

**BOARD OF ALDERMEN
REGULAR MEETING
JANUARY 4, 2016**

The Board of Aldermen of the City of Milford held their Regular Meeting on Monday, January 4, 2016 in the aldermanic chambers of City Hall. Chairman P. Vetro called the meeting to order at 7:31 p.m. Chairman Vetro asked those present to join in saluting our flag and reciting the Pledge of Allegiance.

1. Roll Call

Board Members Present

B. Anderson
E. Beatty
B. Bevan
B. Bier (7:41 p.m.)
M. Casey
D. German
A. Giannattasio
J. Golden
J. Grant
M. Hardiman
S. Shaw
F. Smith
N. Veccharelli
P. Vetro
R. Vitali

Also Present

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

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.

T. Chauser - 104 Hawley Avenue - here tonight regarding the Stowe Barn and open space that goes with it. He stated he recently toured and walked the entire property. He encouraged the Board to visit the property and see the beautiful park like setting. He suggested the open space not be included in the sale of this property. He also suggested a lease arrangement might be the right avenue at this point, adding he would hesitate to sell this property.

K. Collins - 233 Housatonic Avenue - speaking regarding an issue in his neighborhood. He stated there is no law preventing the storage of boats on public roads. He stated since September 2015, there is a neighbor who parks his jet ski with a trailer directly in front of his house on Housatonic Drive. He stated he and his neighbors have contacted the police, however there is no ordinance. Mr. Collins also stated he went to Planning and Zoning but were told it is a police matter since the trailer/jet ski are parked on a public street. Mr. Collins stated he has contacted surrounding towns

such as West Haven, Orange, Shelton and Fairfield and they all have ordinances on the books restricting the time a trailer can be left on the street. He continued reading referencing a loop hole in the law and expressed his hope the aldermen could help them with this issue.

3. Consideration of the Minutes of the Regular Meeting of the Board of Aldermen held on December 7, 2015.

Ald. Veccharelli and Ald. Golden made and seconded a motion to approve the minutes of the Regular Meeting held on December 7, 2015. Motion carried unanimously.

4. Consideration of the Minutes of the Special Meeting.

None.

5. Chairman's Report and Communications.

Chairman Vetro wished everyone a happy and healthy new year. He also welcomed the new aldermen to the board and expressed his hope this would be a productive year for the taxpayers.

6. Mayor's Report and Recommendations:

Mayor Blake too wished the Board and everyone a happy new year. He also stated this is the time of year they restock, evaluate and look to better Milford. He stated Milford has a strong government because of the volunteerism. He expressed his appreciation of the time and willingness for these individuals being appointed tonight who serve numerous hours and late evenings.

Mayor Blake informed the Board of the Mayoral appointments and asked for the Board's consideration of items 8a-8i.

6a. Mayor Blake announced the following mayoral appointments:

Milford Council on Aging, two-year term expiring 12/31/17

(D) Cynthia R. DeLuca, 222 High Street, 06460, reappointment

(R) Richard E. Dowin, 554 Merwin Avenue, 06460, reappointment

(R) Shirley A. Serrano, 36 Meetinghouse Lane, 06460, reappointment

(R) Doreen Fontana, 18 Overlook Drive, 06460, reappointment

(D) Teresa Nolan, 258 Oak Ridge Lane, 06461, reappointment

Conservation Commission, three-year term expiring 12/31/18

(U) Oden H. Seaholm, 11 Wayland Road, 06460, reappointment

(D) Carolyn M. Alling, 29 Rivercliff Drive, 06460, new appointment

(D) Janet C. McAllister, 197 Maplewood Avenue, 06460, new appointment, to fill the unexpired term of Steve Johnson (resigned), term to expire 12/31/17.

