

**BOARD OF FINANCE  
REGULAR MEETING  
JULY 27, 2009**

The Milford Board of Finance held their Regular Meeting on Monday, July 27, 2009 in Conference Room B of the Parsons Complex. Chairman J. Skudlarek, Jr. called the meeting to order at 6:34 p.m.

Board Members Present

Stephen J. Skudlarek, Jr., Chairman  
Brian A. Lema (6:34 p.m.)  
Joseph J. Fitzpatrick, Jr.  
Joseph M. Agro, Jr.  
Paula Smith

Also Present

Mayor James L. Richetelli, Jr.  
Judy Doneiko, Finance Director

**Consideration of Minutes of June 29, 2009**

Mr. Fitzpatrick and Mr. Agro made and seconded a motion to approve the minutes of the Regular Meeting held June 29, 2009 as presented.

Vice Chairman Lema stated he would be abstaining from the vote since he was not in attendance at that meeting.

Motion carried 4 yes (Skudlarek, Smith, Agro, Fitzpatrick) and 1 abstention (Lema).

**Correspondence** - None.

Chairman Skudlark asked this item be removed from the agenda when there is no correspondence to report on.

**New Business**

- A. Vice Chairman Lema and Mr. Agro made and seconded a motion to approve consideration of an Ordinance appropriating \$4,050,680 for Phase III Additions, alterations and Energy Conservation improvements at Jonathan Law High School and authorizing the issuance of \$4,050,680 bonds of the City to meet said appropriation and pending the issuance thereof the making of temporary borrowings for such purpose.

Chairman Skudlarek expressed concern the Ordinance had come to this Board in an extraordinary way in that the usual chain of command had followed explaining this is not the usual way these matters come before this Board.

Mayor Richetelli explained the Capital Improvement Plan is recommended by the Mayor and approved by the Board of Aldermen and then forwarded to this Board. He stated it was his opinion not to go forward with any new bonding in the City due to the unprecedented economic times.

Chairman Skudlarek reiterated this was an extraordinary way this came before the Board and that it was not in the usual process and to the best of his knowledge it was not an illegal process as far as he knew.

Mayor Richetelli stated bond counsel was consulted and the process is not illegal. He stated the normal process is that which he just described. He went on to address portions of the City Charter. He noted this opinion was not explicitly precluded.

Vice Chairman Lema stated the Charter prescribes that the Ordinance would be approved by this Board, Board of Aldermen Ordinance Committee or the Board of Aldermen.

Mayor Richetelli pointed out it is clear in the Capital Improvement Plan where these begin.

Vice Chairman Lema reiterated it is in the Charter.

Mayor Richetelli responded yes, but stated the funding is not. He stated it really is moot because bond counsel deemed this could proceed.

Chairman Skudlarek stated the process was important to him because this was an extraordinary measure as to how it came to this Board. He asked if the project was something of a critical nature or health issue.

Mayor Richetelli responded not. He explained he is a proponent of this project and others, but because of the state of the economy he felt it was prudent and cautious to put all projects on hold. He stated it has nothing to do specifically with Law, Foran or even the sewer and road projects that need to be done, but more to do with the message it would send to the taxpayers. He stated everyone has been asked and has tightened their belts, both on the family side and on the municipal side. He noted there is a glimmer of hope in the economy, but it was too soon to move too quickly. He also pointed out municipal unions were asked to take a zero increase this past year, which all but one of the unions did. He also pointed out there were budget cuts made by both the Board of Finance and Board of Aldermen to all departments, including police, fire, etc. He stated this sends a message that is not consistent with the actions of this Board and the Board of Aldermen. He stated they should continue to be prudent and cautious. He also stated he would not be upset if the work is done, but that it simply wasn't the appropriate time.

Mr. Agro stated he would respectfully agree and disagree with the comments of the Mayor. He stated he felt the glimmer they have seen in the economy over the past few weeks does give a glimmer of hope. He commented if this Board did not pass this it may give the message this Board is not spending money appropriately and cautiously. He also pointed out the project came in at \$1,000,000 less than originally thought and that it was appropriate to do it now. He questioned what message the Board would be sending if they waited a year and the project cost \$1,000,000 more. He stated he went to Law and met with the principal and toured the building and noted there is no fluff and the work is needed. He stated doing this now is a year closer to more children using this and that the work is very practical.

