

**BOARD OF ALDERMEN
REGULAR MEETING
JANUARY 8, 2024**

The Board of Aldermen of the City of Milford held their regular meeting on Monday, January 8, 2024, in the Aldermanic Chambers at City Hall. Chairman Vetro called the meeting to order at 7:30 p.m. Chairman Vetro asked those present to join in saluting our flag and reciting the Pledge of Allegiance.

1. Roll Call

Board Members

M. Arciuolo, II
E. Beatty
B. Bevan
M. Casey
J. Frederico
P. Healy
A. Fowler
J. Jenkins
S. Marlow
H. Mulrenan
R. Pacelli, Jr.
W. Smith
P. Vetro
R. Vitali
W. Willis

Also Present

Mayor Anthony S. Giannattasio
J. Berchem, City Attorney
K. Fortunati, City Clerk
P. Erodicti, Finance Director
J. Rosen, Chief of Staff

Excused:

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.

R. Smith, spoke concerning the reappointment of incumbents to boards and commissions. He discussed institutional knowledge of board and commission members.

P. Smith, 65 Old Field Lane, spoke concerning appointments to the Fire Commission and the quality of Milford's Fire Department.

3. Consideration of the Minutes of the Regular Meeting of the Board Aldermen held on December 4, 2023.

Ald. Pacelli and Ald. Arciuolo made and seconded a motion to approve the minutes of the Regular Meeting of the Board Aldermen held on December 4, 2023. Motion carried unanimously.

4. Consideration of the Minutes of the Special Organizational Meeting.

None

5. Chairman's Report and Communications

Chairman Vetro reminded everyone of Martin Luther King Day on Monday, January 15th.

6. Mayor's Report and Recommendations

Mayor Giannattasio wished all a happy new year and welcomed everyone to City Hall. He discussed appointments to board and commissions. Mayor Giannattasio mentioned Martin Luther King celebrations scheduled for next week. He stated the budget is underway and he looks forward to presenting the Mayor's budget next month. He requested consideration on items 8a through 8f. Mayor Giannattasio announced the following appointments:

Milford Council on Aging, two-year term expiring 12/31/25

(D) Stephen Beres, 339 Meadowside Road, Unit A, 06460, reappointment

(D) Benjamin D. Gettinger, 93 Thompson Street, 06460, reappointment

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

(R) John C. Drapp III, 41 Jackson Drive, 06460, reappointment

Conservation Commission, three-year term expiring 12/31/26

(D) Cheryl B. Cappiali, 234 Grinnell Street, 06461, reappointment

(D) Claire Casey, 86 Governors Avenue, 06460, reappointment

(U) Catherine Williams, 121 Hilltop Circle, 06460, reappointment

(U) Abigail Bernstein, 519 West River Street, 06461, new appointment, term to expire 12/31/25

Inland Wetlands Agency, three-year term expiring 12/31/26

(R) Brian Black, 21 Milford Chase, 06461, new appointment

Milford Redevelopment & Housing Partnership, five-year term expiring 12/31/28

(R) Samuel S. Bergami III, 16 Mayflower Court, 06460, reappointment

Veterans Graves Preservation Commission, 1-yr term expiring 12/31/24

(U) Thomas Cody, Jr., 13 Dock Road, 06460, reappointment

(R) Patrick Tokarz, 155 Castle Lane, 06460, reappointment

7. Unfinished Business

None.

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

Chairman Vetro requested a motion to reorder the agenda to bring item (8f) forward so all Board and Commissions and may be voted on together.

Ald. Pacelli and Ald. Marlow made and seconded a motion to bring item (8f) forward. Motion carried unanimously.

(8a) Mayor's Appointments to Boards and Commissions:

Ald Pacelli and Ald. Federico made and seconded a motion to divide the question and agenda item so that the Board will consider all of the items set forth in item (8a) other than the Board of Finance, Fire Commission and Parks, Beach and Recreation Commission separately and then to take on the question of the Board of Finance, Fire Commission and Parks, Beach and Recreation Commission as a second item.

