

**BOARD OF ALDERMEN
REGULAR MEETING
FEBRUARY 4, 2013**

The Board of Aldermen of the City of Milford held their Regular Meeting on Monday, February 4, 2013 in the aldermanic chambers of City Hall. Chairman P. Vetro called the meeting to order at 7:39 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
R. Dickman
G. Gasper
A. Giannattasio
J. Golden
R. Nunno (7:51 p.m.)
S. Shaw
F. Smith
P. Smith
G. Stanford
N. Veccharelli
P. Vetro
R. Vitali

Also Present

Mayor B. Blake
J. Berchem, City Attorney
L. Stock, City Clerk
S. Fournier, Mayor's Admin. Asst.

Excused

B. Bier
D. German

Ald. Anderson reported that Ald. Nunno had been delayed, but would arrive shortly.

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.

None.

3. Consideration of the Minutes of the Regular Meeting of the Board of Aldermen held on January 7, 2013.

Ald. Veccharelli and Ald. Golden made and seconded a motion to approve the minutes of the Regular Meeting held on January 7, 2013. Motion carried unanimously.

4. Consideration of the Minutes of the Special Meeting.

None.

5. Chairman's Report and Communications.

Chairman Vetro told the Board to mark their calendars for the annual Saint Patrick's Day Parade to be held on March 8, 2013, beginning at 1:00 p.m. He noted this is the 23rd annual. He also reported a dinner would be held on February 13, 2013 at the First United Church of Christ for those affected by Storm Sandy. He stated all families are welcome to attend and that reservations could be made through Peggy Kelly.

6. Mayor's Report and Recommendations:

Mayor Blake stated he would respectfully request the Board's consideration and action on items 8a-o. He also acknowledged the presence of Chief Keith Mello to provide a report of some security enhancements following the tragedy at Sandy Hook.

Chief Mello commented since Sandy Hook, security has been the forefront of their day. He stated he has had dialogue with Dr. Feser since that day regarding school security, looking at plans and protocols. He stated their shared goal was clear – to make sure all schools are safe. He stated he has been to each of the schools with the Mayor and met with school administrators. At the suggestion of Dr. Feser, Chief Mello reported they have formed a working group of professionals to study all protocols and look at procedures and make any changes and recommendations, both long term and short term. Chief Mello recognized Officer V. Dumas, who is a member of that committee.

Officer Dumas reported they have been working with the schools conducting emergency lock down drills. He also reported a fire department representative has been with them on each of the drills. Officer Dumas explained Officer Nielsen has been following along with the fire department and piggybacking with inspection of the Fire Marshal's Office.

Chief Mello stating modifications have started with regard to doors, locks, etc. He stated it is most important that whatever they do, they want it to be comprehensive. He also stated they are committed to sustainability. Chief Mello also spoke about the proposal for School Resource Officers (SRO). He explained this developed in partnership with the federal government and local law enforcement and came about after Columbine. He went on to explain what an SRO is and what he envisions in the schools. He stated they will be coming back to the Board with a well thought out plan for Milford's schools.

Chairman Vetro expressed his appreciation of the efforts of Chief Mello and his team for their efforts and research and giving the schools some sort of security. He asked if the plan would be implemented right away.

Chief Mello stated communications' have only just begun and that they would have a full report shortly.

Mayor Blake also commented he would be available for any additional questions.

7. Unfinished Business

None.

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

8a. Ald. Veccharelli and Ald. Anderson made and seconded a motion to approve the request for appointment of (U) John W. O'Neil, 133 North Street, from an alternate to a regular member of the Historic District Commission to fill the present vacancy (five-year term expiring 1/1/17), and for the appointment of (D) Timothy Chaucer, 104 Hawley Avenue, as an alternate member of the Historic District Commission to complete the unexpired term of (U) John W. O'Neil (term expiring 1/1/17). Motion carried unanimously.

8b. Ald. Veccharelli and Ald. Nunno made and seconded a motion to approve the request for the appointment of (D) John J. Collins, Jr., 12 Brookdale Avenue, from an alternate to a regular member of the Zoning Board of Appeals to fill the present vacancy (five-year term expiring 12/31/17), and for the appointment of (U) William Soda, 35 Edgemont Road as an alternate member of the Zoning Board of Appeals to complete the unexpired term of (D) John J. Collins, Jr. (term expiring 12/31/14). Motion carried unanimously.

8c. Ald. Veccharelli and Ald. Golden made and seconded a motion to approve the request for the appointment of (D) Christopher Thomas, 9 Argyle Road, as an alternate member of the Historic District commission (South of the Green) to fill the present vacancy (term expiring 1/1/17). Motion carried unanimously.

8d. Ald. Veccharelli and Ald. Golden made and seconded a motion to approve the request for the reappointment of (D) Daniel Worroll, Jr., 457 Swanson Crescent, as a member of the Golf Commission (three-year term expiring 12/31/15). Motion carried unanimously.

