

**BOARD OF ALDERMEN  
REGULAR MEETING  
DECEMBER 3, 2007**

The Board of Aldermen of the City of Milford held their Regular Meeting on Monday, December 3, 2007 in the aldermanic chambers of City Hall. Chairman B. Blake welcomed everyone to the December 3, 2007 regular meeting of the Board of Aldermen and asked everyone present to join in saluting our flag and reciting the Pledge of Allegiance.

1. Roll Call

Board Members Present

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

Also Present

Mayor J. Richetelli, Jr.  
J. O'Connell, Mayor's Admin. Asst.  
A. Jepson, City Clerk  
M. Lipton, City Attorney

2. Public Statements

Public statements are limited to the legislative function of the Board of Aldermen. The time limit granted to each speaker shall be three (3) minutes. Only residents, taxpayers or electors may address the Board.

T. Ivers – 224 Broadway – stated he was pleased to distribute a copy of the resource bulletin that he compiled with regard the National Conversation on Climate Action held on October 4, 2007. He explained the focus and the forum that was held in October. He also noted Ann Berman of the Environmental Concerns Coalition was also present. He spoke as to the importance of saving energy and city tax dollars.

J. Toohey (BOA) stated she along with Ald. B. Lambert wished to address the Board as a request from the Council on Aging. She read the request from the Council along with a letter from Michael Hennessey that included a petition signed by members. She stated this was regarding one of their employees, R. Reilly.

B. Lambert (BOA) read the petition from the members of the Milford Senior Center, which stated they were distressed of the departure of R. Reilly. She asked the Board to intervene and re-instate Mr. Reilly. She noted over 100 residents sign the petition and that she was presenting the plea from the seniors to the Board.

Ald. Toohey spoke as to the number of rides Mr. Reilly's department sends out on a weekly basis and stated it has increased greatly. She pleaded that the Board take a look at this.

R. Stillwell – no address given – stated he teaches at Alternative Education in Milford and that he was here tonight for a plea for help. He stated he has spoken with the Superintendent of Schools and that he is on board. Mr. Stillwell stated they are looking to raise \$10,000-12,000 for the wall that they hope will be put up at the new location for Alternative Ed. He stated he was looking to this Board for help with the different committees and also he would like a liaison. He explained the wall is similar to one in Cheshire. He stated this means a lot to the veterans and reiterated his plea for help and thanked the Board for their time.

A. Berman – 77 Pelham Street – stated she is chair of the Environmental Concerns Coalition. She thanked Chairman Blake for the new liaison her Coalition would be getting and thanked all those who help make this city a green city. She expressed her hope her committee would also be able to have a committee for transportation. She thanked the Board for their assistance and attention.

J. Prisco – 11 Riverdale Road – commented that he can speak regarding anything on the agenda as long as a representative from his district, the first district, recognizes him. He stated he wished to speak regarding senior citizens and getting tax help and suggested either two democrats or 1 republican and 1 unaffiliated could serve on a senior citizen tax relief program. He asked the Board if they have heard of it. He stated he also wished to speak about one other thing. He asked the Board to set aside the petty politics and personal interests and get on with the business of taxes, budget, etc. He asked the Board to get down to business and help the taxpayers and stop arguing with each other. He also reminded the Board not to forget about the tax relief committee.

3. Consideration of the Minutes of the Regular Meeting of the Board of Aldermen held on November 8, 2007.

Ald. Vetro and Ald. Veccharelli moved to approve the minutes of the November 8, 2007 meeting as presented. Motion carried as unanimously.

4. Consideration of the Minutes of the Special Organizational Meeting of the Board of Aldermen held on November 20, 2007.

Ald. Vetro and Ald. Lambert moved to approve the minutes of the Special Organizational Meeting of the Board of Aldermen held on November 20, 2007 as presented. Motion carried unanimously.