Ald. Smith asked for reasoning for dividing the question. Chairman Vetro stated the motion does not allow for discussion. Mayor Giannattasio stated he would like an explanation as citizens have volunteered to serve and are here this evening. He stated the names were presented and accepted at the leadership meeting. Mayor Giannattasio asked for an explanation as to the change. Ald. Pacelli's stated the reason is the list is long and the purpose is to divide the list into 2 groups.

Motion passed 8 in favor (Arciuolo, Beatty, Federico, Healy, Mulrenan, Pacelli, Vetro, Willis), 7 against (Bevan, Casey, Fowler, Jenkins, Marlow, Smith, Vitali).

Ald. Pacelli and Ald. Arciuolo made and seconded a motion to approve the following Mayor's Appointments to the Boards and Commissions:

Board of Assessment Review, three-year term expiring 12/31/26
(D) Henry B. Healey, 115 Bayshore Drive, 06460, reappointment
(R) Richard C. LoPresti, 118 Gulf Street, Unit 13, 06460, reappointment
(I) Sarah Lebov, 75 Anchorage Drive, 06460, reappointment
Alternates: one-year term expiring 12/31/24
(R) Richard Vizziello, 85 Barton Road, 06460, reappointment
(U) Luke S. Porto, 589 North Street, 06461, reappointment

Building Code Board of Appeals, five-year term expiring 12/31/28
(R) John Wojnarowski, 19 Aberdeen Way, 06461, reappointment
(R) Scott J. Monforte, 39 Baker Street, 06461, new appointment, term to expire 12/31/24
(R) Robert Tschilske, 26 Covington Drive, 06461, new appointment, term to expire 12/31/25

Civil Service Commission, three-year term expiring 12/31/26
(R) Janice Tantimonico, 70 Sassacus Drive, 06461, reappointment
(U) Twig Holland, 2 Gulfview Court, 06460, reappointment

Golf Course Commission, three-year term expiring 12/31/26

(D) Ralph Mayo, Jr., 38 West Main Street, Unit 3, 06460, reappointment
(D) Kathryn L. Hurley, 46 Bedford Avenue, 06460, reappointment
(R) John H. O'Connell, 17 Ann Street, 06460, reappointment

Harbor Management Commission, five-year term expiring 12/31/28
(D) Robert M. Brennan, 984 East Broadway, 06460, reappointment

Board of Health, three-year term expiring 12/31/26
(R) Ellen Monforte, 39 Baker Street, 06461, new appointment

Historic Preservation Commission, five-year term expiring 12/31/28
(U) Erik J. Johnson, 40 Benson Street, 06460, reappointment
(D) Amelia Mower, 4 Partridge Lane, 06460, reappointment

Housing Code Board of Appeals, five-year term expiring 12/31/28
(R) James McMellon, 173 Red Root Lane, 06461, reappointment
(R) Scott J. Monforte, 39 Baker Street, 06461, new appointment, term to expire 12/31/26
(R) Frank Fanelli III, 192 Merwin Avenue, 06460, new appointment, term to expire 12/31/27

Library Board, three-year term expiring 12/31/26
(R) Linda Creedon, 3 Flax Mill Lane, 06461, reappointment
(D) Alice F. Oliver, 404 Gulf Street, 06460, reappointment
(R) Constance Cuneo Gaynor, 60 Seventh Avenue, 06460, new appointment

Police Commission, three-year term expiring 12/31/26
(R) Samuel Bergami, Jr., 310 Tanglewood Circle, 06461, reappointment
(D) David "Chip" Rubenstein, 38 Bayshore Drive, 06460, reappointment
(R) James Richetelli, Jr., 44 Castle Lane, 06460, new appointment, term to expire 12/31/24

Sewer Commission, three-year term expiring 12/31/26
(R) Daniel Spicer, 101 Yale Avenue, 06460, new appointment

