

**BOARD OF ALDERMEN
REGULAR MEETING
DECEMBER 3, 2012**

The Board of Aldermen of the City of Milford held their Regular Meeting on Monday, December 3, 2012 in the aldermanic chambers of City Hall. Chairman P. Vetro called the meeting to order at 7:34 p.m. and welcomed everyone. Chairman Vetro asked those present to join in saluting our flag and asked everyone to remain standing for a moment of silence to honor our troops and veterans.

1. Roll Call

Board Members Present

B. Anderson
B. Bier (7:40 p.m.)
G. Gasper
D. German
A. Giannattasio
J. Golden
R. Nunno.
S. Shaw
F. Smith
P. Smith
G. Stanford
N. Veccharelli
P. Vetro
R. Vitali

Also Present

Mayor Benjamin G. Blake
Jonathan Berchem, City Attorney
Linda Stock, City Clerk
Peter Erodici, Finance Director
Steve Fournier, Mayor's Admin. Asst.

Chairman Vetro deferred to the Mayor for two special presentations.

Mayor Blake called up the 2012 Milford Eagles Pop Warner Junior Midget football team, winners of the 2012 Bob Boss Football tournament. He stated the team triumphed over Danbury 38-0 and finished in the league 5-5. He went on to read the proclamation and introduced each team member and their coaches, including head coach Eric Anderson.

Ann Berman – 77 Pelham Street – Chairperson ECC, thanked Mayor Blake and the Board of Aldermen for allowing her to make present the winners of the Freedom Law contest. She went on to explain the program which promotes organic treatment for our yards. She went on to announce each of the winners.

Chairman Vetro thanked Ms. Berman and extended congratulations to each of the Freedom Law winners.

2. Public Statements

Public statements are limited to the legislative function of the Board of Aldermen. He stated the time limit granted to each speaker shall be three (3) minutes. Residents, taxpayers, and electors may address the Board at this time. He stated the Board encourages speakers not to express derogatory, insensitive, or offensive

statements or to engage in personal attacks against individuals. He stated in order to allow everyone an opportunity to speak; he would ask that everyone limit their comments to three minutes.

W. Ziebell – 10 Silver Street – stated he also has properties on East Broadway and that both of his properties sustained damage during storm Sandy. He stated he wanted to come out tonight to thank the Mayor for all of his work as well as the Police, Fire and Public Works Departments. Mr. Zeibell stated the City of Milford came together and did an outstanding job. He also acknowledged Rainbow Gardens, the boy scouts and many, many other individuals who came together. He stated it was amazing what he saw and wanted to thank everyone.

A. Beloin – 12 Overton Avenue – stated a law is needed regarding the deer problem. She stated she is looking for a law and continued speaking about her neighbor who leaves deer carcass hanging in his backyard. She also stated because of the type of insecticide being used by her neighbor she has been sick and spoke of her illness. She stated she cannot continue living this way and is asking for help and some type of a law.

Chairman Vetro stated the Board is not allowed to comment during public session, but that someone would contact her.

J. Levitz – 44 Point Beach Drive – thanked the Mayor and the various city departments as well as Mr. Vetro for all they did concerning storm Sandy. He stated a lot of houses received damage and that he is looking for help. He stated he has been told damage received is cumulative over storms incurred within a 10 year period. He also stated the building department will not issue a building permit until you raise your home. He stated the cost to do so is quite high, but that other towns are waiving this requirement if there is less than 50%. He stated he and his wife are retired and just cannot afford to raise their home. Mr. Levitz stated according to the DPLU Director there is a program where someone will buy your home. He stated Milford is a small town with a big heart and that it was time to get together and do something.

J. Prisco – 11 Riverdale Road – extended a thank you to the Mayor for his support of veterans and senior tax relief. He stated more help is needed and that the tax relief needs to be better. He stated seniors are being forced to dip into their savings and pay their bills. Mr. Prisco asked the Board to please look into helping seniors. He also spoke regarding the Anderson Avenue project and the lack of guardrails down there. He stated he has asked the Mayor to put this into the Capital Improvement Plan. Mr. Prisco wished everyone a Merry Christmas and Happy New Year and best of health.

B. Genovese – 19 Belmont Street – expressed her concern about a particular establishment recently approved by Planning and Zoning. She continued reading from a prepared statement about the establishment located on Bridgeport Avenue. She asked the Board to make sure the Hookah lounge follows all rules and regulations, including parking.

A. Charland – 42 Raycroft – commended the Mayor and all the departments that worked together through the storm. He also commended the Public Works Director and Health Department and so many other departments that pulled together during the storm, including the UI Company.