5. Chairman's Report and Communications.

Chairman Blake commented this is the first regular meeting of the new board and a time to set goals for the upcoming year. He spoke as to taxes and stated he expects they come up with lean budgets and expressed his hope they will be able to do that. He also spoke as to contractual obligations that are rising as well as fuel costs. He stated the department heads will have a tough time holding the line on spending and that it was important to partner with the department heads and have discussions. He also commented as to the different configuration of the Board and expressed his hope they would work together as a Board and keep the political talk aside. He spoke as to the goals of Ms. Berman and her coalition work and stated he was pleased to announce that Ald. Ditchkus and Ald. Lambert would be the liaisons to that committee.

6. Mayor's Report and Recommendations.

Mayor Richetelli stated he respectfully submitting for approval those items listed on the agenda as items 8a-8h. He also noted there are representatives present this evening from various groups who may be able to answer questions.

7. Unfinished Business:

None.

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

8a. Ald. Vetro and Ald. Hardiman made and seconded a motion to approve pursuant to Article III, Section 16 (7) of the Charter of the City of Milford, Board of Aldermen approval for the appointment of (R) Gregory N. Vetter, Sr., 65 Myrtlewood Drive to fill the unexpired term of Anthony Giannattasio (resigned) on the Planning and Zoning Board from the First District. (Term to expire 11/16/09). Motion carried unanimously.

8b. Ald. Vetro and Ald. Ditchkus made and seconded a motion to approve pursuant to Article III, Section 16 (7) of the Charter of the City of Milford, Board of Aldermen approval for the appointment of (R) Mark W. Bender, 4 Kerry Court, to fill the unexpired term of Scott T. Willey (resigned) on the Planning and Zoning Board from the Fourth District. (Term to expire 11/16/09). Motion carried unanimously.

Mayor Richetelli commented, if it pleases the Board, that Mr. Bender is present and asked if the City Clerk could swear him in. He also extended thanks to Mr. Giannattasio and Mr. Willey for their time served on the Planning and Zoning Board and rising to their new challenge.

City Clerk Alan Jepson swore in Mr. Bender for the Planning and Zoning Board.

8c. Ald. Vetro and Ald. Ditchkus made and seconded a motion to approve the request for Resolution Re: Establishment of Account for Donations to the Milford Police Department and Authorizing Expenditures upon approval by the Board of Police Commissioners.

Ald. Blacketter asked for clarification as to why the Resolution was written for items that are not specified and not a specific donation.

Mayor Richetelli explained from time to time the police department gets donations from members of the public and that sometimes they are designated for a program but not always. He stated he received a request from Chief Mello and the Board of Police Commissioners who asked they be able to use these donations at their discretion and at the discretion of the Board of Police Commissioners. He also explained the same Resolution was passed last year by the Board of Aldermen for the fire department. He also noted that Deputy Chief Fournier was present to answer any additional questions.

Ald. Blacketter spoke as to this particular case they were given and that it did stipulate how the funds would be used and asked why this Resolution was written for "non-specific".

Mayor Richetelli responded in this case it was specified, but in many cases it is not so the police chief asked for an account for those donations not designated.

Ald. Blacketter and Ald. Hardiman made and seconded a motion to amend the motion to add the words “or are” in the first paragraph after for purposes that are “or are” not . . . and in the main body of the Resolution, third sentence down after the words Police Department that are “or are” not . . . Motion carried unanimously.

On the main motion, motion carried unanimously.

8d. Ald. Vetro and Ald. Ditchkus made and seconded a motion to approve the request for Resolution Re: State of Connecticut Local Capital Improvement Program Assistance for Milford Road Resurfacing Program – 2007.

Ald. Lambert requested a fluid list of potential streets. She stated this would make these decisions transparent so the public would know what streets would be done.

Ald. Nunno commented as a member of the Public Works Committee that they would follow up on this.

Ald. Toohey spoke as to having a fluid list and stated the public needs to know in the event of an emergency that emergency would come first. She stated they need to be careful and cognizant of what is posted and that the list can change in a day and that it has everything to do with circumstances.