Transit District, four-year term expiring 12/31/27
(U) Ilya Eliashevsky, 225 Gulf Street, 06460, reappointment

Advisory Board, two-year term expiring 12/31/25
(D) Nija Phelps, 1264 Naugatuck Avenue, 06461, reappointment
(R) Nicholas Ricci, 159 Burnt Plains Road, 06461, new appointment

Tree Commission, three-year term expiring 12/31/26
(R) James T. Malaney, 64 Wilcox Road, 06460, reappointment
(D) Kelly Miller, 100 Viscount Drive, Apt. C-4, 06460, reappointment

Veterans, Ceremony, and Parade Commission, three-year term expiring 12/31/26
(R) John T. Jansen, 22 Russell Road, 06460, (Citizen Representative), reappointment
(U) Francisco Rodriguez, 69B Robert Treat Drive, 06460 (Citizen Representative), reappointment

Zoning Board of Appeals, five-year term expiring 12/31/28
(R) Andrew P. King, 32 Cedarhurst Lane, 06461, new appointment

Ald. Smith stated he intends to vote all the appointments presented, but that not voting on all appointments is unique and unfortunate. Mayor Giannattasio stated the majority are reappointments. Ald. Marlow stated he agrees with Ald. Smith's comments. He stated the reasoning provided was due to the long list but only 3 were separated from the list of appointments.

Motion carried unanimously.

Ald. Pacelli and Ald. Arciuolo made and seconded a motion to approve the following Mayor's Appointments to the Boards and Commissions:

Finance, Board of, three-year term expiring 12/31/26
(R) Brian Nethercott, 15 Randolph Farm Road, 06461, new appointment

Fire Commission, three-year term expiring 12/31/26
(U) William A. Brennan, 51 Milford Point Road, 06460, reappointment
(R) Vincent J. Averaimo, 306 Housatonic Drive, 06460, new appointment

Park, Beach & Recreation Commission, three-year term expiring 12/31/26
(R) Scott J. Monforte Sr., 39 Baker Street, 06460, new appointment
(R) Anthony Candido, 4 Topfield Road, 06460, new appointment

Ald. Marlow requested a 5-minute recess. Chairman Vetro stated the Board would take a 10-minute recess.

Board recessed at 8:05 p.m.
Board reconvened at 8:19 p.m.

Ald. Smith stated he objects to the motion being before the Board. He stated the agenda was split earlier and a vote was taken on item (8a) and now the agenda is effectively being reordered and adding a new item to the agenda which requires a 2/3's vote by the Board. Ald. Smith stated before the item can be considered a vote must be taken to reorder and add new agenda item (8a) Finance Board, Fire Commission and Parks, Beach & Recreation Commission and that is not yet before the Board. Chairman Vetro stated that is why the question was divided, to consider those separately. Ald. Smith stated he disagrees and is appealing the decision of the Chairman to the full Board which requires a 2/3's vote. Ald. Arciuolo called a point of order stating the discussion was not to add an additional item to the agenda, but rather a motion to separate the question into pieces and that does not constitute adding a new item to the agenda.

Appeal failed 8 against (Arciuolo, Beatty, Federico, Healy, Mulrenan, Pacelli, Vetro, Willis), 7 in favor (Bevan, Casey, Fowler, Jenkins, Marlow, Smith, Vitali).

Ald. Smith stated the appeal is sustained as the Chairman needs a 2/3's vote for his decision to be upheld. Chairman Vetro stated the question is a majority vote or 2/3's vote required. Ald. Beatty stated an appeal may require a 2/3's vote to be sustained and even if it requires a bare majority the appeal failed. Discussion ensued regarding a 2/3's or majority vote is necessary for an appeal. Chairman Vetro stated he is making the decision that only a majority vote is required.

Ald. Marlow requested a 5-minute recess. Chairman Vetro stated the Board would take a 5-minute recess.

