

**BOARD OF ALDERMEN
REGULAR MEETING
NOVEMBER 10, 2016**

The Board of Aldermen of the City of Milford held their Regular Meeting on Thursday, November 10, 2016 in the aldermanic chambers of City Hall. Chairman P. Vetro called the meeting to order at 7:37 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 in honor of our veterans and troops.

1. Roll Call

Board Members Present

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

Also Present

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

Excused

M. Hardiman

2. Public Statements

Chairman Vetro stated 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 and asked each speaker to adhere to the three-minute limit. He asked speakers not to make derogatory remarks or to engage the Board in conversation.

Attorney Curseaden - 26 Cherry Street – stated he was here tonight regarding 0 Myers Lane. He stated he wished to address the comments made during the public hearing meeting which took place prior to this meeting. Attorney Curseaden explained the petition submitted did not have any signatures from Myers Lane stating opposition to this application. He also stated some of the information provided was incorrect and that it was not the intention of the Leso to sell the land.

Mr. Whelan - 40 Indian Hill – stated there were two signatures from Myers Court and two signatures on Indian Hill Road, which abuts the parcel being requested.

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

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

Ald. Anderson and Ald. Beatty made and seconded a motion to reconsider the minutes from the September 12, 2016 meeting with the following corrections:

*10(a) should read "Ald. Anderson **not Ald. Bevan**, asked about the solid waste budget deficiency. Ald. Anderson asked if it was related to the \$200,000 budget at the end of the budget year and ow \$100,000 was being transferred back."*

Under Report of Standing Committees "Ald. Anderson stated as chairman of the Public Works Committee he would like to give members of the Public Works Committee and any board members an opportunity to ask questions. . . ."

Motion carried unanimously.

4. Consideration of the Minutes of the Special Organizational Meeting.

None

5. Chairman's Report and Communications.

Chairman Vetro thanked all who attended the Veterans Day parade.

6. Mayor's Report and Recommendations:

Mayor Blake thanked the Board for considering items 8a-8f on the agenda. He stated he would be happy to answer any questions that arise during the course of the meeting .

Mayor Blake wished all veterans a Happy Veterans Day and thanked them for their service. He acknowledged those who have served proudly, including Chairman Vetro, Ald. Hardiman, Attorney Curseaden and many others. Mayor Blake also extended congratulations to those who ran in the recent election and congratulated those who were successful.

7. Unfinished Business

None.

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

8a. Ald. Veccharelli and Ald. Golden made and seconded a motion to approve the request Resolution RE: Special Reserve Account, Founders Walk.

Ald. Grant asked for an update including the status of the work.

Mayor Blake provided a synopsis of the project. He stated all of the engineering work is done and that DEEP has been reviewing the project. Mayor Blake went on to explain the history of the project. He recognized Ms. Nash, Community Development Director and Mr. Maroney, Chairman of the Committee.

Mr. Maroney stated more remediation needed to be done than originally thought. He stated it is a slow process, but it is moving along. He explained the grants that have been applied for to complete this project and commented about a grant from the realtors association, which was a part of the funding.

Motion carried unanimously.

8b. Ald. Veccharelli and Ald. Golden made and seconded a motion to approve the request for Resolution RE: Revised Cash Advance Resolution RE: Body Worn Camera Grant Program.

Ald. Shaw asked if this is a yearly request.

Sgt. Alexopolous stated the cost is for a 5-year project and that the grant is for all of the equipment.

Mayor Blake explained this was approved by the Board of Aldermen last spring and that the city was expanding the cash advance as well as the scope of the program.

Motion carried unanimously.

8c. Ald. Veccharelli and Ald. Golden made and seconded a motion to approve the request for Allocation Transfer No. 3 (Seaflex V's replacement).

Ald. Veccharelli asked where the problem was coming from and asked that Mr. Swift be recognized.

Mr. Swift stated the hope is that as the shackles are replaced they will be able to locate any hot spots.

Motion carried unanimously.

8d. Ald. Veccharelli and Ald. Golden made and seconded a motion to approve the request for Resolution RE: Emergency Medical Services.

Ald. Bevan asked what the program consists of and questioned the 75%.

Mayor Blake explained this is a project the City of Milford and fire department has been working on for many years. He stated Milford is one of the first fire departments to have emergency medical services, which he commented are second to none. Mayor Blake stated part of what is driving this is the life savings seconds of getting patients to the hospital. He stated Milford has always held the life transport license, and now will be doing our own transporting. He continued with a lengthy

explanation of the background and how the department finally arrived at this. We are able to respond faster and generating funding to offset finances. The amount under consideration was developed by the fire department. Mayor Blake stated he anticipated there will be some costs in the transition. He stated Chief Edo, along with Assistant Chief Baker and Battalion Chief Wassmer was available.

Ald. Bevan asked the plans for the 75%.