Chairman Skudlarek stated it was not about fluff and that it was propitious to proceed

Mr. Fitzpatrick stated this is not a 20 year payments, it is \$400,000 this year.

Mr. Agro stated he was speaking more to the appropriateness of doing this now. He suggested this Board could make a negative recommendation on this as it was his understanding the Board of Aldermen could approve it by a supermajority.

Chairman Skudlarek reiterated his concerns about the way this came before this Board. He stated it was not the normal fashion and there was not emergency. He stated he wished to be careful in what they are approving as it could set a precedent as to how they start to receive things.

Vice Chairman Lema asked if all bonding was on hold.

Mayor Richetelli stated they did not bond anything in February 2009. He stated they would re-evaluate come the half way point of the fiscal year.

Ms. Doneiko stated she wished to clarify just because bonding is approved they does not mean they go out selling bonds. She explained it just begins the process.

Mayor Richetelli stated he did not plan on bringing forward any bonding this year.

Ms. Smith spoke as to the timing. She also commented she was uncomfortable this was being done in a vacuum like manner. She agreed this is needed, but there are other projects needed in the City as well. She also questioned the manner she came and whether two months from now another project would come before this Board in the same manner. She stated projects needed to be prioritized in the Capital Improvement Plan and then brought to this Board.

Mr. Fitzpatrick commented he did not agree with the fact the cost of the project would go up. He stated there are people out there bidding on these types of projects because they are looking for work and they will still come in with the best bid. He suggested they turn down all the bids until they are more sensible. He also commented there is a whole different concept of doing business today. He stated he did not wish to pass this amount of money onto the taxpayer now.

Chairman Skudlarek stated he has asked all night whether or not this was of a critical or emergency nature and he had not heard that as yet. He recognized Ben Blake, Chairman of the Board of Aldermen.

Chairman Blake (BOA) recognized the unprecedented times. He stated the City bonds on an annual basis \$15,000,000 – 16,000,000 and pointed out this is only \$4,000,000 in one fiscal year. He stated if nothing is done it would be more unprecedented.

Chairman Skudlarek stated whenever something goes around the normal process there must be something unusual about the project and asked if that was the case here.

Chairman Blake (BOA) responded this is a “shovel ready” project and the only one that had bids come out. He also stated there is a different political make-up and in terms of past practice these are different times. He spoke with regard to the Charter and stated he did not think this was unusual and that bond counsel did not feel it was either.

Chairman Skudlarek stated they still needed to be careful and also base a decision on the importance of health, safety, etc.

Mr. Agro acknowledged the circumstances this came before this Board are different, but it could be an alternative possibility. He stated he was not sure it should take an emergency to come before this Board.

Chairman Skudlarek responded it begs the question at hand.

Mr. Agro commented many years ago the City had a mayor who did not bond at all. He spoke as to the importance of maintaining our school buildings. He stated if the Board votes this down the Board of Aldermen by a super majority vote could approve this anyway.

Vice Chairman Lema stated this were getting bogged down on the procedure as to how it came here and noted the alternative way it got here was proper.

Chairman Skudlarek commented one would have to presume there was something critical because of the way it came to this Board.

Chairman Blake (BOA) spoke of the day to day needs at the school. He also stated the contractor was holding the bid open until perhaps the end of this month and that it had already been extended twice. He also stated architectural fees have already been paid. He stated another reason for moving forward is the code changes forthcoming. He acknowledged the presence of Ms. Garagliano, Principal of Jonathan Law, who could speak to the critical needs.

Chairman Skudlarek recognized Ms. Garagliano for a brief explanation.

Ms. Garagliano stated part of the design calls for two science labs to be built. She explained in the original plan it was intended there would be 10 science labs. She stated they currently have 8 as it was intended to add 2 more science labs in this phase of the work.