Board recessed at 8:32 p.m.
Board reconvened at 8:41 p.m.

Ald. Beatty stated the Board is presented with appointments and there are questions concerning three appointments and it is best to bifurcate those commissions. Discussion ensued. Ald. Marlow thanked those that will serve and have served. He asked what happens to the positions if the appointments do not pass. City Attorney Jonathan Berchem stated members will continue to serve. Ald. Marlow asked if there is a time frame. Attorney Berchem stated the member will continue will serve until it is again on the agenda and a new appointment is approved. Mayor Giannattasio stated the names will be put forth for the next agenda. He asked for approval as presented. Mayor Giannattasio reiterated that the majority of appointments are reappointments. Discussion ensued. Ald. Smith stated he will be abstaining from voting as he feels this will be an illegal vote.

Motion failed 8 against (Arciuolo, Beatty, Federico, Healy, Mulrenan, Pacelli, Vetro, Willis), 6 against (Bevan, Casey, Fowler, Jenkins, Marlow, Viali), 1 abstention (Smith).

(8f) Ald. Pacelli and Ald. Arciuolo made and seconded a motion to approve the following appointments.

ANIMAL SHELTER COMMISSION:

R Kimberly Jenkins
5 Mill Pond Close, 06460
New appointment- Term to expire 12/31/28

FLOOD & EROSION CONTROL BOARD:

(U) Michael Zabinski
102 Shorefront, 06460
Reappointment- Term to expire 12/31/28

(D) John R. Casey, Jr.
93 Wilcox Road, 06460
Reappointment- Term to expire 12/31/28

HISTORIC DISTRICT COMMISSION:

U Suzanne Whittaker
525 Milford Point Road, 06460
Reappointment- Term to expire 01/01/29

Alternate:

D Linda B. Stephenson
69 Elaine Road, 06460
Reappointment- Term to expire 01/01/29

HISTORIC DISTRICT (SOUTH OF THE GREEN)

U Walter Ortoleva
244 Seaside Avenue, 06460
Reappointment - Term to expire 01/01/29

HUMAN SERVICES, MILFORD DEPARTMENT OF:

R Melissa Tranquilli
105 Red Bush Lane, 06461
Reappointment – Term to expire 12/31/26

D Mallory Nugent
90 Barton Road, 06460
Reappointment – Term to expire 12/31/

INLAND WETLANDS AGENCY:

D Brendan J. Magnan
153 Rogers Avenue, 06460
Reappointment – Term to expire 12/31/26

R Nicholas Ricci
159 Burnt Plains Road, 06461
New Appointment- Term to expire 12/31/26

MILFORD GOVERNMENT ACCESS TELEVISION (MGAT):

U Nicole Servas
29 Musket Hill Lane, 06461
Reappointment- Term to expire 12/31/25

R Erik Smith
2 Glenwood Avenue, 06460
New Appointment – Term to expire 12/31/24

R Katie Martino
41 Jackson Drive, 06460
New Appointment- Term to expire 12/31/24

PENSION AND RETIREMENT BOARD:

R Christopher McKenna
24 Rose Street, 06460
Reappointment – Term to expire 12/31/26

R Christian McInnis
60 Point Lookout, 06460
Reappointment – Term to expire 12/31/26

D Anne Marie Kindley
94 Sixth Avenue, 06460
Reappointment – Term to expire 12/31/26

R Jerry Farina
31 Bonsilene Street, 06460
Reappointment – Term to expire 12/31/25

U David A. Ellison
20 Ward Street, 06460
New Appointment - Term to expire 12/31/25

Alternate:

D Jes Kraus
76 Ranch Road, 06460
New appointment – Term to expire 12/31/26

D Elizabeth Branna Maurer
22 Norway Street, 06460
New appointment – Term to expire 12/31/26

R Frank Musante
26 Covington Drive, 06461
New Appointment – Term to expire 12/31/26

Ald. Pacelli and Ald. Arciuolo made and seconded a motion to amend the original motion as follows: ANIMAL SHELTER COMMISSION to reappoint Susan Stanek, term to expire 12/31/28, and appointment of Kimberly Jenkins to the vacant term to expire 12/31/26; MILFORD GOVERNMENT ACCESS TELEVISION (MGAT) remove reference to Katie Martino and add reappointment of Nija Phelps with term to expire 12/31/25.