Mayor Blake stated it will go back to the general fund, adding the monies are brand new revenue for the city.

Ald. Giannattasio asked if this would be considered an enterprise fund since it is generating revenue for the city.

Mr. Erodici stated it is something that would be looked at down the road.

Ald. Giannattasio stated tonight the Board was being asked to consider the funding that would go back to the fire department.

Mr. Erodici explained 25% goes to the fire department and 75% to the general fund to support the city.

Ald. Giannattasio asked how the determinations would be made down the road.

Mr. Erodici stated it would be similar to the Marina Enterprise fund which is self sustaining.

Ald. Vitali asked what criteria would make this an enterprise fund.

Mr. Erodici stated he had conversations with the city auditor's. He stated since they are looking at potential high figure revenue they would have to look at it further.

Motion carried unanimously.

8e. Ald. Veccharelli and Ald. Golden made and seconded a motion to approve consideration per the recommendation of the Planning and Zoning Board dated October 19, 2016, for a Lease of a portion of 25-27 Daniel Street to Eli's Restaurant for outdoor patio and to authorize the Mayor and City Attorney to take all steps necessary, including signing all documents to effectuate said Lease.

Motion carried 8 yes (Bier, Casey, German, Giannattasio, Grant, Smith, Vetro, Vitali) and 6 no (Anderson, Beatty, Bevan, Golden, Shaw, Veccharelli).

8f. Ald. Veccharelli and Ald. Golden made and seconded a motion to approve the request for Resolution RE: Board of Aldermen approval per the request pursuant to the recommendation of the Planning and Zoning Commission pursuant to §8-24 of the Connecticut General Statutes, to transfer approximately 0.07 acres of land at the end of Myers Lane (0 Myers Lane, Tax MBL 037/520/13DD) to an adjoining landowner in order for landowner to construct driveway access to a proposed single-family lot, and to direct and authorize the City Attorney and Mayor to take all steps necessary.

including signing all documents to effectuate said transfer, including but not limited to executing a deed of conveyance. (Requested by Ald. Anthony Giannattasio).

Ald. Shaw recognized Milford's Open Space Manager and Natural Resource Agent Steven Johnson concerning open space. She asked about access to the driveway.

Mr. Johnson expressed concern about future access creating a land lock behind this parcel. He stated there should be provisions for an easement if this is approved. Attorney Curseaden stated this would be provided.

Ald. Vitali asked whether or not this is open space or not.

Mr. Johnson stated it is undeveloped land owned by the city. He went on to explain the background adding that this small parcel at one time was going to be dedicated to open space. When the subdivision was settled the following year there was no reference to open space. He stated it is his interpretation that it was intended to be open space but was not.

Ald. Vitali asked how the two are discerned.

Mr. Johnson spoke of protected open space and unprotected open space which is not deed protected. He stated it is simply his interpretation of the September letter on file in the Planning and Zoning Office.

Ald. German asked if there is any other access to the property.

Mr. Johnson stated there is access north of Myers towards Buckingham that could be accessed. He stated there is also Welch's Point Road near the pump station.

Ald. Giannattasio asked Mr. Johnson if he has been involved in transactions where a homeowner has requested to convey property to the city.

Mr. Johnson stated it would be based on the intent.

Ald. Giannattasio expressed concern over the interpretation of open space.

Mr. Johnson stated there is always the question of setting a precedent.

Ald. Shaw stated although there may be some dispute as to whether or not this is open space. She asked for clarifications.

Mr. Johnson stated the September 1969 minutes reflected it was to be open space.

Mayor Blake stated the term open space is broad. He stated there is recreational open space, passive open space, etc. Mayor Blake stated Milford has 3,000 plus acres of open space in the city which takes many forms.

Ald. Smith asked Mr. Johnson if he was satisfied with the language with the proposal.

Mr. Johnson replied yes.

Ald. Smith stated he has not heard any compelling testimony not to approve this request. He asked Attorney Berchem what precedent there could be in transferring this property.

Attorney Berchem explained this is a parcel the city owns in fee simple. In terms of precedent, he stated you would have to take each situation on its merits.

Mayor Blake stated there has been a consistent policy that all 8-24 g requests had to go through a process. He stated his only concern is simple in that he does not want to make one person happy and twelve other people unhappy. He stated the final decision should be based on the process and the buy in the adjoining stakeholders.

Ald. Giannattasio commented regarding the process which was referred to this Board from Planning and Zoning Board. He stated he believes in reasonable government and that it is a reasonable request. He stated the Board as elected officials is the buy in.

Ald. Beatty requested a 5-minute recess.

The Board recessed at 8:31 p.m.

Chairman Vetro reconvened the Board at 8:43 p.m.

Ald. Shaw stated she would offer to deny this until there was a buy-in from the neighbors.