City Clerk Linda Stock swore in Mr. Chaucer and Mr. Collins to their respective appointments.

8e. Ald. Veccharelli and Ald. Golden made and seconded a motion to approve the request for Resolution RE: Grant Application for Department of Human Services. Motion carried unanimously.

8f. Ald. Veccharelli and Ald. Nunno made and seconded a motion to approve the request for Resolution RE: Grant Application for Youth and Family Services Activities. Motion carried unanimously.

8g. Ald. Veccharelli and Ald. Nunno made and seconded a motion to approve the Resolution RE: Grant Application for State Department of Social Services. Motion carried unanimously.

8h. Ald. Veccharelli and Ald. Golden made and seconded a motion to approve the request for Information Sharing Agreement between The United Illuminating Company and the City of Milford, and to authorize the Mayor to sign said agreement and any other documents associated with this agreement necessary to effectuate the terms therein.

Ald. P. Smith asked about the agreement between the City and UI and the issue of citizens with medical needs. She expressed concern with any HIPPA regulations.

Mayor Blake noted Michael Stein, Milford's liaison was present and could answer any questions. Mayor Blake stated this agreement gives Milford access to GIS information and also about citizens with medical needs. He started it is part of the impetus of asking for this after storm Sandy.

Mr. Stein stated this is a non-disclosure issue that this information is not to be disclosed.

Ald. P. Smith asked if the information would also be used for first responders.

Mayor Blake replied yes. He stated that is another reason, if not the main reason this has come about. He explained during storm Sandy when the EOC was activated they contacted United Illuminating to see what residents may be vulnerable.

Attorney Berchem stated it was his assumption that UI has vetted this to make sure the City is covered.

Ald. F. Smith stated it appears the document is generated by UI and seems very comprehensive and boilerplate. He asked about sharing information with other agencies.

Mr. Stein stated there are 17 towns overall and that they have received 8 or 9 requests. He continued with an explanation of the process.

8i. Ald. Veccharelli and Ald. Golden made and seconded a motion to approve the request of Susan Harris and Peter Spalthoff, owners, for the release of two (2) parking spaces from the downtown parking easement on property known as 26-28 Broad Street and a finding that the request release of two (2) parking spaces will not adversely affect the availability of downtown parking in the Downtown Parking facility of which 26-28 Broad Street is a part.

Ald. P. Smith stated some points were brought up to Attorney Curseaden during the public hearing. She also expressed concern this Board would be opening up a “can of worms”. She asked if there is a recommendation from EDC and also any legal issues as to Planning and Zoning and their approval.

Ald. Anderson commented this property lies within the district represented by himself and Ald. Nunno and Vitali. He stated he wished to invoke personal privilege to Mr. Spalthoff and Ms. Harris to speak. Ald. Anderson also stated he has walked the property. He stated he was looking for clarification as to the property line and the parking lot of Colony Grill and his building.

Mr. Spalthoff stated his building is located on the right side of the Colony Grill and that he owns 8” on the other side.

Ald. Anderson asked if there is a space being used for a loading zone, i.e. groceries, etc.

Mr. Spalthoff stated they physically live there and have been there over a year. He explained there is a space behind his building which they use 95% of the time. Mr. Spalthoff also stated he sent letters to the adjacent property owners, who have stated they have no problem with the two spaces. He stated very few people know those parking spaces are even there.

Ald. Anderson stated this Board is being asked to act on two spaces. He asked Mr. Spalthoff if one space would suffice.

Mr. Spalthoff replied yes, it would work.

Ald. Shaw spoke in follow up the comments made by Ald. P. Smith. She stated she was on the Planning and Zoning Board in 2010 when they granted the 8-24 impropriety. She stated her recollection was they failed to state whether the space would adequately affect parking. She asked for clarification from the City Attorney.

Attorney Berchem referred to the minutes of the Planning and Zoning Board's April 2009 meeting where the Chairman found no problem with parking adequacy. He stated in October 2010, language from the City Planner that stated parking had no impact and he recommended the 8-24 request. Attorney Berchem explained the easement is from 1978 and required a finding from Planning and Zoning and this Board. He stated Section 7-163 that Attorney Curseaden cited required a public hearing, which was done. He stated it is the opinion of his office that Planning and Zoning complied with that.

Ald. Giannattasio asked if they invested in a parking study. He stated he sounded like they were here by default. He questioned how the Board could make any decision without a parking study.

Mr. Spalthoff stated he recalled he was given an option to come back to this Board. He stated his request tonight is out of necessity and safety. He stated there is no easement out his back door and that you walk right into a parking space. He spoke of an incident where his wife was nearly hit by a car. Mr. Spalthoff stated he has not done a parking study. He explained when he was first building he had an attorney who he assumed did his due diligence.

Ald. Giannattasio stated he felt this Board needed more information in order to make a decision.

Mr. Spalthoff stated he was here tonight asking the Board to release one space that is within 8' of his building.

Ald. Giannattasio stated there are other people in the same position that may want the same.