Ald. Smith asked for an explanation for removing Katie Martino. Ald. Marlow asked why Kimberly Jenkins term was changed. Ald. Federico stated the reason is to recognize the continuation of dedicated board members. Ald. Beatty stated MGAT are Board of Aldermen appointments. She

stated all are qualified but did not want to replace Nija Phelps and the amendment is necessary to continue Nija Phelp's appointment. Ald. Healy asked if an amendment could be made adding K. Martino as an alternate. Chairman Vetro stated an alternate cannot be added at this time.

Amendment carried 8 in favor (Arciuolo, Beatty, Federico, Healy, Mulrenan, Pacelli, Vetro, Willis), 7 against (Bevan, Casey, Fowler, Jenkins, Marlow, Smith, Vitali).

Original motion as amended, carried 9 in favor (Arciuolo, Beatty, Casey, Federico, Healy, Mulrenan, Pacelli, Vetro, Willis), 5 against (Bevan, Fowler, Marlow, Smith, Vitali), 1 abstention (Jenkins).

(8b) Ald. Pacelli and Ald. Arciuolo made and seconded a motion to approve the Listing and Marketing Commission Agreement between the City of Milford and Brindlee Mountain Fire Apparatus and to authorize the Mayor and Fire Chief to take all steps necessary, including signing all documents, to effectuate said agreement.

Ald. Casey asked why the hook and ladder is being offered for sale and the difference between hook and ladder and quint. Chief Fabrizi stated it has exceeded its life and requires many repairs most likely in excess of \$100,000. He stated a quint serves 5 different functions. Chief Fabrizi reviewed the functions of the quint. Chief Rabel stated in 2017 the Board passed a resolution allowing for disposal of obsolete equipment. He stated the purpose for tonight's vote is because Brindlee has an indemnification clause in the agreement. Ald. Beatty asked if the revenue generated will go back into the fire department or to the general fund. Chief Fabrizi stated former Mayor Smith agreed that the proceeds from Quint 9 would go back to the fire department. Chief Fabrizi stated the objective for listing with multiple brokers is to obtain the best price for the equipment.

Motion carried unanimously.

(8c) Ald. Pacelli and Ald. Arciuolo made and seconded a motion to approve the Golf Course Operation and Management Agreement and to authorize the Mayor, City Attorney and Golf Commission Chairman to take all steps necessary, including signing all documents, to effectuate said agreement. Motion carried unanimously.

(8d) Ald. Pacelli and Ald. Arciuolo made and seconded a motion to approve the Declaration of Reciprocal Easements Agreement between the City of Milford and 51 Roses Mill LLC for property located at 51-53 Roses Mill Road, and the authorize the Mayor and City Attorney to take all steps necessary to effectuate said easement.

Ald. Smith stated he has a conflict and will be recusing himself from this matter.

Ald. Marlow asked Attorney Berchem to provide an explanation of the easement. Attorney Berchem reviewed the history of the property. He discussed the property being quit claimed to the City and the necessity for the easement to close out the project approved by the Planning & Zoning Board. Attorney Berchem discussed the sidewalk easement and the responsibility for repair and maintenance.

Motion carried 14 in favor, 1 abstention (Smith).

(8e) Ald. Pacelli and Ald. Arciuolo made and seconded a motion to approve the City of Milford Community Rating System (CRS) PPI Program for Public Information and Annual Progress Report on Implementation of Credited Plan and to authorize the Mayor, Open Space Manager, Floodplain Administrator and Inland/Wetlands Agent to take all steps necessary, including signing all documents, to effectuate said program.