Ald. Ditchkus stated he has sat on the Public Works Committee, as well and there is a fluid list. He also stated there have been streets in the past that were targeted to get done, but for various circumstances did not. He also stated cuts should be anticipated. He stated currently there is a \$350,000 budget that is really not much. The stated the idea is very good, but the list should be looked at with caution. He added he did not want people to have their hopes high that their road would get paved and then did not.

Ald. Lambert thanked Ald. Nunno for his comment and stated she heard comments from several people. She reiterated she did use the word fluid and that she does not believe there is a current list.

Motion carried unanimously.

8e. Ald. Vetro and Ald. Ditchkus made and seconded a motion to approve the request for Resolution and Certification authorizing the City of Milford to participate with the South Central Regional Council of Governments in the Regional Performance Incentive Program pursuant to Public Act 07-239, Section 8 for a planning grant regarding Regional Solid Waste Disposal beyond Resource Recovery 20-year contracts and to authorize the Mayor and City Clerk to sign said Certification and Resolution of endorsement. Motion carried unanimously.

8f. Ald. Vetro and Ald. Patterson made and seconded a motion to approve the request for the Resolution and Certification authorizing the City of Milford to participate with the South Central Regional Council of Governments in the Regional Performance Incentive Program pursuant to Public Act 07-239, Section 8 for a planning grant regarding a South Central Connecticut Regional Website Portal: A One-Stop Service for Marketing, Economic and Business Development in the South Central Region and to authorize the Mayor and City Clerk to sign said Certification and Resolution of Endorsement. Motion carried unanimously.

8g. Ald. Vetro and Ald. Ditchkus made and seconded a motion to approve the request for Resolution Re: Confirming Commitment and Participation in a Regional Household Hazardous Waste Collection Center. Motion carried unanimously.

8h. Ald. Vetro and Ald. Ditchkus made and seconded a motion to approve the request to authorize the operation of an OTB (Off Track Betting) facility at 321 Boston Post Road (site of the former Tommy K's facility to include Sunday wagering as required by Conn. Gen. Stat. 12-571a(b) and to authorize the Mayor to sign the Resolution per the request of Autotote Enterprises dated November 13, 2007.

Ald. Manning asked if it was simulcast or remote.

Mayor Richetelli explained prior to addressing questions of the Board that the site being proposed is in compliance with zoning regulations. He also explained that Connecticut General Statutes requires the town or legislative body to approve the site. He also stated they checked with the police department to see if there were any significant problems when they operated on Old Gate Lane. He stated after looking through their records the police department advised there were no significant problems at that facility. Mayor Richetelli also stated the last year they were in operation was fiscal year 2006 and that they generated approximately \$65,000 revenue. He also spoke as to Connecticut General Statutes and spoke as to the figures returned to the town during the years they were in operation.

Ald. Manning stated she had concerns with security. She also asked what the operating hours would be.

Attorney R. Tobin representing Autotote Enterprises explained there will be an OTB branch per state statute. He also stated per the statute they are not simulcast. He stated the hours of operation would be 11:30 a.m. – 6:00 p.m. He also commented they own and operate 11 branches in Connecticut and all are in accordance with state statute. He deferred to Mr. Barberino regarding security concerns.

Mr. Barberino stated they have security at their larger facilities as well as on busy days, such as the Kentucky Derby. He explained there would be a site manager and assistant manager at the site.

Ald. Manning commented it was her understanding there are 10 simulcast facilities in the State.

Attorney Tobin responded they can have 18 and all are named in the statute. He continued with an explanation of the statute.

Ald. Manning commented that in the foreseeable future they could go back to the state legislature to get simulcast.

Attorney Tobin responded they could do that if they wish, but that they would also have to come back before this Board. He stated this is a site-specific approval.

Ald. Ditchkus asked the revenue to the city and the percentage.