CT Office of Tourism-South Central Regional District, three-year term expiring 12/31/18

(R) Lynda T. Smith-Tellier, 125 Seamans Lane, #11, 06460, reappointment

Inland Wetlands Agency, three-year term expiring 12/31/18
(U) James D. Connors, 25 Country Lane, 06461, reappointment

Milford Redevelopment & Housing Partnership, five-year term expiring 11/30/20
(D) H. Richard Borer, Jr., 78 Hawley Avenue, 06460, reappointment

Veterans Graves Preservation Commission, one-year term expiring 12/31/16
(U) Thomas Cody, Jr., 13 Dock Road, reappointment
(D) Richard Shea, 79 North Street, Apt. 1, 06460, reappointment

7. Unfinished Business

None.

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

8a. Board of Aldermen approval is hereby requested of the following Mayor's Appointments to the following Boards and Commissions.

Ald. Veccharelli and Ald. Giannattasio made and seconded a motion to approve the following Mayor's Appointments as listed below:

Board of Assessment Review

Alternates:

(D) Jason P. Zammiello, 134 Lexington Way South, 06461, new appointment, to fill a vacant position, term to expire 12/31/17

Building Code Board of Appeals, five-year term expiring 12/31/20
(R) Louis J. D'Amato, 481 Roses Mill Road, 06460, reappointment

Civil Service Commission, three-year term expiring 12/31/18
(D) Henry B. Healey, 192 West River Street, 06460, reappointment
(D) Joel Baldwin, 252 Seaside Avenue, 06460, reappointment

Ethics Commission, three-year term expiring 12/31/18
(D) Chad Bedell, 152 Meadowside Road, 06460, new appointment

Board of Finance, three-year term expiring 12/31/18
(D) Joseph J. Fitzpatrick, Jr., 7 Flax Mill Terrace, 06461, reappointment
(R) Lauren A. Secondi, 99 Melba Street, 06460, new appointment

Fire Commission, three-year term expiring 12/31/18
(R) Howard S. Stein, 35 Anchorage Drive, 06460, reappointment
(D) Joseph G. Weber, 46 Weber, 46 Lamplight Lane, 06460, reappointment
(D) Greta J. Stanford, 32 Spicebush Lane, 06460, new appointment

Golf Course Commission, three-year term expiring 12/31/18

(U) William D. Healey, 37 West Shore Drive 06460, reappointment

(D) Daniel W. Worroll, Jr., 457 Swanson Crescent, 06461, reappointment (Park, Beach, and Recreation Representative), reappointment

Harbor Management Commission, five-year term expiring 12/31/20

(U) Nancy B. Bennett, 26 High Street, 06460, reappointment

(R) James R. Beard, 762 Wheelers Farms Road, 06461, reappointment

Alternate, two-year term expiring 12/31/19

(D) Dora A. Kubek, 33 Liberty Street, 06460, new appointment

Board of Health, three-year term expiring 12/31/18

(R) Joan Cagginello, 17 Westminster Court, 06461, reappointment

(D) Joan M. Costello, RN, 33 Walker Street, 06460, reappointment

(R) Dr. Constance Young, 37 Loomis Street, 06460, reappointment

Historic Preservation Commission, five-year term expiring 12/31/20

(D) Carter Colter, 258 Gulf Street, 06460, reappointment

Housing Code Board of Appeals, five-year term expiring 12/31/20

(D) Todd M. Casey, 494 Anderson Avenue, 06460, reappointment

Human Services, Milford Department of, three-year term expiring 12/31/18

(R) Joan Campbell, 40 Shell Avenue, 06460, (*Organized Labor Representative*), reappointment

