

**BOARD OF ALDERMEN  
REGULAR MEETING  
DECEMBER 1, 2008**

The Board of Aldermen of the City of Milford held their Regular Meeting on Monday, December 1, 2008 in the aldermanic chambers of City Hall. Chairman B. Blake called the meeting to order at 7:42 p.m. welcoming everyone and asked those present to join in saluting our flag and reciting the Pledge of Allegiance.

**1. Roll Call**

Board Members Present

J. Blacketter  
B. Blake  
V. Ditchkus, Jr.  
A. Giannattasio  
M. Hardiman  
B. Lambert  
S. Manning  
R. Nunno  
J. Toohey  
N. Veccharelli  
P. Vetro  
R. Vitali

Also Present

Mayor J. Richetelli, Jr.  
J. O'Connell, Mayor's Admin. Asst.  
A. Jepson, City Clerk  
M. Case, City Attorney  
J. Doneiko, Finance Director

Excused

J. Patterson  
S. Willey

Absent

B. Bier

Chairman Blake deferred to the Mayor for a special presentation.

Mayor Richetelli welcomed the young men from the Milford Elks Pee Wee squad as well as their coaches and parents. He stated it was an honor to have them and spoke of their pride and enthusiasm in winning four of their last five games and participating in the Bob Boss Championship game. He stated this is the Milford Elks Pop Warner first Pee Wee football trophy in over 12 years. Mayor Richetelli proceeded to read to the proclamation and presented each player and coach with a proclamation.

The Chairman announced a 5-minute recess to clear the hall. The Board recessed at 7:54 p.m.

Chairman Blake reconvened the Board in Public Session at 7:59 p.m.

**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.

A. Pietrohyde – no address given – stated he is a voter and taxpayer here in Milford since 1965 and currently living on a fixed income. He spoke of spending money and saving money and changing of City policy. He also

stated the Board members deserve congratulations for the good bond rating they recently received. He also spoke as to the budget proceedings last year and that this Board had cut the City side of the budget. He spoke as to financial times. He spoke as to the bocce court at Walnut Beach noting he never sees anyone using them except during a recent tournament. He spoke as to the boardwalk and the Devon Revitalization Committee commenting it was his understanding the work was to have started this past fall. He asked if someone is dropping the ball. He compared the boardwalk with the one in West Haven and what they have. He also commented regarding next year's budget and that it would be worse than last year. He acknowledged the long hours the Board members spend and reminded them to use their head when it comes to the budget and also get some answers regarding the boardwalk.

T. Marquis – 67 Point Beach Drive - stated on December 1 we celebrate World Aids Day and spoke as to some of the statistics. She stated the Aids quilt is hosted at Mary Taylor Memorial Church and will be there through the weekend. She stated the panels are absolutely beautiful and encouraged all to take a moment and stop by Mary Taylor to see the display.

L. Roth – 5 Chapel Street – stated she wished to publicly thank the City of Milford and all those involved that have helped her recently with the special needs assessment program. She stated she was here tonight seeking help changing a bus stop. She stated her hearing impaired son currently gets the bus at Hawley but there is no stop sign there. She stated she would like it to be changed to Chapel and Beach. She stated she has tried to speak to the bus company as well as the offices downtown but has had no luck and was here tonight to find some direction.

J. Prisco – 11 Riverdale Road – stated he read the senior center has a flooding problem but that it is being addressed. He express concern someone is missing the point concerning the flooding in Devon, which still has not been addressed. He asked about the \$800,000 that has been appropriated and questioned when this would begin. He also spoke as to a comment made last month by Ald. Ditchkus about televising the Board of Finance meetings. He also stated he wanted to know who is paying for a debate that was televised. He extended holiday wishes to the Board, but most of all wished everyone good health.

F. Goodrich – 70 Regent Terrace – stated he is a member of the Planning and Zoning Board and liaison. He stated he was here tonight concerning item 8f on the agenda and proceeded to read the language. He stated this item was not on their agenda at their last meeting so he wondered how it got to this point. He cited Section 7-601 which language stated membership shall reflect the composition of the neighborhood. He continued reading the language from that section and asked why an individual could be on that committee.

S. Borer – 204 Anderson Avenue – stated it is crucial the process for the development of Eisenhower Park get off to a good start. He stated the Mayor had promised to comment on the proposal after he had a chance to look at it. He read from a prepared statement commenting as to Board action last month stating it was time to slow the train down. He spoke of the importance of speaking up so we don't get off to the wrong step. He continued reading pointing out the aldermen were on the right track last month and should not be accused of being "selfish" and "greedy". He stated he also resented the Board giving the razzle and dazzle to hurry up or the money would be lost.

