager. She stated it was an exhaustive process and that she would be able to provide Ald. Blake and the Board with a list of some of the companies. She stated she did not recall the names of all of them, but mentioned View Permits, City View and Excello as some. She stated the system would be subsidized by the grant and also noted 9 other towns have implemented this same system.

Ald. Blake asked if any of those towns were experiencing any problems.

Ms. Mathiasen replied there are always some bumps in the initial implementation, but that the towns of Manchester and Glastonbury are using this program without any difficulties.

Ald. Vetro stated as a local contractor he is an experienced "sitter" outside the building department door. He asked if this new system would affect the review process.

Ms. Mathiasen stated it would depend on the type of permit. She explained there are permits that can be issued through the internet. She also pointed out the software would identify what sign-offs were necessary.

Ald. P. Smith stated she was happy to learn the City would finally be automated. She asked about software licensing maintenance and if there were any issues with the City's hardware infrastructure.

Ms. Mathiasen stated they would not need additional hardware, but that a strong internet connection would be key. She also stated the user friendly module for inspection would also be key. She stated one of the items they would need would be laptop computers for the inspectors to have in the field. She stated the cost should not be much.

Ald. Giannattasio asked if the software would have the capability to be customized and where.

Ms. Mathiasen stated there were various areas. She explained the "permit type" for wetland, etc that would come with the system. She stated it would be deployed initially for the building department and then Planning and Zoning and possibly for further implementation.

Chairman G. Smith commented the system sounds as though it will certainly benefit the residents and thanked Ms. Mathiasen for her enthusiasm.

Motion carried unanimously.

8e. Ald. P. Smith and Ald. Vetro made and seconded a motion to approve the request pursuant to Connecticut General Statutes (CGS) 8-24 to authorize the purchase of land located at 980 New Haven Avenue (Map 69, Block 711, Parcel 19) and a rear parcel (Map 68, Block 711, Parcel 20A) consisting of approximately 3.02+/- acres from Salvatore and Edythe Bova for an amount of \$36,0000.00 for the purpose of constructing the East

Side Fire Station and to authorize the Mayor, City Attorney and Fire Chief to sign any and all documents and take all steps necessary to effectuate said purchase (per CGS 8-24 recommendation of the Planning and Zoning Board on July 20, 2010).

Ald. Blake acknowledged the presence of the Fire Chief along with members of the Fire Commission and East Side Fire Station Committee. He asked if this new station would help to streamline efficient at the fire department.

Chief LaVecchia stated he first wished to speak about the misconceptions regarding Red Bush Lane coverage. He explained by moving the station inland they would be able to cover more territory, specifically the Woodmont Road area. He also added the plan to open the new firehouse falls back to OSHA and the two in/two out philosophy. He explained currently their engines run with three firefighters on an engine. He stated when they arrive at a fire they have to wait for the second engine before entering the building.

Motion carried unanimously.

8f. Ald. P. Smith and Ald. Goodrich made and seconded a motion to approve the request for Allocation Transfer No. 1 (East Side Firehouse – Architectural and Engineering).

Ald. Bevan stated he had a question for the Chairman of the East Shore Firehouse Committee. He asked Mr. Healy to come forward and explain the process in which the Committee chose the architect.

Commissioner Healy stated the Committee has met 9 times since May. He stated on June 10, 2010 they met and there were ten submissions which were sealed. He stated subsequent to that meeting the Committee weeded the number to three selections. He stated the their June 21, 2010 meeting the three firms were introduced and did their presentation and June 30, 2010 he requested each Committee member rank each of the firms. Commissioner Healy stated that information was then passed to the secretary who provided the results.

Ald. Bevan thanked Commissioner Healy and the Committee for their hardwork.

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. P. Smith and Ald. Vetro made and seconded a motion to approve Consideration of Budget Memo Transfer No. 19, Fund 10, FY 2009-2010. Motion carried unanimously.

(b) Ald. P. Smith and Ald. Goodrich made and seconded a motion to approve Consideration of Budget Memo Transfer No. 20, Fund 10, FY 2009-2010. Motion carried unanimously.

- (c) Ald. P. Smith and Ald. Goodrich made and seconded a motion to approve Consideration of Budget Memo Transfer No. 1, Fund 10 and 12, FY 2010-2011. Motion carried unanimously.
- (d) Ald P. Smith and Ald. Goodrich made and seconded a motion to approve Consideration of Budget Memo Transfer No. 2, Fund 10 and 12, FY 2010-2011.

Ald. Blake remarked this Board has discussed the City's penchant for expensive chairs. He questioned the purchase of \$40.00 folding chairs, when there are stores such as Costco and others where they can be purchased for significantly less. He questioned why these monies were being spent.

Mayor Richetelli responded the chairs are the folding chairs for the Parsons Auditorium. He stated that auditorium is used by more than 30 organizations a year and that the chairs themselves are ripped, losing bolts and are more than 30 years old. He stated they have to purchase chairs that have to last 30 years, not just some bargain brand. Mayor Richetelli also stated although Ald. Blake jokes about this, the fact is the City goes out to bid to buy the best chairs they can.

By roll call vote, the motion carried 10 yes (Bevan, Bier, Giannattasio, Goodrich, G. Smith, P. Smith, Staneski, Veccharelli, Vetro, Vitali) and 2 no (Blake, Patterson).

11. Refunds

- (a) Ald. P. Smith and Ald. Goodrich made and seconded a motion to approve Consideration of Refunds in the amount of \$58,273.31. Motion carried unanimously.