Attorney Tobin replied it is 1.6% to the city and 1.9% to the state. He read the numbers of the revenue amounts generated over the last several years and noted in 2006 it was \$65,000.

Ald. Ditchkus asked about this particular location and if there were any foreseeable problems.

Mr. Barberino replied this is a commercial area and that he did not see any problems.

Ald. Blacketter asked if a parking study had been done.

Mr. Barberino responded there is plenty of parking to accommodate their needs and reiterated this is a commercial area.

Ald. Vitali asked if there are any other or additional gains regarding taxable hardware in the facility.

Mr. Barberino responded the property tax would be added to the base.

Ald. Vetro commented they are always looking for alternative tax means for the city but that public safety is the key. He noted that Deputy Chief Fournier was present and asked him to be recognized for additional questions.

Ald. Vetro asked how many calls they had at the other OTB facility that was in Milford.

Deputy Chief Fournier replied their research over five years at the OTB facility on Old Gate Lane indicated the police department responded to 14 calls in that five-year period. He explained the calls and noted they were mostly relating to motor vehicle issues, including accidents, lockouts, etc.

Chairman Blake stated he spoke with Chief Mello and that he was going to provide additional information regarding the statistics in the state.

Ald. Giannattasio noted the facility is closer to the police department. He asked about the size of the new facility as compared to the Old Gate Lane facility.

Mr. Barberino responded this facility is about 1,000 sq. ft. more than the facility on Old Gate Lane was.

Attorney Tobin commented as to Autotote Enterprises and them being a good citizen to this town. He explained the facilities they have around the State and that Autotote prides them as being good citizens.

Ald. Veccharelli asked the hours of operation at the facility on Old Gate Lane and if they were open on Sundays.

Mr. Barberino replied they were open 10:00 a.m. – 6:00 p.m. as well as Sunday. He went on to explain those hours were consistent with Jai Alai when it was there. He stated they open all of their branches throughout the state at 11:30 a.m.

Ald. Veccharelli asked if they would be open Sunday.

Mr. Barberino responded yes.

Ald. Giannattasio spoke as to the 1,000 additional sq. ft. and asked if there would be more machines and the possibility of more revenue.

Mr. Barberino responded the additional 1,000 sq. ft would make it more comfortable for the people.

Ald. Veccharelli requested a 5-minute recess at 8:22 p.m.

Chairman Blake reconvened the Board at 8:33 p.m.

Ald. Bier stated after listening to Deputy Chief Fournier and the representatives from Autotote he sees little negative impact and stated he would like to see this passed and the City reap the benefits.

Ald. Manning stated she still had concerns regarding public safety and that she appreciated the information Deputy Chief Fournier provided. She stated she was concerned about what happens after the fact and what gambling might lead to such as domestic violence, suicide, etc. She stated she would like to check with the local health department and a facility such as Bridges to see what services are provided. She also noted the Kennedy Center is located nearby as well as a daycare.

Ald. Manning and Ald. Nunno made and seconded a motion to table the matter.

By roll call vote the motion passed 9 yes (Blacketter, Blake, Hardiman, Lambert, Manning, Nunno, Patterson, Veccharelli, Vetro) and 6 no (Bier, Ditchkus, Giannattasio, Toohey, Vitali, Willey).

Ald. Vitali raised a point of order asking if a 2/3 vote was required.

Chairman Blake denied that point of order stating a 2/3 vote was not required.

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 No. 5, Fund 10, FY 2007-2008. Motion carried unanimously.
- b. Ald. Vetro and Ald. Ditchkus made and seconded a motion to approve Consideration of Budget Memo Transfer No. 6, Fund 10, FY 2007-2008. Motion carried unanimously.
- c. Ald. Vetro and Ald. Ditchkus made and seconded a motion to approve Consideration of Budget Memo Transfer No. 7, Fund 10, FY 2007-2008. Motion carried unanimously.
- d. Ald. Vetro and Ald. Ditchkus made and seconded a motion to approve Consideration of Budget Memo Transfer No. 8, fund 10, FY 2007-2008. Motion carried unanimously.