3. Consideration of the Minutes of the Regular Meeting of the Board of Aldermen held on November 6, 2008.

Ald. Vetro and Ald. Ditchkus made and seconded to approve the minutes of the Regular Meeting of the Board of Aldermen held November 6, 2008 meeting as presented. Motion carried unanimously.

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

None.

5. Chairman's Report and Communications.

Chairman Blake commented he hoped all had a Happy Thanksgiving. He also congratulated and thanked Law and Foran for arranging such nice weather for the annual football game.

6. Mayor's Report and Recommendations:

Mayor Richetelli stated he respectfully asked the Board's affirmative action regarding items 8a-8g on the agenda. He stated he would ask the Board's consideration and approval of these items, with the exception of item 8c and asked the Board to remove that from the agenda. He stated he received a telephone call from Ald. Manning today and also spoke with Mr. R. Gregory and there is a possibility of going with a local company. He stated they would look into going in that direction. The Mayor also asked the Board to take up item 8a on the agenda before going into recess as those individuals concerning that item were all present.

8a. Ald. Vetro and Ald. Ditchkus made and seconded a motion to approve the request for the Land Lease Agreement between the City of Milford and The Boys and Girls Club of Lower Naugatuck Valley, Inc., One Positive Place, Shelton, CT 06484 at the West Shore Neighborhood Center, 14 Benham Avenue, Milford (aka Map 16, Block 107, Parcel 80) and to authorize the Mayor to sign said Land Lease Agreement and any and all other documents and take all steps necessary to effectuate the agreement (Note: Public Hearing pursuant to P.A. 07-251 scheduled for Monday, December 1, 2008 at 7:00 p.m. in the City Hall Auditorium) per CGS 8-24 recommendation of the Planning and Zoning Board on November 18, 2008.

Mayor Richetelli stated those present from Boys and Girls Club of Lower Naugatuck Valley, Inc., were the Chairman, Michael Healey, Jack Ribas, Executive Director, Attorney Dominick Thomas and Shaye Roscoe, Unit Director. Mayor Richetelli explained he received a call from Speaker Amann about two years ago asking if Milford would be interested in a program here in Milford and that grant monies may be available. He went on to explain the partnership with groups such as Boys & Girls Club and YMCA. He expressed his hope the Board would approve this so they can move forward. He also stated they would be looking for a few good people who would start a Board of Directors as a stand-alone group. He stated approval of the land lease would allow for the next step in the process to allow for the application of the \$1,000,000 grant.

Attorney Thomas expressed his hope this would be successful. He explained the building would be adjacent to the West Shore Recreation Center and that he would be happy to answer any questions the Board might have. He called upon Mr. Healey for a few words.

Mr. Healey thanked the Board for the opportunity to speak. He stated this is a big event for the children of Milford. He spoke as to the club in Ansonia-Shelton stating it takes kids off the streets. He stated the facility

would include a study hall, clubs as well as athletics. He also noted Boys and Girls Club is one of the top clubs in America.

Ald. Nunno stated he walked the site today. He stated he had some questions regarding the map they were given and stated he wanted to be clear as to the location as it appeared incorrect on the map.

Attorney Thomas showed where the building would be located on the map.

Ald. Nunno also noted there are a number of large playscapes in that area and asked if they would be removed and if so by whom and at what cost to the City.

Mr. Ribas stated they have been working with the Recreation Department with this venture. He stated they would not be taken down, but turned around.

Ald. Nunno asked about the ball fields there.

Mr. Ribas responded they also spoke with the Recreation Department concerning the fields and stated they do not plan to prevent any sported currently played there.

Ald. Nunno asked if parking would be increased.

Mr. Ribas responded no. He explained there client are kids and for the most part do not drive. He stated they may change some of the parking from vertical parking to horizontal.

Ald. Nunno asked the ratio of adults per child supervision.

Mr. Ribas responded it changes with age. He explained the State requirements and also noted the ratios can age depending on the activity.

Ald. Toohey stated for clarification this program is and will be separate from the Recreation Department programs, but that they would be working with them.

Mr. Ribas responded they had no intention of infringing on any recreation programs. He stated it is all about the kids and services for the kids.