Library Board, three-year term expiring 12/31/18

(D) Scott Barnett, 1202 New Haven Avenue, 06460, reappointment

(U) Suzanne E. D'Anna, 88 West Main Street, 06460, reappointment

(R) Peter Vita, 52 Sparrow Bush Lane, 06460, reappointment

Park, Beach & Recreation Commission, three-year term expiring 12/31/18

(D) Daniel W. Worroll, Jr., 457 Swanson Crescent, 06461, reappointment

(U) Ann Fabian, 294 Welches Point Road, 06460, reappointment

Police Commission, three-year term expiring 12/31/18

(D) Alberta Jagoe, 1 Morningside Drive, reappointment

(R) Carol Faruolo, 19 Fenway North, 06460, reappointment

Sewer Commission, three-year term expiring 12/31/18

(R) Lee S. Cooke, 48 Kohary Drive, 06460, reappointment

(U) Donald F. Anderson, Jr., 33 Driftwood Lane, 06460, reappointment

Transit District, four-year term expiring 12/31/19

(R) Anthony Piselli, Sr., 17 Janet Street, 06460, reappointment

(I) Michael Lebov, 75 Anchorage Drive, 06460, new appointment, to fill the unexpired term of Peter J. Carroll (resigned), term to expire 12/31/17.

Tree Commission, three-year term expiring 12/31/18

(D) Kate D. Orecchio, 165 North Broad Street, 06460, reappointment

(U) David Skirkanich, 32 Wilshire Boulevard, 06460, reappointment

Alternate

(D) Melissa A. Smith, 59 6th Avenue, 06460, reappointment

Veterans, Ceremony and Parade Commission, three-year term expiring 12/31/18

(U) Thomas C. Flowers, 21 Point Lookout, 06460, (*American Legion representative*), reappointment

(R) Niles E. Mackenzie, 150 Riverside Drive, 06460, (Disabled American Veterans representative), new appointment

(U) Christine L. Smith, 235 Plains Road, 06461, (Citizen representative), reappointment

Zoning Board of Appeals, five-year term expiring 12/31/20

(R) John J. Vaccino, Jr., 32 Tower Street, 06460, reappointment

Alternate,

Gary DuBois, 83 Knobb Hill Road, 06460, reappointment

Motion carried unanimously.

Chairman Vetro stated he would entertain a motion to re-order the agenda and bring forward item 8i so that all of the appointments could be completed at once.

Ald. Vitali and Ald. Shawn made and seconded a motion to re-order the Agenda and bring forward item 8i. Motion carried unanimously.

8i. Ald. Veccharelli and Ald. Golden made and seconded a motion to appoint the following Mayor's appointments to the following Boards and Commissions:

Animal Shelter Commission, five-year term, term to expire 12/31/20

(U) Carrie L. Harla, 2 Anchorage Drive, 06460, new appointment

Flood and Erosion Control Board, five-year term, term to expire 12/31/20

(R) Thom E. Bach, 214 Broadway, 06460, reappointment

Historic District Commission, five-year term, term to expire 1/1/21

(R) Arthur W. Stowe, 36 Fresh Meadow Lane, 06461, reappointment

Historic District (South of the Green), five-year term, term to expire 01/01/21

(U) Walter Ortoleva, 244 Seaside Avenue, 06460, reappointment

Department of Human Services, three-year term – term to expire 12/31/18

(U) Donna Nunno, 9 Elm Street, 06460, reappointment,

(D) Brendan D. Casey, 119 Hawley Avenue, 06460, new appointment

(U) Susan M. Stango, 148 Rivercliff Drive, 06460, reappointment, two-year term, term to expire 12/31/18

Inland Wetlands Agency

(D) Philip W. Zetye, 255 High Street, 06460, new appointment, term to expire 12/31/18

(D) Daniel F. Schopick, 34 Shipyard Lane, 06460, reappointment – term to expire 12/31/18

MGAT (Milford Government Access Television) Committee

(R) Barbara Genovese, 19 Belmont Street, 06460, reappointment, term to expire 12/31/17

(R) Matthew D. Gaynor, 60 Seventh Avenue, 06460, reappointment, term to expire 12/31/17

Pension and Retirement Board

(R) Richard L. Elwell, 41 Eveningside Drive, 06460, reappointment, three-year term to expire 12/31/18

(U) Michael Hedman (Local 1566), 06461, reappointment, three-year term to expire 12/31/18

(R) Timothy Bradbury (Local 2018), 119 Clark Hill Road, 06460, reappointment, three-term to expire 12/31/18

(D) C. Robert Satti, Jr., 255 First Avenue, 06460, new appointment, three-year term to expire 12/31/18