Ald. Veccharelli stated he feels for Mr. Spalthoff and understands the situation he is in. He commented he has built a very nice place and it seems that Planning and Zoning looked into this and they would have realized there was not adequate parking to build this and now he is having issues. Ald. Veccharelli stated those parking spaces were collectively gathered for the public. He stated even allowing one space to be taken back would open a Pandora's box. He stated he understands the door opens right into the parking lot and suggested working towards creating a strip with a boundary of some sort so they can exit the facility. Ald. Veccharelli stated he was sorry to say he is not in favor of giving up a parking space. He stated he believed it would have an adversary affect on that area and others would ask for the same.

Mr. Spalthoff pointed out he was looking for a 3' x 5' space.

Chairman Vetro asked Mr. Spalthoff if his plans included a parking space when he submitted them.

Mr. Spalthoff replied Planning and Zoning gave them all 6 spaces in their proposal.

Ald. P. Smith commented in 1978 when the easement came through there was not as much focus on mixed-use, so it is not surprising this is coming up. She also thanked Attorney Berchem for the clarification as to Planning and Zoning. She stated she wanted to be sure Planning and Zoning ruled appropriately.

Attorney Berchem emphasized he was not saying there would not be a claim, but that the easement requires that Planning and Zoning and the Board of Aldermen find there is no adverse impact. He stated Planning and Zoning addressed the matter.

Ald. P. Smith maintained the property is all contiguous and questioned how it would work.

Mr. Spalthoff stated he has been plowing those two spaces. He stated if this came to fruition he would put up a sign. He reiterated he has been taken care of the area.

Ald. Vitali stated he has two questions, first did Planning and Zoning properly release those spaces; and second, in a letter to the City Planner it implies it is the responsibility of Planning and Zoning to release those spaces. He stated it was also his understanding that Colony Grill did not agree with the release of those spaces.

Attorney Berchem stated with regard to a vote by Planning and Zoning, he stated they made a finding on the 1978 easement.

Attorney Curseaden stated he has spoken with R. Barton who is a member of the LLC who owns the property where Colony Grill will be located and he has not received anything. He also respectfully disagreed that Planning and Zoning made a finding that there is adequate parking. He stated the easement has been on the land records since 1978. Attorney Curseaden also stated he told the City Planner that there was a parking easement and that it was not shown on the drawing or discussed at the hearing, where the Planning and Zoning Board went ahead and made a finding of adequate parking. He stated the statement was in the chain of title until Mr. Spalthoff made the purchase. He also pointed out tenants, not property owners gave a positive response to Mr. Spalthoff. Attorney Curseaden stated there has been a claim for the parking spaces since the beginning. He also pointed out he was not allowed the opportunity to speak at that Planning and Zoning hearing.

Ald. Golden stated she too was on the Planning and Zoning Board at that time. She recalled at one point there were 6 parking spaces as requested, then 2.

Mr. Spalthoff stated it was reduced after hearing from Attorney Curseaden.

Ald. Golden commented Mr. Spalthoff lives there and she did not see how 1 or 2 spaces would affect the downtown.

Mr. Spalthoff stated it was the owner of Harrisons who signed the approval as well as the owners of Colony Grill.

Ald. Veccharelli requested a 5-minute recess. The Board recessed at 8:48 p.m.

Chairman Vetro reconvened the Board in public session at 8:50 p.m.

Ald. Shaw stated two issues have come up. She spoke of the plan of Conservation and Development and to Ald. P. Smith point, parking for residents. With regard to the easement, she recognized being on the Board and how the permit went through the process. She continued speaking regarding the Plan of Conservation and

Commission. She also acknowledged the current owner must find parking within that lot. She stated she is not going to support either 1 or 2 spaces.

Ald. P. Smith stated it has become clear there is a need as to what to do for mixed uses in the downtown area. She stated her preference would be to refer this back to Planning and Zoning, although she was not sure she would get that support from her colleagues. She stated there clearly is an issue.

Chairman Vetro expressed concern that a car could actually hit Mr. Spalthoff's door and in fact his wife was nearly knocked over. He also stated he was concerned gave a permit without thought. He stated he would entertain a motion to table any action until the Board can get some clarification.

Ald. Shaw referred to the minutes of the Planning and Zoning meeting where they worked under the assumption that this was parking for Mr. Spalthoff and they unanimously granted the 8-24. She stated a denial by this Board would send this back to Planning and Zoning for action.

Chairman Vetro expressed his concern for life safety.

Ald. P. Smith and Ald. Anderson made and seconded a motion to table the matter.

By roll call vote, motion failed 5 yes (Anderson, Golden, F. Smith, P. Smith, Vetro) and 8 no (Dickman, Gasper, Giannattasio, Nunno, Shaw, Stanford, Veccharelli, Vitali).

On the main motion, motion failed 10 no (Anderson, Dickman, Gasper, Giannattasio, Nunno, Shaw, F. Smith, Stanford, Veccharelli, Vitali) and 3 yes (Golden, P. Smith, Vetro).