Ald. Vitali stated he is the Chairman of the United Way Campaign and commented he has heard fantastic information from the Boys and Girls Clubs and welcomed them to Milford. He stated he has been in the education field for 44 years and there has always been talk of having a teen center and somewhere productive for kids to go. He applauded the efforts and commented he hoped this Board would see fit to pass this.

Ald. Veccharelli asked what would be in the building.

Attorney Thomas displayed the proposed plan that includes classrooms, a gymnasium, teen center, game room, and reception area. He stated in the future there would also be a license agreement to use the existing building subject to scheduling by the Recreation Department.

Ald. Lambert also welcomed the Club to Milford. She asked if the City would be responsible for the maintenance of landscaping, removal of snow, ice, etc.

Attorney Thomas responded yes.

Ald. Lambert expressed her hope they were into recycling.

Mayor Richetelli introduced Shaye Roscoe, Director.

Ms. Roscoe stated she is the Director of the Milford Group. She explained the Torch Club for 11-13 year olds, which is a national program and each year they conduct a recycling program and explained some of what they do.

Motion carried unanimously.

Chairman Blake recessed the Board at 8:30 p.m. stating they would reconvene the Regular Meeting of the Board of Aldermen sometime after 9:00 pm.

Chairman Blake reconvened the Board in public session at 10:38 p.m.

7. Unfinished Business:

None.

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

8b. Ald. Vetro and Ald. Hardiman made and seconded a motion to approve the request to authorize the Mayor to prepare and sign documents required in the City's application for a Public Benefit Conveyance to the United States Department of Health and Human Services pursuant to the Board's approval of the Redevelopment Plan for the Army Repair Facility located at 26 Seemans Lane, Milford on August 4, 2008: 1) Certification of Veracity and Understanding of Assignment Authority, 2) Applicant Certification, 3) Resolution to Acquire Property, 4) Environmental Questionnaire, and any and all other documents necessary to effectuate said application.

Ald. Lambert asked why this was before the Board again.

Mr. Gregory explained it is part of the process started a long time ago. He stated the Board's vote on August 4, 2008 set in place a course of process. He stated they needed to justify the use of the property for the Health Department for public conveyance and that it necessitated another application that is due before the end of the year.

Ald. Lambert asked if this had anything to do with the second half, explaining she was aware of the Mayor's discussions with Congresswoman DeLauro regarding funding. She asked if this had to do specifically with the Health Department.

Mr. Gregory responded yes.

Ald. Veccharelli stated he wished to clarify this is preliminary and that the idea is to move the Health Department. He asked if there were any figures available to the to cost.

Mayor Richetelli responded no. He stated this is preliminary and that they first need to determine if they are going to approve it and then they would look into the details.

Ald. Veccharelli asked what the timeframe would be from this action to the start of the process of this is approved tonight.

Mayor Richerelli responded it would depend on the Army Corp of Engineers. He explained they are trying to relocate the Army Engineering Facility and it would depend on when they are ready to relinquish the site.

Mr. Gregory added there has been a lot in the paper regarding the opposition in Middletown. He stated they are going through the process but it could be 3-5 years. He noted this paperwork has to be filed before the end of the year.

By roll call vote, motion carried 10 yes (Blacketter, Blake, Ditchkus, Giannattasio, Hardiman, Lambert, Manning, Toohey, Vetro, Vitali) and 2 no (Nunno, Veccharelli).

8c. REMOVED

8d. Ald. Vetro and Ald. Ditchkus made and seconded a motion to approve the request to authorize the Mayor and the Chief of Police to sign the Memorandum of Agreement among the State of Connecticut Department of Emergency Management and Homeland Security, Coordinating Regional Planning Organization (RFO), the DEMHS Region 2, Regional Emergency Planning Team, the City of Milford and the Milford Police Department (October 1, 2008) to assume custodial ownership and responsibility of a regional portable shooting house training system to be used by the Milford Police Department and other Region 2 law enforcement agencies to conduct firearms training, and to further authorize the Mayor and Chief of Police to sign any other document and take all steps necessary to effectuate said agreement.

Ald. Ditchkus acknowledged the presence of the Police Chief and asked if he would provide a quick description of this.

Chief Mello explained it is to replace a facility they had for 27 years. He stated the previous facility burned down. He stated they discussed the possibility of putting this into the Capital Improvement Plan. He also stated they met with the Speaker of the House but there were no funds available. He stated they have been working with other communities, but that they can only receive funding from Homeland Security if it is a regional facility. He continued with the details of the proposal and the use of the training facility.

Motion carried unanimously.