Linda Stock, City Clerk – stated there would be a remembrance for Pearl Harbor Day on Friday. She also spoke on behalf of the Devon VFW regarding the “Table for One” event which would be dedicated on Friday. She stated it is a moving ceremony which reminds us to think of those MIA’s. Mrs. Stock invited the members of the Board and the public to attend this Friday at 10:00 a.m. in front of the entrance to Parsons.

3. Consideration of the Minutes of the Regular Meeting of the Board of Aldermen held on November 8, 2012.

Ald. Veccharelli and Ald. Nunno made and seconded a motion to approve the minutes of the Regular Meeting held on November 8, 2012. Motion carried unanimously.

4. Consideration of the Minutes of the Special Meeting.

None.

5. Chairman's Report and Communications.

Chairman Vetro wished to the members of the Board and their families a safe and happy holiday season and Happy New Year.

6. Mayor's Report and Recommendations:

Mayor Blake stated he would ask the Board's consideration and action on those agenda items 8a-8h. He also stated the Regular Meeting schedule for the Board of Aldermen 2013 was attached and has been filed with the City Clerk as required by law.

Mayor Blake also stated he wished to make the Board aware of the City's Bond Rating Agency from Standard & Poor's Moody's Investors Service and Fitch Ratings. He stated he was pleased to announce that once again the three agencies affirmed the City's excellent AA+ bond rating and noted Milford's positive and stable financial outlook. He also spoke of the recently refinanced bonds with considerable savings to the City. Mayor Blake also provided a FEMA update. He stated FEMA arrived in Milford on November 3, 2012 and at this point have visited over 800 homes. He stated over 900 have registered with FEMA and reminded everyone the last date to register for assistance was December 31, 2012. Mayor Blake extended a Merry Christmas and Happy Holiday to all. He stated this is a time where we think about charity, peace and helping one another. He also wished everyone a Happy New Year.

7. Unfinished Business.

None.

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

8a. Ald. Veccharelli and Ald. Nunno made and seconded a motion to approve the request for Resolution RE: State of Connecticut Local Capital Improvement Program Assistance for Uninterrupted Power Supply (UPS) at Milford Police Station.

Ald. Giannattasio stated he wished to rise in support of this Resolution, stating it is imperative our police department can provide help to our citizens during power outages.

Motion carried unanimously.

8b. Ald. Veccharelli and Ald. Golden made and seconded a motion to approve the request for Resolution RE: Cash Advance for Uninterrupted Power Supply (UPS) at the Milford Police Station. Motion carried unanimously.

8c. Ald. Veccharelli and Ald. Golden made and seconded a motion to approve the request for the City of Milford to enter into an agreement with the Southern Connecticut Gas Company for it to install natural gas service and/or main at 1 West River Street (a/k/a 110 River Street/Milford City Hall) which is necessary for the conversion of the heating system from number two fuel to natural gas, and to authorize the Mayor to sign said agreement and any other documents associated with the agreement necessary to effectuate the terms therein.

Ald. F. Smith invited Tom Ivers, Grant Coordinator to come forward to elaborate more on this conversion.

Mr. Ivers explained this is a line that supports a small hot water heater. He stated this simple conversion to natural gas would be about \$9,500. Mr. Ivers stated he expected to come back before this Board in another month for something similar at the police department which will be an additional savings.

Ald. F. Smith asked if there were any stipends and incentives regarding this.

Mr. Ivers explained incentives are based on million BTU's. He stated the estimate is \$10-15,000 range.

Ald. Giannattasio asked if there was any cost for the installation or retro fit.

Mr. Ivers replied there is no cost as long as it is done within the specified period of time.

Ald. P. Smith asked if there were any costs making the fuel conversion.

Mr. Ivers explained there is a conversion burner which will utilize the existing boiler. He noted gas would be pricey, but that it had not been priced out as yet.

Ald. P. Smith stated what she is getting at is what expenses are involved. Are there any hard equipment costs?

Mr. Ivers stated the gas conversation itself is nominal and will be recouped in the first few months.

Mayor Blake stated with regard to engineering, those costs would be absorbed through Mr. Ivers.

Ald. P. Smith expressed concern there just is not enough data available tonight. She stated there were not specific numbers. She also asked about any financial exposure to the gas company.

Mr. Ivers explained the amortization to the gas company would be \$2,400, which includes principal and interest.

Ald. P. Smith reiterated she is concerned with exposure and repaying the gas company if the criteria are not met.

Ald. Giannattasio asked the rate of efficiency if they just do the converter.

Mayor Blake stated they expect savings within the first year they switch over to gas.

Mr. Ivers replied 15% less than the fully designed system.

Ald. Giannattasio asked if they were reconditioning the new boiler.

Mr. Ivers replied yes.

Ald. Giannattasio asked how old the current system is.

Mr. Ivers responded 30 years.

Chairman Vetro thanked Mr. Ivers for coming tonight and for all of his working putting this together.