8j. Ald. Veccharelli and Ald. Nunno made and seconded a motion to approve the request to Amend the City of Milford Capital Improvement Plan 2012-2017 (as adopted by the Board of Aldermen on November 8, 2012) to add the project: Various School Security Upgrades.

Ald. P. Smith asked if they were being asked to amend the original plan and then amend the Ordinance.

Mayor Blake explained the Ordinance allows them to seek reimbursement from the State. He stated the request from the Board of Education was that it be included in the Capital Improvement Plan. He also stated this was something the Board of Education requested last year in the Capital Improvement Plan and that it was being moved up.

Ald. P. Smith reiterated the concerns she raised during the Ordinance Committee meeting. He stated in light of the work of the school security committee she was concerned the Board did not have the correct numbers at this point. She stated she would prefer to wait until that group has completed its work and this Board has had the opportunity to see their report and findings. She stated she is not convenience the right numbers are before them tonight.

Mayor Blake stated all this item does is place this item on the Capital Improvement Plan and makes the City eligible for reimbursement.

Ald. P. Smith stated she expressed her concerns during the Ordinance meeting regarding the school security working group which is looking at these items. She stated she is concerned the right numbers are in place and suggested the Board wait until that group has done its work and submitted their report. She reiterated she is not convenience the right numbers are in place.

Mayor Blake explained the action required allows the City to place it on the CIP and make it eligible for reimbursement.

Ald. P. Smith asked how the Board would modify the amount should the working committee recommend a higher amount.

Mayor Blake explained the State Department of Education and School Construction require that any project eligible for reimbursement is identified by the school.

Ald. P. Smith pointed out the Ordinance had not yet been approved and suggested the Ordinance be approved first.

Mayor Blake stated they needed to approve this before approving item 8l. He stated within that Resolution is reference to this project in the CIP.

Motion carried unanimously.

Ald. Anderson and Ald. Stanford made and seconded a motion to re-order the agenda and bring forward item 12a. Motion carried unanimously.

Ald. Anderson requested a 5-minute recess. The Board recessed at 9:13 p.m.

Chairman Vetro reconvened the Board in public session at 9:22 p.m.

Ald. F. Smith reported the Ordinance Committee met earlier in the evening to consider three Ordinance and voted to forward them to the full Board of Aldermen for consideration.

12a-1. Ald. F. Smith and Ald. Golden made and seconded a motion to approve An Ordinance Appropriating \$3,028,825 For The Design And Construction Of Sanitary Sewers And Authorizing The Issuance Of \$3,028,825 Bonds Of The City To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose. Motion carried unanimously.

12a-2. Ald. F. Smith and Ald. Shaw made and seconded a motion to approve An Ordinance appropriating \$7,326,600 For Various Public Improvements And Authorizing The Issuance Of \$7,326,600 Bonds Of The City To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose.

Ald. P. Smith asked for clarification from the City Attorney for increasing or decreasing a bond authorization.

Attorney Berchem stated he had a minor correction from the Ordinance Committee meeting regarding the 5% figure. He stated in terms of a reduction of greater than 5%, it does not have to be re-noticed, which he stated is the opinion of bond counsel.

Ald. P. Smith asked if the intention of the \$5,500,000 is for sidewalks and paving and if it has gone out to bid. She stated at this point she would make a motion to reduce the amount to \$715,000, which is the usual amount bonded for road work and at a later date amend the amount for the sidewalk.

Ald. P. Smith and Ald. Vitali made and seconded a motion to amend the main motion to reduce the \$5,500,000 to \$715,000 for further consideration with more detail regarding the project.

Ald. Veccharelli stated there are hundreds of sidewalks that need to be repaired from the trees that have lifted them up. He stated if someone were to fall and they sue the City we are liable. He said it just is not right to neglect and is just not right. Ald. Veccharelli stated the amended figure would not fix the amount of sidewalks in need of repair, which he pointed out is the bulk of the work. He noted it is a lot of money, but in the best interest of the city to get the work done.

Mayor Blake stated each year monies are expended for projects. He stated the city has a duty and responsibility to do so. He also referenced the city's Plan of Conservation and Development which was approved by this Board. He stated the plan focuses on safe pathways to and around our schools, downtown area and the city's beaches and parks. Mayor Blake stated in the past he has objected to fancy sidewalks, but these sidewalks are simple concrete sidewalks. He also spoke to the number of calls he receives each day for requests to have sidewalks repaired. He noted the list is lengthy and that once he receives a call regarding a particular sidewalk the city is then on notice.

Ald. Dickman thanked the Mayor for his comments and hard work. He also stated he understands how easily the City could spend this amount of money. He stated he would like to see some type of plan and assurance that his constituents will be represented appropriately.

Mayor Blake stated the Plan of Conservation and Development as well as the Capital Improvement Plan note those areas that have been identified. He recognized the Public Works Director who he stated could speak to a list.