11. Refunds:

- a. Ald. Vetro and Ald. Patterson made and seconded a motion to approve Consideration of Refunds in the amount of \$13,164.83. Motion carried unanimously.
- b. Ald. Vetro and Ald. Ditchkus made and seconded a motion to approve the Suspense List in the amount of \$212,806.07. Motion carried unanimously.

12. Report of Standing Committees:

- a. Ordinance Committee – no report.
- b. Public Safety and Welfare Committee – Ald. Lambert stated she has contacted members of the Committee and that they are looking into a time and place to meet next month.
- c. Public Works Committee – Ald. Vetro stated they would be meeting in the next two weeks.
- d. Claims Committee – Ald. Hardiman reported the committee met earlier this evening regarding a PPD Award and that they vote unanimously to forward the claim to the full Board.

Ald. Hardiman and Ald. Vetro made and seconded a motion to approve Consideration of the Claim of Police Officer Lee Robbins (PPD Award) per the recommendations of the City Attorney as discussed in Executive Session. 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. – Ald. Toohey commented besides doing the phenomenal job they do, they also put together the Andrews Avenue playground. She thanked the Park, Beach & Recreation for their continued efforts for the kids in that area.
- 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 –
- 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 she was unable to attend the last meeting due to a conflict with the Special Organizational meeting of the Board of Aldermen.

l. Golf Course Commission – Ald. Toohey reported the parking lot has been paved and the lines are in and that it has created additional parking and looks great. She also reported rounds are up and in fact they played today and all in all it has been a phenomenal year and great season.

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. Education Funding Committee – 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. Status Report and consideration of Settlement Re: Stuart H. Grove, et al v. City of Milford Re: 33 Merwin Avenue; and

14b. Status report and consideration of Settlement Re: Szkotnicki Family, LLC v. City of Milford Re: 1698 Boston Post Road and “0” Boston Post Road.

Ald. Ditchkus and Ald. Patterson made and seconded a motion to go into Executive Session to discuss items 14a and 14b. Motion carried unanimously.

Chairman Blake stated the full Board (with the exception of Ald. Nunno regarding item 14a only) along with the Mayor and City Attorney would be going into Executive Session to discuss both items.

Mayor Richetelli interjected stating the City Assessor would also be in the Executive Session.

The Board adjourned to Executive Session at 8:44 p.m.

Ald. Patterson and Ald. Ditchkus made and seconded a motion to come out of Executive Session and reconvene in public session at 9:07 p.m. Motion carried unanimously.

Ald. Vetro and Ald. Hardiman made and seconded a motion to authorize the City Attorney to resolve the tax appeal of Szkotnicki Family, LLC v. City of Milford Re: 1698 Boston Post Road and “0” Boston Post Road, per the recommendation of the City Assessor as discussed in Executive Session. Motion carried unanimously.

Ald. Vetro and Ald. Hardiman made and seconded a motion to authorize the City Attorney to resolve the tax appeal of Stuart H. Grove, et al v. City of Milford Re: 33 Merwin Avenue, per the recommendation of the City Assessor as discussed in Executive Session.

Ald. Nunno stated he would be abstaining from the vote.

Ald. Ditchkus raised a point of order asking for clarification and stating per the rules that Ald. Nunno must state why he is abstaining from the vote.

Ald. Nunno stated he and his wife are appealing the assessment on their property.

Motion carried 14 yes (Bier, Blacketter, Blake, Ditchkus, Giannattasio, Hardiman, Lambert, Manning, Patterson, Toohey, Veccharelli, Vetro, Vitali, Willey) and 1 abstention (Nunno).

Ald. Hardiman and Ald. Nunno moved to adjourn at 9:09 p.m. Motion carried unanimously.

Respectfully submitted,

Kathleen K. Huber  
Board Secretary