(D) Gregory S. Kimmell, 101 Centennial Drive, 06461, reappointment, three-year term to expire 12/31/18

Alternates

(U) Edward Abel (Local 424), 12 Sampson Avenue, 06460, new appointment, three-year term to expire 12/31/18

(R) Robert J. Smith (Local 2018), 12 Pearl Hill Street, 06460, reappointment, three-year term to expire 12/31/18

(U) Jeffrey A. Maurutis (Local 944), 104 Seaside Avenue, Unit B, 06460, new appointment, three-year term to expire 12/31/18

(R) Michael Moreno (Local 899), 9 Sentinel Hill Road, 06460, reappointment, three-year term to expire 12/31/18

Motion carried unanimously.

City Clerk Joanne Rohrig swore in those appointees present.

The Board recessed at 7:52 p.m.

Chairman Vetro reconvened the Board in public session at 8:01 p.m.

8b. Ald. Veccharelli and Ald. Golden made and seconded a motion to approve the request for the Agreement between the City of Milford and South Central Connecticut Regional Water Authority (RWA) for road resurfacing associated with the RWA's Milford Point Road capital project and to authorize the Mayor, City Attorney and Public Works Director to take all steps necessary to effectuate said agreement.

Ald. Bevan asked about the costs involved and if the city was making or losing money.

Mayor Blake stated the city should be able to pave more roadways with this figure. He explained the city falls under the state contract rate; therefore this would be a favorable contract for the city.

Ald. Giannattasio asked if the project had started the work.

Mayor Blake stated he did not believe the work had been completed in earnest.

Ald. Giannattasio asked about the plan for the work to be completed.

Mayor Blake provided the background. He stated there would likely be some period of time before the work begins since the asphalt plants are shut down for the winter. He stated they are also coordinating with the utility companies to complete the project and make sure they only cut into the road one time.

Ald. Giannattasio asked if there was any savings by waiting and not having to do patching.

Mayor Blake likened this project to the Woodmont Road project that was done recently.

Motion carried unanimously.

8c. Ald. Veccharelli and Ald. Golden made and seconded a motion to approve the request for acceptance of a grant in the amount of \$7,830.33 under the Connecticut Institute for Resilience and Climate Adaptation's (CIRCA) Municipal Resilience Grant Program for developing and implementing a restoration and management plan to combat threats and challenges to coastal dune resiliency in urban landscapes and to authorize the Mayor, City Attorney and Finance Director to take all steps necessary, including signing all documents, to effectuate said grant.

Ald. Grant asked the long term plan of the upkeep of the area.

Mayor Blake stated the public works department does the upkeep of all beach areas, collecting debris, garbage, etc. He stated Steve Johnson is the point person for this grant and will be coordinating with the various departments.

Ald. Shaw recognized Steve Johnson, Open Space Coordinator. She complimented this well thought out grant and thanked Mr. Johnson for his efforts. She asked Mr. Johnson to speak to the grant.

Mr. Johnson explained it is a collaborative effort.

Ald. Shaw commented on the public outreach portion of the grant.

Mr. Johnson stated public outreach was a vital component of this grant. He stated they hoped to engage the community and students with this project.

Mayor Blake stated in terms of maintenance, the engineering department takes the gradations which is a part of the maintenance.

Ald. Bevan asked the amount of the grant and what that money would be spent on.

Mr. Johnson stated a good portion would be a basic management program and also working with and getting approval from DEEP. The biggest expense was the study of the invasive plants and the plantings that would go into the dunes. He stated monies would also be spent on shrubs, maintenance.

Ald. Bevan asked about the sand at Eisenhower Park and if it could be moved to this area.

Mr. Johnson stated it is something he and the public works director have talked about. He stated the opportunity of looking at the sand and continuing a dune extension, but also insuring the sand is clean and appropriate for the area.

Ald. Vitali applauded Mr. Johnson for the grant application. He asked the tonnage of sand that would be needed to create the dunes.