Mr. Kolwicz stated he and the Mayor have toured the City and have identified a number of areas. He explained they break it into four sections and then give each area some attention. He also noted there are some areas where there are no sidewalks. Mr. Kolwicz spoke of the collaboration with the walkable Milford initiative. He also noted some of this work has been on the books for 15 years. As to pricing, Mr. Kolwicz explained they put out a citywide contract and state bid for paving. He stated there would also be patch along the gutter line and that they are making every attempt to address all districts.

Ald. Giannattasio asked about Anderson Avenue.

Mr. Kolwicz replied there are a number of repairs over there, including five corners.

Ald. P. Smith stated her request was to see what the bid request would look like. She stated it is one thing to prioritize, but that it was important to get back to the taxpayers. She asked how far the \$4,800,000 would take

them. She also stated she would like to see a list, adding she is concerned for all citizens and looking for transparency and how much this will cover. She referred to the school project where the number changed many times and now it is costing even more.

Ald. Vitali asked for a plan of action and scope of work. He also spoke of the bidding process and going out to bid before we know exactly what is going to be spent. He asked if the \$5,500,000 is similar to a contingency and the work is done until it is all spent. He also recalled it was this mayor when he was an aldermen who demanded a list of the streets that would be repaired.

Mayor Blake replied a list is published for the streets to be paved. Regarding the bidding, he explained the city has always authorized the bonding and what can be spent and that they have always bonded and then gone out to bid. He also reminded the Board the money is not spent until the work is done.

Ald. Vitali asked if the sidewalk work is a priority so that the kids can walk to school and then there becomes the possibility less transportation is needed and the school transportation budget can then be reduced.

Mayor Blake stated there were two plans this Board approved in the Plan of Conservation and Development which lays it out.

Ald. Vitali commented it is more a flex plan.

Mr. Kolwicz stated over the last two years they have working on the sidewalk initiative and started at Seaside Avenue to Laurel Beach and those streets that lead up to all the schools. He explained that is part of the walkable Milford initiative.

Ald. Shaw stated the Plan of Conservation and Development is really not a flex plan, but outlines key areas and it fairly specific and includes walkways to schools, beaches, etc. He stated it also keeps safety in mind and is very important to our infrastructure and the safety of our children.

Ald. Vitali asked if this is not a flex plan if all of the \$5,500,000 would fix all the sidewalks.

Ald. Giannattasio stated he was looking for transparency. He stated he is an alderman in the first district and that he did not know the basketball courts at Anderson Avenue were being done as part of this.

Mr. Kolwicz stated he wanted to be clear that was not part of this plan.

Ald. Giannattasio asked if the Mayor's office could identify each project.

Mayor Blake stated these projects do come through his office, but that it is self-contained within the Public Works Office.

By roll call vote, the amendment failed 12 no (Anderson, Dickman, Gasper, Giannattasio, Golden, Nunno, Shaw, F. Smith, Stanford, Veccharelli, Vetro, Vitali) and 1 yes (P. Smith).

On the main motion, motion carried unanimously.

12a-3. Ald. F. Smith and Ald. Golden made and seconded a motion to approve An Ordinance Appropriating \$8,522,060 For Various School Improvements And Authorizing The Issuance Of \$8,522,060 Bonds Of The City To Meet Said Appropriation And Pending the Issuance Thereof The Making Of Temporary Borrowings For Such Purpose.

Ald. P. Smith stated she wished to follow up regarding comments she made during the Ordinance Committee meeting regarding security upgrades. She stated she would recommend a reduction to \$0 for security upgrades based on the work of the school security working task committee. She stated she recognized the importance of security, but that she would like to wait for the recommendations of the group. She stated she is reluctant to spend taxpayer money and then have the group make a different recommendation. Ald. P. Smith also questioned the East Shore Middle School project which originally was to cost \$16,000,000, but this Board bonded \$12,000,000 and then in July the Chairman of the Permanent School Facilities stated they could get the project done for \$15,000,000, plus contingency and financing for a total of \$18,000,000. She stated now it is another number bringing the project close to \$20,000,000 and recalled the project was originally \$16,000,000 and now has a Phase III. She stated it is important she be able to explain to the taxpayer how the project has gone from \$12,000,000 to \$20,000,000. Ald. P. Smith stated this Board did not properly fund this project from the beginning.

Ald. Vitali stated the fact remains even if the amount is \$0 the project would be at a standstill. He stressed the need to get the learning project done. He stated there was a letter from the Permanent Schools Facilities Building Committee Chairman requesting an additional \$2,000,000. He also spoke of the Committee's efforts toward value engineering. He also stated every time the Committee comes back for money it costs more in the long run. He reiterated the Committee needs an additional \$1,600,000 to get the project done the right way and asked the Board to think about it.

Ald. Vitali and Ald. Giannattasio made and seconded a motion to amend the bond authorization from \$8,280,060 to \$9,880,060, which represents a \$1,600,000 increase for the East Shore Middle School project.