12. Report of Standing Committees:

a. Ordinance Committee – Ald. Giannattasio reported the Ordinance Committee met earlier in the evening to consider one Ordinance and voted to forward that Ordinance to the full Board.

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).

Ald. Blake read the Ordinance and spoke regarding the words "reasonable" and "discretion". He stated he had a problem with these terms as they were arbitrary and capricious.

Mayor Richetelli stated the Ordinance is in order with Connecticut General Statutes. He pointed out the City Assessor, Dan Thomas was present to answer questions, however, he wished to point out the words come directly out of the State statute.

Chairman G. Smith added this Ordinance was back before the Board, because the changes were needed to make this Ordinance in line with language from the State statute.

Mr. Thomas stated the intent of the Ordinance was to give the assessor or Board discretion to identify the timeline. He stated the reasonable time gives the authority to the assessor. He also pointed out the penalty is required by statute.

Ald. Blake stated his concern is not with the underlying Ordinance, but with the terms where the government could play favorites. He asked if there is any other municipality that uses these terms.

Mr. Thomas replied less than a handful of towns have adopted this. He stated this Ordinance was back before the Board to conform better that the original Ordinance.

By roll call vote, the motion carried 10 yes (Bevan, Bier, Giannattasio, Goodrich, Patterson, P. Smith, Staneski, Veccharelli, Vetro, Vitali) and 2 no (Blake, G. Smith).

b. Public Safety and Welfare Committee – no report.

c. Public Works Committee –no report

d. Claims Committee – Ald. Vitali reported the Committee met earlier in the evening to discuss one claim.

Chairman G. Smith stated he would be recusing himself from this vote as he is a good friend of the claimant.

Ald. Vitali and Ald. Bevan made and seconded a motion to approve Consideration of employee Victor Daniels (PPD Award) in accordance with the recommendations of the City Attorney as discussed in Executive Session.

By roll call vote, the motion carried 11 yes (Bevan, Bier, Blake, Giannattasio, Goodrich, Patterson, P. Smith, Veccharelli, Vetro, Vitali) and 1 no (Staneski), with 1 abstention (G. Smith).

e. Rules Committee – no meeting.

f. Personnel Committee – no meeting.

13. Report of Special Committees. Chairman G. Smith noted the minutes of the following Committees can be found on the city's web-site or are available at the next meeting. He 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

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 – Ald. Vetro reported rent rebates end September 15, 2010. Reading from the minutes of the Commission’s meeting; he also reported the Rent A Kid Program is available, as well as Family Therapy, by calling the department. He also reported the Human Services Department in conjunction with the Salvation Army distributed over 270 backpacks to school age kids. He also acknowledged the support of the United Way for this program. He also stated anyone with questions or concerns should call the director, Lisa Diamond Graham.

q. Liaison Pension & Retirement Board

r. Milford Government Access Television (MGAT)

Ald. Bevan asked through the Chairman is they could go back to item 6a on the agenda.

Mayor Richetelli thanked Ald. Bevan for pointing that out under the mayor’s report. He stated he would defer to the City Clerk, Linda Stock to elaborate. He also stated he wished to congratulate Mrs. Stock for her work obtaining the state grant.

Chairman G. Smith also apologized for skipping over this item.

Mrs. Stock explained the process in applying for the grant. She stated in being proactive while waiting for the grant application, she forwarded the information to the company, at no cost to the city. She later found out the grant was approved, which put them one month ahead of schedule. She stated they have already received calls from many citizens asking for direction to use the system. She added the system is fairly simple to use and explained how to access it through the city website.

Chairman G. Smith added the system is easy to use as well as a good tool especially when you compare the cost to print out one copy of the Ordinance.

Mrs. Stock concurred stating the cost for an Ordinance book was \$300 and this company will print it for \$65.00.

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 G. Smith stated he would entertain a motion to go into Executive Session regarding the Status report and consideration of settlement in the matter of

- 14a. Status report and consideration of settlement:
Target Corporation v. City of Milford
RE: 1191 Boston Post Road

- 14b. Status report and consideration of settlement:
Ocean Point, LLC v. City of Milford
RE: 180 Melba Street

Chairman G. Smith noted for the record that item 14c had been pulled from the agenda.

Ald. Vetro and Ald. Patterson made and seconded a motion to go into Executive Session as stated by the Chairman.

Chairman G. Smith stated those going into Executive Session for item 14(a) and 14(b) would be the full Board, Mayor and City Attorney, along with the City Assessor, Daniel K. Thomas.

Motion carried unanimously.

The Board adjourned to Executive Session at 9:03 p.m.

Ald. Vetro and Ald. Patterson made and seconded a motion to come out of Executive Session. Motion carried unanimously.

Chairman G. Smith reconvened the Board in public session at 9:19 p.m.

- 14(a) Ald. P. Smith and Ald. Patterson made and seconded a motion to approve settlement of Target Corporation v. City of Milford RE: 1191 Boston Post Road in accordance with the recommendations of the City Assessor and City Attorney as discussed in Executive Session. Motion carried unanimously.
- 14 (b) Ald. P. Smith and Ald. Goodrich made and seconded a motion to approve settlement of Ocean Point, LLC v. City of Milford RE: 180 Melba Street, in accordance with the recommendations of the City Assessor and City Attorney as discussed in Executive Session. Motion carried unanimously.

Ald. Vitali and Ald. Patterson made and seconded a motion to adjourn at 9:20 p.m. Motion carried unanimously.

Respectfully submitted,

Kathleen K. Huber
Recording Secretary