Chairman Skudlarek asked if this was an emergency.

Ms. Garagliano responded it is an emergency to her teachers and students.

Chairman Skudlarek asked about health and welfare issues.

Ms. Garagliano stated there will be 10-12 teachers on carts in September. She stated when you have a teacher on a cart attempting to navigate through the hallways and get to a class on time that is a safety issue. She stated every room in her building is being used every period of the day. She reiterated being on a cart trying to traverse is a safety issue in her opinion. She stated it was important to understand it is not only the teacher on the cart, but the students trying to get to their classroom in a 4-minute period.

Chairman Blake (BOA) added it is not only the normal classroom. He stated they learned from Ms. Garagliano at the Board of Aldermen that boiler rooms and closets have been converted to classrooms. He stated there are teachers and students in spaces not meant to be classrooms, adding this is a safety concern.

Ms. Garagliano stated she is looking at it from an educator's point and that it is critical she meet the needs of 1,050 students.

Chairman Skudlarek recognized Dr. Polansky, Superintendent of Schools.

Dr. Polansky commented due to the way the facility is laid out you could have unequal educational opportunities for the students. He stated there is an equity issue for equal opportunities for all children to learn.

Mr. Agro stated he saw some of these rooms and the storage rooms that are finished to be classrooms, but were never designed to be classrooms. He also stated the building department has been out to assess these rooms. He stated the reality is the project is a legitimate expense. He also acknowledge the philosophical differences and the message to the taxpayer, but believed now is the time to do this.

Chairman Skudlarek stated he would have to take into consideration Ms. Smith's earlier comments as to what else could come down the pipe.

Dr. Polansky explained what makes this project different from a pilot or road project is the reimbursement factor. He stated they will be getting one-third back from the State. He stated that reimbursement is different from a school project and went on to explain the difference between the two types of projects.

Ms. Doneiko commented the reimbursement rates are listed on the website and proceeded to read some of the numbers for reimbursement. She also pointed out they have no state funds coming in on Phase II of the Jonathan Law project.

Dr. Polansky replied there is a commitment.

Ms. Doneiko stated there was not one put up this year.

Dr. Polansky stated it is the school facilities that have made the commitment.

Chairman Skudlarek asked if they were looking at legally enforceable reimbursement.

Ms. Doneiko stated to date that portion of the project is not at that point and that there are dollars for reimbursement until the legislature funds it. She reminded the Board there still is no State budget.

Dr. Polansky stated it is his understanding once the budget is in place the finds will be there.

Chairman Skudlarek commented give these hard times, there is always the trickledown effect and it is the economy that drives this. He also commented with regard to these promised funds the State has not always beholden to us and that this could open the floodgates.

Chairman Blake (BOA) stated the governor and legislative budget both contemplated these monies.

Ms. Doneiko addressed the Board as a point of information, that if approved by the Board of Aldermen, it would not be submitted until June 2010 and voted on in the Spring of 2011. The stated the bottom lines still remains they have not received any information toward reimbursement.

Vice Chairman Lema stated he would like to hear more about the project from Ms. Garagliano.

Ms. Garagliano continued with her explanation as to the drawing for Phase III. She stated what is unprecedented is fulfilling those many dreams of the students.

Chairman Skudlarek acknowledged the project is worthy; although it came to this Board under unusual circumstances and expressed his hope it would get done. He recognized Ald. Vitali.

Ald. Vitali stated he was looking for clarification as to the talk tonight about this being of an emergency nature, and it being philosophical. He stated the simple fact is that its political, pure and simple and that the Mayor say no and the Board of Aldermen says yes. He reiterated it is purely political. He commented to Ms. Smith's remarks that there are other projects on the table and questioned what the priority in the City.

Chairman Skudlarek stated he wished to be clear just because this Board may vote against something doesn't make them anti-education.

Ald. Vitali asked for a clarification from the Finance Director as to reimbursement being in June 2010.

Ms. Doneiko explained it would depend on when construction starts. She stated if it is fall 2009 any reimbursement would not come until sometime in calendar year 2011.