8e. Ald. Vetro and Ald. made and seconded a motion to approve the request for a three-year renewal (from January 1, 2009 through December 31, 2011) of the Operating Agreement between the City of Milford and International Golf Management Milford, LLC for the management and operation of the Orchards Golf Course, Kozlowski Drive, Milford with the amendments as outlined in the letter from David Rosow, Jr., President of

International Golf Group, Inc. dated November 11, 2008 (per recommendation of the Golf Course Commission at their meeting of November 12, 2008). Motion carried unanimously.

8f. Ald. Vetro and Ald. made and seconded a motion to approve the request to amend the Resolution Re: Designation of the Devon Revitalization Committee (Adopted by the Board of Aldermen on September 13, 2004) as follows: Rescind Section 2 of the Resolution and replace it with the following language – “2. The Committee shall consist of eight (8) voting members: The Mayor of the City of Milford, the State Senator from the 14<sup>th</sup> Senatorial District, the State Representative from the 118<sup>th</sup> Assembly District, four (4) citizens to be appointed by the Mayor with the approval of the Board of Aldermen, and Speaker of the House James A. Amann who shall be a permanent voting member of the Committee, so long as the Committee shall remain in existence, in recognition of his founding the Devon Revitalization effort and his dedicated and constant work in securing state funding and improving the quality of life for all in Devon and the City of Milford. Three (3) Aldermen and two (2) Planning and Zoning members from the Third District of the City will serve as non-voting liaisons to the committee. In addition, there may be any number of non-voting Advisory Members consisting of Devon community/business representatives who shall be appointed by the Mayor, State Senator, State Representative or Speaker Amann”. (All other languages in the Resolution shall remain unchanged). (Requested by Board of Aldermen Chairman Benjamin Blake and Mayor James L. Richetelli, Jr.).

Ald. Manning requested a 5-minute recess. The Board recessed at 10:52 p.m.

Chairman Blake reconvened the Board in Public Session at 11:01 p.m.

Ald. Lambert and Ald. Manning made and seconded a motion to amend the motion to insert the following language following voting members: The Mayor of the City of Milford, *or his or her designee*, the State Senator from the 114<sup>th</sup> Senatorial District, *or his or her designee*, the State Representative from the 118<sup>th</sup> Assembly District, *or his or her designee*, four (4) citizens *of the Devon Community*, to be appointed by the Mayor with the approval of the Board of Aldermen, . . .

Mayor Richetelli asked if Ald. Lambert could clarify the last part of the motion.

Ald. Lambert stated the intent of the language of the Devon Community is so those individuals would reside in the Devon community.

Mayor Richetelli suggested they might want to include the business owners of the Devon Community.

Ald. Lambert clarified her motion to include residents and business owners of the Devon Community.

Ald. Ditchkus stated he was concerned the designees of the 114<sup>th</sup> and 118<sup>th</sup> representatives may not necessarily be from the Devon area. He stated language should be added to that effect that the designees also be from the Devon area.

Ald. Ditchkus and Ald. Vetro made and seconded a motion to amend the amended motion by adding the language “or his or her designee *being residents or business owners from the Devon Community*. . .”

Ald. Lambert stated she would not have a problem with that language.

Ald. Toohey asked given the language if it was an Ordinance.

Chairman Blake responded he believed it to be a Resolution.

On the amended motion offered by Ald. Ditchkus, motion carried unanimously.

On the amended motion offered by Ald. Lambert, by roll call vote, motion carried 11 yes (Blacketter, Blake, Dithckus, Giannattasio, Hardiman, Lambert, Manning, Toohey, Veccharelli, Vetro, Vitali) and 1 no (Nunno).

On the main motion, by roll call vote motion carried 11 yes (Blacketter, Blake, Dithckus, Giannattasio, Hardiman, Lambert, Manning, Toohey, Veccharelli, Vetro, Vitali) and 1 no (Nunno).

8g. Ald. Vetro and Ald. Manning made and seconded a motion to approve the request to authorize the Mayor to sign the Agreement between the City of Milford and Community Energy, Inc. and take any and all steps necessary to effectuate said Agreement per the recommendations of the City's Clean Energy Task Force for the purchase of Renewable Energy Certificates (REC's) in an amount equal to approximately 5% of the City's electricity costs in support of Milford's pledge of "20% Clean Energy by 2010". Further authorization is requested for the Mayor, Finance Director, and Chairman of the Clean Energy Task Force to work with City Departments, the Wastewater Division of the City, and the Board of Education to identify existing budget accounts from which to fund the REC's and to authorize the Finance Director to create a Revenue Account to deposit \$20.00 "Commission" payments (per every citizen that enrolls in the Clean Energy Options Program of Community Energy, Inc. and further authorize use of the funds in this account for the sole purpose of paying for Renewable Energy Certificates or related Clean Energy initiatives in support of "20% by 2010".