Mr. Johnson stated they were actually restoring the dunes and creating a dune environment with vegetation. He explained some of the vegetation just doesn't belong there. He also explained how they would treat the vegetation.

Ald. Vitali asked if the sand at Eisenhower Park is usable.

Mr. Johnson stated what he proposed to the public works director was creating a dune to the east of the park that does not exist and creating proper vegetation to sustain the dune.

Ald. Veccharelli thanked Mr. Johnson for the comprehensive size-up of the plan. He read the historical segments from the proposal.

Ald. Giannattasio asked about the background of what the volunteers would be doing.

Mr. Johnson explained when they have these types of opportunities he reaches out to public works to collaborate on their efforts. He stated in this case when the grant was submitted they reached out to the Walnut Beach Association with the idea of an early earth day clean up and beach grass planting.

Motion carried unanimously.

8d. Ald. Veccharelli and Ald. Golden made and seconded a motion to approve the request for the Resolution Re: Connecticut Institute for Resilience and Climate Adaptation's (CIRCA) Municipal Resilience Grant Program. Motion carried unanimously.

8e. Ald. Veccharelli and Ald. Golden made and seconded a motion to approve the request for Indemnity Agreement between YPB 1928, LLC, Cyrus Settineri and the City of Milford for the

placement of WiFi hardware on the roof of property located at 49-51-53 River Street and to authorize the Mayor to take all steps necessary to effectuate said Indemnity Agreement.

Ald. Casey asked the background of how they got to this point, why this location was agreed on.

Mayor Blake explained the Milford Technology Council embarked on this sometime ago and they are trying to get all of the downtown area WiFi accessibility. They place their equipment on private buildings; however, this particular property has requested an indemnity agreement. He stated to his knowledge there is no cost, only that the city insulate them.

Ald. Casey asked who was performing the installation of the equipment.

Mayor Blake stated the Milford Technology Council.

Ald. Vitali asked the integral structure of the roof and if the roof would be able to sustain the equipment. He also asked why a public structure was not considered and not private. He also commented it seemed odd that the owner was not getting any rent.

Mayor Blake stated regarding the cost, it is for the public good. He stated it is good will, but above and beyond that he could not respond. He stated as to the location, it was determined by Milford Technology Council. He stated they look for the best coverage before equipment is installed.

Ald. Vitali asked why other locations where antennas have been installed, they have not requested an indemnity agreement.

Mayor Blake stated it was never requested before.

Ald. Vitali asked about the integrity of the structure to support the equipment.

Attorney Berchem stated the technology committee approached him and identified that building. He approached Mr. Settineri who did not have any objection to the installation, only that he would want an indemnification agreement in place in the event the equipment flew off the roof, etc. He stated he would insure the integrity of the building and that it was intact.

Ald. Vitali asked who approached who.

Attorney Berchem stated he approached Mr. Settineri at the request of the technology committee.

Ald. Giannattasio asked about others who have antennas on their buildings and don't have this agreement and whether the city would be at risk.

Attorney Berchem stated he was not aware of any other rooftops where their antennas are located. He stated he did not believe the city was at risk, but to his knowledge none had come to his office.

Ald. Giannattasio asked if this agreement would be in place for future property owners or would it just be upon request.

Attorney Berchem stated it would likely be upon the request of the property owner.

Motion carried unanimously.

8f. Ald. Veccharelli and Ald. Golden made and seconded a motion to approve the request to amend the lease between Chiropractic & Wellness Center of Milford and the City of Milford to a month to month lease and to authorize the Mayor and City Attorney to take all steps necessary to effectuate said amendment.

Ald. Anderson asked where unit 14 is located and whether it is an interior or exterior space. Also, if there was a potential for other tenants to make the same request.

Mayor Blake stated this is part of the grant recently approved by this Board. He stated the city has agreed to work with the tenants until June 2018. The letter in the aldermanic package is specific. He referenced that letter, stating there cannot be any gaps. Regarding location, he stated this unit is located furthest away from River Street. As to this being a "door opener", it would have to be reviewed by this Board and would be a case to case situation. He commented these are Milford businesses the City wants to support.