By roll call vote, the motion carried 14 yes (Anderson, Bier, Dickman, Gasper, German, Giannattasio, Golden, Nunno, Shaw, F. Smith, Stanford, Veccharelli, Vetro, Vitali) and 1 no (P. Smith).

Ald. Veccharelli and Ald. Golden made and seconded a motion to approve the request for Resolution RE: Acceptance of Conservation and Clean Energy Incentives, Grants & Stipends to the City of Milford and Authorizing Expenditures. 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. Veccharelli and Ald. Golden made and seconded a motion to approve Budget Memo Transfers #2 & 3, Fund 10, FY 13. Motion carried unanimously.

11. Refunds

(a) Ald. Veccharelli and Ald. Golden made and seconded a motion to approve Consideration of Refunds in the amount of \$8,461.16. Motion carried unanimously.

(b) Ald. Veccharelli and Ald. Golden made and seconded a motion to approve Consideration of Suspense List in the amount of \$177,238.44.

Ald. Anderson asked what methods are used before a decision is made that a debt is uncollectable.

Mayor Blake explained the lengthy collection process for folks they cannot locate.

Mr. Erodici explained the use of constables. Overall, they have a very good history of collection.

12. Report of Standing Committees:

a. Ordinance Committee – Ald. F. Smith reported the Ordinance Committee met earlier in the evening to consider four Ordinances and voted favorably to forward to the full Board of Aldermen with a favorable recommendation.

Ald. F. Smith and Ald. Shaw made and seconded a motion to approve An Ordinance Repealing and Replacing Chapter 6, Buildings and Building Regulations Article I, Section 6-1.1 of the Code of Ordinances of the City of Milford (Permit Fees – Waiver). Motion carried unanimously.

Ald. F. Smith and Ald. Nunno made and seconded a motion to approve An Ordinance Repealing and Replacing Chapter 18, Article VII, Section 18-90 of the Code of Ordinances of the City of Milford (Planning and Zoning Board Application Fees – Waiver).

Ald. F. Smith acknowledged a memo from DPLU Director J. Mathiasen dated November 30, 2012, which he stated was distributed tonight. He stated the Ordinances being presented tonight are much more encompassing. He also pointed out the Ordinances being proposed make it retroactive to all disaster as declared so by governor. He stated a concern he had was with the logistics and the amount of manpower necessary.

Mayor Blake reported they have brought in additional inspectors which are being funded by the allocation transfer this Board approved last month. He stated the hope is that those monies will be reimbursed by FEMA. He also stated this proposal clarifies concerns that were brought up back in the summer and that this also clarifies that it is the property owner who benefits.

Ald. F. Smith asked for clarification if someone need to raise their house if that is 0% of the cost.

Mayor Blake replied yes and explained the requirements of the National Flood Insurance Program. He stated that is outside the purview of the municipality to adjust.

Ald. Vitali recalled at the September 10, 2012 Ordinance Committee meeting that a person spoke who had just missed the cut off, and asked if a special effort would be made to contact those people from tropical storm Irene.

Mayor Blake noted the press present tonight; otherwise at this point they had not contemplated other efforts.

Ald. Vitali referred to the gentlemen who spoke in the fall who was completed negated that night. He stated he would like to see an effort made by the City that all individuals be helped.

Mayor Blake noted those affected by Irene and seeking reimbursement were likely hit by storm Sandy as well.

Ald. F. Smith pointed out the DPLU Director in her memo makes mention of reaching out. He stated they have each person's application so they may be able to contact those individuals.

Ald. Vitali stated at the fall meeting this Board basically sent a message there was no additional help.

Ald. P. Smith stated back in September when she proposed this Ordinance it was her understanding the DPLU Director had all that information.

Ald. Giannattasio echoed the comments of Ald. Vitali and P. Smith adding it was imperative to make contact with the people and point them in a correct action, adding it is the right thing to do.

Motion carried unanimously.

Ald. F. Smith and Ald. Nunno made and seconded a motion to approve An Ordinance repealing and Replacing Chapter 18, Article VII, Section 18-91.1 of the Code of Ordinances of the City of Milford (Zoning Board of Appeals Application Fees – Waiver). Motion carried unanimously.

Ald. F. Smith and Ald. Nunno made and seconded a motion to approve An Ordinance Repealing and Replacing Chapter 18, Article XII, Section 18.166.1 of the Code of Ordinances of the City of Milford (Filing Fees – Waiver).

Ald. P. Smith commented she found it interesting that when this was discussed last year Ald. Vetro, Veccharelli and Nunno were vehemently opposed. She stated they are seeing now how important this is and that it makes a bigger impact on these people.

Mayor Blake stated it is attributed to the fact the language was revised and improved and that it was his recollection the aldermen endorsed the spirit of the Ordinance.