Ald. Marlow asked for an explanation of the program. MaryRose Palumbo discussed the purpose of the program and outreach provided. Ald. Marlow asked if this helps homeowners with flood insurance. Ms. Palumbo stated it does and provides for a 5% discussion on flood insurance.

Motion carried unanimously.

9. New Business not on the Agenda that may be introduced by a two-thirds (2/3) vote of those present and voting.

None

10. Budget Memo Transfers.

None.

11. Refunds

11a. Ald. Pacelli and Ald. Arciuolo made and seconded a motion to approve refunds in the amount of \$14,717.26. 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 – Ald. Beatty read a prepared 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 – Ald. Folwer reported the BOE budget has been submitted.
- b. Liaison Sub-Committee – Flood & Erosion – no report.
- c. Liaison Sub-Committee – Park, Beach & Recreation Comm. – Ald. Bevan reported pickleball courts, tennis courts and bathrooms are open at Eisenhower Park..
- d. Liaison Sub-Committee – Planning & Zoning Board – no report.
- e. Liaison Sub-Committee – Sewer Commission – Ald. Fowler reported on pump station repairs.
- f. Liaison Sub-Committee – Harbor Management Commission – Ald. Vitali stated the dredging of harbor has been completed.
- g. Liaison – Council on Aging – no report.

- h. Liaison Sub-Committee – Library Board – no report.
- i. Liaison Sub-Committee – Veterans Ceremony & Parade Commission – no report
- j. Liaison Sub-Committee – Fine Arts – no report
- k. Liaison Sub-Committee – no report
- l. Liaison – Golf Course Commission – Ald. Vitali provided data concerning rounds of play and cart rentals.
- m. Liaison – Inland Wetlands Agency – no report.
- n. Liaison – Board of Health – no report.
- o. Liaison – Human Services Commission – no report.
- p. Liaison Sub-Committee – Pension & Retirement Board – Ald. Fowler reported he attended meetings.
- q. Liaison Sub-Committee – Milford Government Access Television (MGAT) – no report.
- r. Liaison – Economic Development Commission – no report.
- s. Liaison Sub-Committee – Milford Arts Council – no report.
- t. Liaison Sub-Committee – Milford Progress, Inc. – no report.
- u. Liaison Sub-Committee – Fire Commission – no
- v. Liaison Sub-Committee – Police Commission – no report.
- w. Permanent School Facilities Building Committee – no report.

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

Chairman Vetro requested a motion to enter executive session to consider items 14(a) through 14(b).

Ald. Pacelli and Ald. Arciuolo made and seconded a motion to adjourn to Executive Session. Motion carried unanimously.

Chairman Vetro announced those entering Executive Session for item 14(a) and 14(b) would be the full Board of Aldermen, Mayor Giannattasio, City Attorney, Jonathan Berchem, and Marcus Irrek, Assessor.

The Board adjourned to Executive Session at 9:43 p.m.

Ald. Pacelli and Ald. Arciuolo made and seconded a motion for the Board to return to public session. Motion carried unanimously.

Ald. Marlow and Ald. Pacelli made and seconded a motion to come out of executive session. Motion carried unanimously.

The Board reconvened at 10:00 p.m.


14a. Ald. Pacelli and Ald. Arciuolo made and seconded a motion to approve the settlement of HIT Portfolio II Owner, LLC v. City of Milford Re: 129 Plains Road as discussed in executive session. Motion carried unanimously.

14b. Ald. Pacelli and Ald. Marlow made and seconded a motion to approve the settlement of Target Corporation v. City of Milford, Re: 1191 Boston Post Road as discussed in executive session. Motion carried unanimously.

Being no further business to discuss, Ald. Pacelli and Ald. Arciuolo made and seconded a motion to adjourn. Motion carried unanimously.

The Board adjourned at 10:01 p.m.

Respectfully submitted,


Toni Jo Weeks
Recording Secretary