Ald. Shaw stated she has been following this project. She stated the numbers this Board is being asked to consider came from the Board of Finance and asked what exactly the \$1,600,000 would bring to the East Shore Middle School Project.

Ald. Vitali stated he would like to defer to the Chairman of the Permanent Schools Building Committee, Matthew Woods.

Ald. Veccharelli stated what strikes him is the fact they are looking for a fully functional cafeteria for the school when the food is only heated at the school. He stated he had reservations about adding \$1,600,000 for a cafeteria. He also stated the cost keeps going up and up because the cafeteria work was not in the original plans.

Ald. Anderson pointed out the proposal in front of them was for \$8,522,066 and that this Board's hands are tied within the 5% cap. He also stated the letter that Ald. Vitali referenced was not share with this Board in a timely basis. He reiterated the amended amount exceeds the 5% cap.

Attorney Berchem responded that Ald. Anderson was correct in that this would exceed the 5% increase and require re-notice.

Ald. Stanford raised a point of order. She noted the presence of Dr. Feser and members of the administration were present and stated she would like to hear from someone before voting.

Ald. F. Smith stated he too agreed with Ald. Vitali that this Board should hear from the Chairman of the Permanent School adding it would be beneficial to hear from that Committee.

Chairman Vetro asked Mr. Woods if he wished to comment at this time.

Mr. Woods deferred his time to Tracy Casey, Chairman of the Board of Education for comment.

Mrs. Casey stated she wished to clarify some misinformation. She stated the cafeteria was always a part of the project and in fact was the highest priority. She stressed the cafeteria and costs are not a new component of this project. Mrs. Casey also pointed out the upgrades are from the school board's prospective. Mrs. Casey stated the upgrades at the school are for the school and our children. She stated she would not turn the microphone over to Mr. Woods for additional comment.

Ald. Veccharelli read from the minutes of the Permanent School Facilities where Committee member Saley stated "the cafeteria is functional as it is." Ald. Veccharelli continued reading from the minutes. He stated this project keeps growing, growing and growing. He stated nothing more needs to be added to the school and that it will be a beautiful school. Ald. Veccharelli stated he is comfortable with the amount of money he has authorized to date.

Ald. Giannattasio stated in the spirit of compromise if the amount could be increased to the 5% amount then it would not have to be re-noticed. He also addressed the issue of the bathrooms at the school which he stated were designed for a young child. He also stated for the record that the cafeteria was on the original plan. Ald. Giannattasio stated he is in favor of the bathroom work and expressed his hope his colleagues would feel the same.

Ald. Dickman stated he would like to hear from anyone that has the understanding that Mrs. Casey has.

Mr. Richetelli stated he would be happy to answer any questions.

Ald. Dickman asked about Ald. Veccharelli's claim that the cafeteria work is an option, yet Mrs. Casey stated it is an integral part of the project.

Mr. Richetelli stated the kitchen at East Shore Middle School is not a warm up kitchen. He stated food is cooked at the school every day and in fact at all of the schools. He explained many, many years ago meals were prepared at Law. He also stated this cafeteria was an integral part of the plan. He provided some background as to the school, explaining East Shore Middle School is the smallest of the three middle schools and that the serving area in the cafeteria is not standard cafeteria style. He reiterated the cafeteria work is a very important part of the project as well as egress and ingress and flow to and from the cafeteria. Mr. Richetelli stated from the beginning the proposed work was the cafeteria, media center, 8 classroom addition and art/music wing.

Mayor Blake commented he was a member of the first graduating class from East Shore Middle School. He stated in the last 20 years there has not been a lot done at the school. He went on to explain the history of the

project at the school starting with the bonding last year for the architectural and design work. He stated at the end of this project it will be a state of the art school. He stated one must have that he requires is that all construction has educational value. He also pointed out he has asked the members to go back and value engineer the project. Regarding the kitchen as mentioned by Ald. Veccharelli, Mayor Blake stated he has asked the Committee to go back and take a second look and find a way to whittle down the project. He stated he would ask the Board to approve the bonding as presented, pointing out there are 13 other schools have will need work as well.

Ald. P. Smith commented this whole issue felt like déjà vue and asked where it would all end. She stated Ald. Vitali's motion is to get this project done, but based on what she is hearing she feels stronger this should not be approved this motion. She stated input is needed from the Permanent School Facilities Building Committee and asked for their recommendation. She stated it is important to do it right. Ald. P. Smith also stated she agrees with the Mayor that spending needs to stop and that there are just too many concerns to approve the \$8,200,000.

Ald. Shaw recalled this Board approved the \$12,000,000 and to her recollection this was never intended to be a state of the art facility. She recalled there were teachers on carts which they were trying to eliminate as well as overcrowding in the school. She stated her question would be is whether the addition gets those teachers off carts and has the overcrowding been relieved. She stated now there is talk about canopies, smartboards, etc. and it appears the general aim has been lost. She stated the school just needs to be brought into parity with the other middle schools.

Ald. F. Smith asked Chairman Vetro to invite Mr. Woods to speak.