Ald. P. Smith countered at the end of the day it was not supported. She also credited the DPLU for the process. She also noted this Ordinance was expanded to cover any natural disaster and that the DPLU should get the credit for a yeoman's task.

Chairman Vetro recalled the memo from DPLU has at least 11 problems with the previous Ordinance as written. He stated he is 100% in favor of the waiver and that a proper process was followed, adding a number of loopholes had to be corrected and were.

Ald. Veccharelli stated what came before the aldermen previously needed fine tuning. He stated the document before them now has been clarified and does help those in the past as well as the future. He stated now this will not have to be revisited every time there is a natural disaster. Ald. Veccharelli stated he was never not in favor of the last proposal, but wanted to make sure it was right. He stated this is better crafted to serve the city in the future.

Motion carried unanimously.

- 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:

Chairman Vetro asked if any of the aldermen had a Report for any of the 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. Anderson reported the Committee held a meeting on November 20, 2012. He stated there are many agencies in the city that should be praised for responding to our citizens including the Senior Center, Human Services, Board of Education, Anthony Vasiliou and so many more who worked through the storm. He stated they were a part of the emergency operation plan and they need to be and should be at the table.

- 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.

14. Relative to Item 14 of the Agenda, “Executive Session”, I respectfully submit the following for your consideration and action.

Executive Session. A two-thirds (2/3) vote of those present and voting is required for any items 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 Vetro stated he would entertain a motion to go into Executive Session to consider items 14a, 14b, 14c, 14d, 14e and 14f as follows:

(14a) Discussion concerning negotiations for the purchase of 701 North Street as recommended by the Golf Commission.

(14b) Status report and consideration of settlement of Kevin Mingo, et al v. City of Milford, RE: 860 West River Street.

(14c) Status report and consideration of settlement of Newport Associates, LLC v. City of Milford, RE: 81-91 Robert Treat Drive.

(14d) Status report and consideration of settlement of Milford Beach Associates, LLC v. City of Milford, RE: 80 East Broadway.

(14e) Status report and consideration of settlement of Robert Treat Associates, LLC v. City of Milford, RE: 0 Robert Treat Drive; and

(14f) Status report and consideration of settlement of Lawrence Toole, et al v. City of Milford, RE: 606 Gulf Street.

Chairman Vetro announced the full Board of Aldermen along with the City Attorney, Mr. Peruzzi, Mr. Amato and Mr. Worroll from the Golf Commission would be joining them. Chairman Vetro announced the full Board of Aldermen along with the Mayor, City Attorney and City Assessor would join them in Executive Session for items 14b-f.

Ald. Golden and Ald. Nunno made and seconded a motion to go into Executive Session to discuss items 14a-f as announced by the Chairman. Motion carried unanimously.

The Board adjourned to Executive Session at 9:05 p.m. (Messrs. Worroll, Peruzzi and Amato exited the Executive Session at 9:30 p.m., at which time the City Assessor and Mayor entered Executive Session.)

Chairman Vetro reconvened the Board in public session at 9:43 p.m.

14b. Ald. Veccharelli and Ald. Nunno made and seconded a motion to authorize the City to enter into settlement RE: Kevin Mingo, et al v. City of Milford, RE: 860 West River Street, in accordance with the recommendations of the City Assessor and City Attorney as discussed in Executive Session. Motion carried unanimously.

14c. Ald. Veccharelli and Ald. Nunno made and seconded a motion to authorize the City to enter into settlement RE: Newport Associates, LLC v. City of Milford, RE: 81-91 Robert Treat Drive, in accordance with the recommendations of the City Assessor and City Attorney as discussed in Executive Session. Motion carried unanimously.

14d. Ald. Veccharelli and Ald. Nunno made and seconded a motion to authorize the City to enter into settlement RE: Milford Beach Associates, LLC v. City of Milford, RE: 80 East Broadway, in accordance with the recommendations of the City Assessor and City Attorney as discussed in Executive Session. Motion carried unanimously.

14e. Ald. Veccharelli and Ald. Nunno made and seconded a motion to authorize the City to enter into settlement RE: Robert Treat Associates, LLC v. City of Milford, RE: 0 Robert Treat Drive, in accordance with the

recommendations of the City Assessor and City Attorney as discussed in Executive Session. Motion carried unanimously.

14f. Ald. Veccharelli and Ald. Nunno made and seconded a motion to authorize the City to enter into settlement RE: Lawrence Toole, et al v. City of Milford, RE: 606 Gulf Street, in accordance with the recommendations of the City Assessor and City Attorney, as discussed in Executive Session. Motion carried unanimously.

Being no further business to discuss, Ald. Golden and Ald. Giannattasio moved to adjourn at 9:46 p.m. Motion carried unanimously.

Respectfully submitted,

Kathleen K. Huber
Recording Secretary