Ald. Vitali spoke to the point of bonding and the projects on the table and suggested perhaps we were where we are because for so many years no bonding was done.

Chairman Skudlarek stated they address each case by case. He stated if this Board votes no on this, it doesn't mean they would vote no on other projects. He reiterated each is case by case.

Mr. Fitzpatrick stated he really did not care how this got here, but the point is he did not want to see money spent this year. He stated his position here on the Board of Finance it is to look at all costs and costs to the taxpayer. He stated he would like to wait to the how the collections come in on August 1. He also stated this is not political for him.

Ald. Vitali stated it is political because that is how it got here.

Mr. Fitzpatrick stated this is about money, not Democrats or Republicans. He stated it is his job to understand whether or not the taxpayer can afford this. He also stated, he does want a good education, but he also wants a good sewer system, roads, etc.

Mr. Agro commented on the healthy and spirited discussion tonight and that he was glad this item made it to the table so the discussion could happen and that this healthy and spirited discussion indicates this is important. He also stated he did not feel it was political adding this Board has always been immune to that. Mr. Agro stated it also seemed this would go forward either by this Board or the Board of Aldermen. He reiterated he is optimistic about the economy and feeling more optimistic than he was during budget deliberations.

Ms. Smith stated she agreed somewhat with Mr. Agro, but that they still had a long way to go with regard to the economy. She stated she believed people would still continue to struggle adding what is not changing is those people who are without jobs, received wage cuts or wage freezes. She stated this is not a one year issue and that this Board will have to watch what they do for more years to come.

Chairman Skudlarek stated he would not vote on this, not on the substance, but because it does not set a healthy precedent. He reiterated it came to this Board through extraordinary measures and that there is no health issues. He expressed his hope this does get done and the circumstances see it to approval.

Vice Chairman Lema stated he agreed with a lot of what has been said tonight, but he really did not care how it got here tonight. He also pointed out the Board of Aldermen has the authority to vote on it. He stated this addresses a critical need in this City adding it is important to maintain our school facilities on the plan set as well as fill the needs in our City. He also agreed these are extraordinary times, but in this City we are in a very healthy state. He stated this work addresses a need and he did not see any reason to follow the plan put in place.

Chairman Skudlarek stated this Board sets precedent in the way it handles things and there is a reasonable perspective of inquiry. He stated this Board needs to be mindful of how it approves things and how it votes. Chairman Skudlarek recognized Mr. Amendola.

Mr. Amendola stated he has been a member of the Board of Education for 9 ½ years and that they have been beat up for years for not being fiscally prudent. With regard to this matter, he stated the Board of Education leadership went to the Board of Aldermen to bring this forward.

Chairman Skudlarek suggested further comment be confined to the Board.

Ms. Glennon (parent leader) asked to be recognized from the floor stating she had a question with regard to procedure.

Chairman Skudlarek asked if she was raising a point of order.

Ms. Glennon responded yes. She questioned why there was no public comment on the agenda for the public to comment on matters before this Board.

Chairman Skudlarek stated this Board has not had a provision for public comment. He stated that is not to say it is right. He stated they have talked to a lot of people and have gotten good information tonight for the Board's decision. He reiterated their regular meetings just don't have that component. He stated as for tonight, public comment is not on the agenda and he cannot put it on.

By roll call vote, the motion failed 3 no (Smith, Skudlarek, Fitzpatrick) and 2 yes (Lema, Agro).

Chairman Skudlarek noted for the record the motion failed 3 yes and 2 no.

Mr. Agro asked how this would be referred back to the Board of Aldermen.

Chairman Skudlarek stated it is his understanding the Board of Aldermen could move to approve this through a 2/3 super majority vote. He went on to thank those present for their input.

**Staff Report**

No report.

Being no further business, Mr. Agro and Mr. Lema made and seconded a motion to adjourn. Motion carried unanimously.

The Board adjourned at 7:40 p.m.

Respectfully submitted,

Kathleen K. Huber  
Recording Secretary