Mr. Woods stated he has been the Chairman of the Permanent School Facilities Building Committee since November 1987 when then mayor Jagoe appointed him. He stated the Committee has worked on 18 major expansion and renovation projects at both high schools, middle schools and John F. Kennedy Elementary, Orchard Hills Elementary, Orange Avenue Elementary and Matthewson School Elementary. He also stated there has been asbestos removal at the schools as well as window replacement and code compliance. He stated the schools have also been converted over to gas. He stressed the Committee does not decide what to build, but that they have executed orders from the Board of Education and Milford Public Schools. Mr. Woods stated with regard to East Shore Middle School the Committee was asked to put in 8 classrooms. He stated the Committee did not decide on a cafeteria, however, they were told of its necessity. Mr. Woods explained you can never know the cost of a project until that day and went on to explain the bid process for the East Shore Middle School expansion and renovations project. He also explained the contingency and financing which is a part of every project. Mr. Woods stated because the total funding of this project was \$12,000,000 they had to break out the contingency and financing and break out the project into two phases. He stated that project is underway, which includes the 8 classrooms, media center, cross connection and art/music wing. He stated it is essential that Phase II be completed so that they can get the school done, i.e. sprinkler work, which they have to do to get permission to occupy the school, mechanical work, cafeteria/kitchen work and window work. Mr. Woods explained with the window work there is always the unknown because of PCB and asbestos work. He stated the bids were \$10,860,000 for Phase I. He stated the reason he sent the letter was that the building committee needed to get the work done in Phase II (\$7,017,000) included in the appropriation from the Board of Finance, plus contingency and financing for a total of \$8,280,060. He stated the building committee has been struggling with how to complete the work without the canopy, FF&E, bathroom work, lockers, security, environmental construction administration and materials testing. Mr. Woods stated the committee has been working diligently trying to value engineer the project and that the committee is prepared to do everything it can

to complete Phase II. He stated he sent the letter because the building committee asked him to so that the aldermen could understand the need for those funds, i.e. canopy, bathrooms, furniture (for the 8 classrooms and media center), lockers, smartboard, network equipment, security equipment, construction administration, environmental, materials testing, contingency, which he stated they would not spend if they did not need to. He stated with the additional \$1,600,000 East Shore Middle School would be complete and no additional money would be spent at the school in our lifetime. Mr. Woods went on to explain the phases at the high schools, both Foran and Law. He stated at West Shore Middle School there were two projects done, but that the school still needs more work. He stated John F. Kennedy Elementary, Mathewson Elementary, Orange Avenue Elementary and Orchard Hills Elementary schools all have had media center and classroom additions. He stated there still is roof work and asbestos work that needs to be done. He reiterated this would complete work at East Shore Middle School and emphasized this phase need to be approved to complete that work. He stated the Committee will continue to do its best with value engineering. As an example, he stated the Committee is considering not doing the roof work in the gym area this year. He also stated they have considered reducing the number of windows in a classroom, media center, cafeteria, etc. Mr. Woods also reiterated if the Board does give the committee the contingency they would not spend it unless they had to. He stated he too is a taxpayer in this city and that his children have already graduated from Milford schools so they will not see the benefits of this work, but that it is the city's future. He asked the Board to fund the bond but reminded them they would have to come back for a Phase III because there will be 8 empty classrooms and a media center. He stated he understood the legalities of the bonding Ordinance, but there will be another phase because the school will need furniture, bathroom renovations and eliminating the bathroom odor.

Ald. Veccharelli asked about the kitchen/cafeteria renovations and noted a member of the building committee feels the current kitchen is adequate.

Mr. Woods replied just as the committee does not decide what to build, the committee does not decide what not to build. He stated the cafeteria/kitchen is what the building committee was charged to build. He stated it was designed by the architect and went out to bid. Mr. Woods stated they could negotiate an add alternate, but they would have to negotiate with the contractor and in the long run you don't save any money.

Ald. Veccharelli asked the additional funds the building committee would like to see.

Mr. Woods stated the \$450,000 of contingency. He stated the committee would continue value engineering to save money without compromising the integrity of the product.

Ald. Veccharelli asked what the bathroom work would entail.

Mr. Woods explained the bathrooms would basically be gutted and be replaced with new fixtures, pipes, valves and fixtures to accommodate middle school students.

Ald. Veccharelli asked how many bathrooms.

Mr. Woods replied 6. He stated with regard to the cafeteria there are approximately 550 students in three lunch waves. He also stated the kitchen equipment is roughly \$16,000, but that the work also includes improving the flow so that the students are not bumping into one another.

Ald. Veccharelli asked if there would be a new kitchen.

Mr. Woods replied yes. He explained they would be extending the current cafeteria. He stated they have cut back some aesthetic features, but there is nothing more to cut without comprising the project.

Ald. Veccharelli asked about air conditioning for the 8 classrooms and what phase it was included in.