Ald. Manning acknowledged the presence of Tom Ivers and asked if he could speak to this item.

Mr. Ivers stated Milford is the third municipality to enroll. He explained the similarity to an individual's electric bill and explained it is before the Board tonight because it is a requirement to remain in good standing in this campaign.

Ald. Ditchkus asked if the cost of renewable energy is going down. He stated basically people are paying more to get the same energy.

Mr. Ivers responded yes it is going down.

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. Vetro and Ald. Ditchkus made and seconded a motion to approve Consideration of Budget Memo Transfer #9 FY 09, Fund 10. Motion carried unanimously.



- (b) Ald. Vetro and Ald. Veccharelli made and seconded a motion to approve Consideration of Budget Memo Transfer #10, Fund 10. Motion carried unanimously.

11. Refunds

- (a) Ald. Vetro and Ald. Hardiman made and seconded a motion to approve Consideration of Refunds in the amount of \$12,223.20. Motion carried unanimously.
- (b) Ald. Vetro and Ald. Ditchkus made and seconded a motion to approve the Suspense List in the amount of \$167,148.19. 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 – Ald. Hardiman reported the Claims Committee met earlier in the evening to discuss one claim.

Ald. Hardiman and Ald. Lambert made and seconded a motion to resolve permanency and benefits of retired Police Officer Ric Biroscak (Stip-to-date) (Executive Session) as discussed in Executive Session in accordance with the recommendations of the City Attorney. Motion carried unanimously.

- 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 – Ald. Lambert reported the lottery has been completed. She also reported there are a number of vacancies in public housing. She also reported concerning a recent article, that the buildings are safe and that the police department has done a walk through of the buildings. She reiterated the buildings are safe and our seniors are safe.

l. Golf Course Commission – Ald. Hardiman thanked the Board for voting on the agreement this evening. He stated the Commission and the people at the course keep the property very well kept up throughout the year.

Ald. Toohey stated she too wished to thank the Board for approving the contract tonight and encouraged all to go out and play a round.

m. Inland Wetlands Agency – no report.

n. Milford Academy Community Campus Bldg. Committee – no report.

o. Courthouse Expansion Committee – no report

p. Liaison Health Department – no report.

q. Milford Legislative Action Committee – no report.

r. Devon Revitalization Committee – no report.

s. Human Services Commission – Ald. Vetro reported they are in their new home at 150 Gulf Street.

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 Blake stated he would entertain a motion to go into Executive Session with the full Board, the Mayor, City Attorney and City Assessor to discuss the following:

14a. Status report and consideration of settlement of  
Christine Timko, et al v. City of Milford  
RE: 8 Bittersweet Avenue

14b. Status report and consideration of settlement of  
Blackite Corporation vs. City of Milford  
RE: 290 Bic Drive

Ald. Toohey and Ald. Lambert made and seconded a motion to adjourn to Executive Session.

Ald. Ditchkus stated he would be recusing himself from item 14a because his office may have been involved in the sale of this property.

Motion carried unanimously.

The Board adjourned to Executive Session at 11:20 p.m.

Ald. Ditchkus entered Executive Session at 11:24 p.m. for discussions concerning item 14b.

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

Chairman Blake reconvened the Board in public session at 11:27 p.m.

Ald. Vetro and Ald. Veccharelli made and seconded a motion to authorize the City Attorney to enter into settlement in accordance with the recommendations of the City Assessor as discussed in Executive Session regarding Christine Timko, et al. v. City of Milford re: 8 Bittersweet Avenue. Motion carried 11 yes (Blacketter, Blake, Giannattasio, Hardiman, Lambert, Manning, Nunno, Toohey, Veccharelli, Vetro, Vitali) and 1 abstention (Ditchkus).

Ald. Vetro and Ald. Ditchkus made and seconded a motion to authorize the City Attorney to enter into settlement in accordance with the recommendations of the City Assessor as discussed in Executive Session regarding Blackite Corporation v. City of Milford re: 290 Bic Drive. Motion carried unanimously.

Ald. Ditchkus and Ald. Vetro made and seconded a motion to adjourn at 11:30 p.m. Motion carried unanimously.

Respectfully submitted,

Kathleen K. Huber  
Recording Secretary