Ald. Giannattasio stated he wished to recognize Attorney Curseaden.

Chairman Vetro stated he would need to be recognized by his alderman.

Ald. German recognized Attorney Curseaden.

Attorney Curseaden stated he resides at 11 Bonsilene Street.

Ald. German asked Attorney Curseaden for a recap.

Attorney Curseaden stated what the open space agent referred to was a committee meeting that took place over 40 years ago. He stated it was a dangerous road to go down. Also, in response to the Mayor's comments regarding the buy in process, Attorney Curseaden commented it only adds another layer and is a bad idea. He stated this Board should not be the buy-in and that it is the neighbors that come out to the public hearing who make it work.

Ald. Grant asked if approval was still needed from Planning and Zoning to sub-divide and build a home.

Attorney Curseaden stated this would next go before Inland Wetlands as well as Planning and Zoning.

Ald. Anderson asked about the notification process to the neighbors.

Attorney Curseaden stated by State statute and City Ordinance, neighbors within 200 feet are sent a letter via certified mail and that a sign is also posted by public works. He stated both were done and that the notice was also published in the newspaper, in this case twice.

Ald. Anderson asked how many neighbors were within the 200 feet.

Attorney Curseaden stated it is a 200 foot radius.

Ald. Anderson asked the addresses that received notice.

Attorney Curseaden read each of the addresses.

Ald. Anderson asked the date of the notice.

Attorney Curseaden stated October 27th.

Ald. Anderson stated he met with the Leso and neighbors on Indian Hill. He asked if the balance of the parcel would remain city property.

Attorney Curseaden stated it is premature, but that is the intent. He reiterated the process that was ahead.

Ald. Anderson stated his third question was with regard to the valuation. He asked the difference in the amount of consideration.

Attorney Curseaden stated the amount at the time was a placeholder figure for the Board to make a motion on and discuss.

Ald. German stated for clarification there is no open space issue.

Attorney Curseaden stated it is not deed restricted open space. He stated based on the opinion of the assistant city attorney, this parcel can be transferred. He stated it is City of Milford land.

Ald. German stated he would like to propose an amendment to the motion by inserting an amount and stated he would recommend the amount of \$3,500. Ald. Vitali seconded the amendment.

By roll call vote the amendment fails 8 no (Anderson, Bevan, Golden, Grant, Shaw, Smith, Veccharelli, Vetro) and 5 yes (Bier, Casey, German, Giannattasio, Vitali) and 1 abstention (Beatty).

On the main motion, by roll call vote, the motion fails 9 no (Anderson, Beatty, Bevan, Golden, Grant, Shaw, Smith, Veccharelli, Vetro) and 5 yes (Bier, Casey, German, Giannattasio, Vitali).

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

None.

11. Refunds

(a) Ald. Veccharelli and Ald. Golden made and seconded a motion to approve the request for Consideration of Refunds in the amount of \$28,095.35. Motion carried unanimously.

(b) Ald. Veccharelli and Ald. Golden made and seconded a motion to approve the request for Consideration of Suspense List in the amount of \$741,000.65. 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 Commission – 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
- 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.

(14a) Consideration of Collective Bargaining Agreement between the City of Milford and United Public Service Employees Union Local 424, Unit 97, Milford Supervisors.

(14b) Consideration of Collective Bargaining Agreement between the City of Milford and Milford City Hall Employees Association, Local 1301-452.

Chairman Vetro announced those going into Executive Session would be the full Board, City Attorney, and Tania Barnes, Human Resources Director.

Ald. Veccharelli and Ald. Golden made and seconded a motion to enter Executive Session. Motion carried unanimously.

The Board adjourned to Executive Session at 9:06 p.m.

Chairman Vetro reconvened the meeting in public session at 9:49 p.m.

Ald. Veccharelli and Ald. Golden made and seconded a motion to approve Consideration of Collective Bargaining Agreement between the City of Milford and United Public Service Employees Union, Local 424, Unit 97, Milford Supervisors, in accordance with the recommendations of the City Attorney as discussed in Executive Session. Motion carried unanimously.

Ald. Veccharelli and Ald. Shaw made and seconded a motion to approve Consideration of Collective Bargaining Agreement between the City of Milford and Milford City Hall Employees Association, Local 1301-452, in accordance with the recommendations of the City Attorney as discussed in Executive Session.

Ald. Giannattasio stated he would move to amend the motion to reject the proposed language in definition of employees. Ald. Casey seconded the amendment.

By roll call vote, the motion carried 12 yes (Anderson, Beatty, Vevan, Bier, Casey, German, Giannattasio, Golden, Grant, Veccharelli, Vetro, Vitali) and 2 no (Shaw, Smith).

On the original motion, motion carried unanimously.

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

The meeting adjourned at 9:54 p.m.

Respectfully submitted,

Kathleen A. Kennedy
Recording Secretary