Mr. Woods explained the media center is scheduled to be air conditioned under the current scope. He commented the same member of the committee is adamant that those classrooms have air conditioning. Mr. Woods also noted that the Building Supervisor for Milford Public Schools has stated his staff spends weeks getting air conditioning units into the windows at the school. He stated the committee is exploring air conditioning. He stated with the HVAC on the roof the cost is likely \$35,000.

Ald. Veccharelli asked if the aldermen were to fund additional monies, if the committee could include it into the scope of work in Phase II.

Mr. Woods replied yes. He stated the bathroom renovation, canopy and FF&E have already been out to bid.

Ald. Vitali repeated his motion was to add an additional \$1,600,000 for a total bonding package of \$9,980,060 from \$8,280,060. He asked for clarification that this would need to be re-bid.

Ald. F. Smith questioned if there was another amendment being proposed.

Ald. Giannattasio stated he did not make a motion, but that he made a suggestion the Board consider additional funds to get the project done in its entirety.

Ald. Vitali asked how long it would take for re-notice.

Mayor Blake stated it would likely take a month.

Ald. Veccharelli stated if there were going to increase this they could not go over the 5%, which amount to a dollar figure of \$414,000.

Note: Ald. J. Golden left at 11:10 p.m.

By roll call vote, the amendment failed 8 no (Anderson, Gasper, Nunno, Shaw, F. Smith, Stanford, Veccharelli, Vetro) and 4 yes (Dickman, Giannattasio, P. Smith, Vitali).

Ald. Giannattasio and Ald. P. Smith made and seconded a motion to amend the bond authorization to increase it by 5% of the bonding of \$8,280,060, which will enable the bathroom work to be added, for a total increase of \$414,000.

Ald. Anderson asked the reason by specifying that it be for bathroom renovations. He suggested proposing an increase of \$414,000.

Ald. Giannattasio and Ald. Veccharelli made and seconded a motion to amend the motion to amend the bond authorization to increase it \$414,000 for a total new bond of \$8,321,460.

Ald. Giannattasio expressed his hope the additional funds would be used for the bathroom renovation.

Ald. Veccharelli expressed his appreciation of the bipartisan spirit, adding it was a start in the right direction.

Motion carried unanimously.

On the main motion, motion varied unanimously.

8k. Ald. Veccharelli and Ald. Nunno made and seconded a motion to approve the request for Resolution Re: Cash Advance for Various School Improvements – 2013. Motion carried unanimously.

8l. Ald. Veccharelli and Ald. Nunno made and seconded a motion to approve the request for Resolution Re: Milford board of Education Concerning East Shore Middle School Phase II. Motion carried unanimously.

8m. Ald. Veccharelli and Ald. Nunno made and seconded a motion to approve the request for Resolution: Milford Board of Education concerning Various School Security Upgrades. Motion carried unanimously.

8n. Ald. Veccharelli and Ald. Nunno made and seconded a motion to approve the request for Resolution: Cash Advance for Various Public Improvements – 2013. Motion carried unanimously.

8o. Ald. Veccharelli and Ald. Nunno made and seconded a motion to approve the request for Resolution: Cash Advance for the Design and Construction of Sanitary Sewers – 2013. 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. Nunno made and seconded a motion to approve Consideration of Refunds in the amount of \$30,379.00. Motion carried unanimously.

12. Report of Standing Committees:

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.

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 BCP Properties, LLC v. City of Milford
Re: 41 River Street
- 14b. Consideration of settlement of The Pearl Corporation v. City of Milford
Re: 318-322 New Haven Avenue
- 14c. Consideration of settlement of Stepney, LLC v. City of Milford, et al
Re: 75 Milford Point Road

Ald. Shaw and Ald. Veccharelli made and seconded a motion to enter Executive Session to consider Items 14a, 14b and 14c.

Chairman Vetro noted item 14d had been removed from the agenda. He announced those going into Executive Session for Items 14a, 14b and 14c would be the full Board, Mayor, City Attorney and City Assessor. The Board adjourned to Executive Session at 11:30 p.m.

Chairman Vetro reconvened the meeting in public session at 11:45 p.m.

Ald. Veccharelli and Ald. Nunno made and seconded a motion to authorize the City to enter into settlement RE: BCB Properties, LLC v. City of Milford, 41 River Street, in accordance with the recommendations of the City Assessor and City Attorney as discussed in Executive Session. Motion carried unanimously.

Ald. Veccharelli and Ald. Nunno made and seconded a motion to authorize the City to enter into settlement RE: The Pearl Corporation v. City of Milford, 318-322 New Haven Avenue, in accordance with the recommendations of the City Assessor and City Attorney as discussed in Executive Session. Motion carried unanimously.

Ald. Veccharelli and Ald. Nunno made and seconded a motion to authorize the City to enter into settlement RE: Stepney, LLC v. City of Milford, et al, 75 Milford Point Road, 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. Nunno and Ald. Dickman moved to adjourn at 11:47 p.m. Motion carried unanimously.

Respectfully submitted,

Kathleen K. Huber
Recording Secretary