Motion carried unanimously.

8g. Ald. Veccharelli and Ald. Golden made and seconded a motion to approve the request for the No Cost Space Agreement between the United States Small Business Administration and City of Milford and to authorize the Mayor to take all steps necessary to effectuate said agreement. Motion carried unanimously.

8h. Ald. Veccharelli and Ald. Golden made and seconded a motion to approve the recommendation of the Planning and Zoning Board dated December 17, 2015 for the acceptance of the Capital Improvement Plan for the years 2016-2020. 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

None.

11. Refunds

(a) Ald. Veccharelli and Ald. Golden made and seconded a motion to approve Consideration of Refunds in the amount of \$8,745.17.

Motion carried unanimously.

12. Report of Standing Committees:

- a. Ordinance Committee – no report.
- b. Public Safety and Welfare Committee – no report.
- c. Public Works Committee – no report.
- d. Claims Committee – no report
- e. Rules Committee – no report.
- f. Personnel Committee – no report.

13. Report of Special Committees:

- a. Liaison Sub-Committee – Board of Education – no report.
- b. Liaison Sub-Committee – Flood & Erosion Board – no report.
- c. Liaison Sub-Committee – Park, Beach & Recreation 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 – no report.
- l. Golf Course Commission – no report.
- m. Inland Wetlands Agency – no report.
- n. Liaison Health Department – no report.
- o. Devon Revitalization Committee – no report.
- p. Human Services Commission – no report
- q. Liaison Pension & Retirement Board – no report.
- r. Milford Government Access Television (MGAT) – no report.
- s. Liaison – Milford Progress, Inc. – no report.

14. Executive Session. A two-thirds (2/3) vote of those present and voting is required for any item to be considered in executive session. A two-thirds (2/3) vote of those present and voting is required to go into executive session.

The Chairman shall announce, in public session, those items to be covered in executive session and call for a vote to enter executive session. If a two-thirds (2/3) vote, to enter executive session, is obtained, the hall shall be cleared and executive session declared.

14a. Consideration of settlement of Roy Collins Francis v. City of Milford
RE: 7 Crest Place

14b. Consideration of settlement of Empyrean Hospitality, LLC v. City of Milford
Re: 190 Old Gate Lane

14c. Discussion concerning 68 Stowe Avenue (Stowe Barn), potential sale/purchase of property.

14d. Discussion concerning 701 North Street, potential sale/purchase of property.

Chairman Vetro announced those individuals entering Executive Session for item 14a and 14b would be the full Board, Mayor, City Attorney and City Assessor. For items 14c and 14d, Chairman Vetro announced the full Board, along with the Mayor and City Attorney would enter Executive Session.

Ald. Veccharelli and Ald. Hardiman made and seconded a motion to go into Executive Session for the matters announced by the Chairman above. Motion carried unanimously.

The Board adjourned to Executive Session at 9:36 p.m.

Daniel Thomas, City Assessor left Executive Session at 10:21 p.m.

Chairman Vetro reconvened the meeting in public session at 10:45 p.m.

14a. Ald. Veccharelli and Ald. Golden made and seconded a motion to authorize the City to enter into settlement RE: Roy Collins Francis v. City of Milford, RE: 7 Crest Place, in accordance with the recommendations of the City Assessor and City Attorney as discussed in Executive Session. Motion carried unanimously.

14b. Ald. Veccharelli and Ald. Golden made and seconded a motion to authorize the City to enter into settlement RE: Emphyrean Hospitality, LLC v. City of Milford, RE: 190 Old Gate Lane, in accordance with the recommendations of the City Assessor and City Attorney as discussed in Executive Session. Motion carried unanimously.

City Assessor Dan Thomas left the Executive Session at 9:17 p.m.

Being no further business to discuss, Ald. Veccharelli and Ald. Anderson moved to adjourn at 10:47 p.m. Motion carried unanimously.

Respectfully submitted,

Kathleen A. Kennedy
Recording Secretary