BOARD OF ALDERMEN
SPECIAL MEETING
WEDNESDAY, JULY 24, 2013 AT 7:00 P.M.
ALDERMANIC CHAMBERS ~ CITY HALL
235 GRAND STREET, 2ND FLOOR, WATERBURY, CT 06702

SUMMARY MINUTES

PUBLIC HEARINGS:
CALL TO ORDER:
PLEDGE OF ALLEGIANCE:
PRAYER:
ROLL CALL:

Present:	*Pernerewski, Jr.*	*Piccochi*	*Begnal, Jr.*	*Napoli, Jr.*
	Phelan	**Brunelli*	*Mulcahy*	*Hadley*
	Luedke	*Burgio, Sr.*	*Margiotta*	*Padula*
	Palladino	*Ciochetti*		

**Arrived @ 7:35 p.m. due to his other board also being in session.*

Absent: *Giacomi*

OFFICIALLY SCHEDULED PRESENTATION:
PUBLIC SPEAKING:

1. *Charles Trombley – 26 Winthrop Avenue*
2. *Lynn Ward – 83 Bank Street – WTBY Chamber*
3. *Carmen Romeo – 2066 Thomaston Avenue*
4. *Cathy Awwad – 21 Euclid Avenue*
5. *Guy Riddick – 15 Society Hill Road*
6. *Lisa Lessard – 905 Pearl Lake Road*
7. *Lawrence V. De Pillo – 11 Steuben Street*
8. *Earl Albert – 225 East Aurora Street*
9. *Stef Betancourt – 456 Prospect Road*
10. *Jack Traver – 141 Homer Street*

EXECUTIVE SESSION:
APPROVAL OF MINUTES:
Tuesday, June 25, 2013/Special Meeting

On a motion of Alderman Piccochi, duly seconded by Alderman Burgio, Sr., the Board of Aldermen voted unanimously to APPROVE the aforementioned minutes.

MAYOR'S REPORT:
No Report; general comments.

RECESS:
Recessed into committees @ 8:40 p.m.
Returned to regular order @ 10:15 p.m.

<u>CONSENT CALENDAR</u>: Items #6 – 10, 12, 16 - 34
<u>NON-CONSENT</u>: Item #5 *(Committee of the Whole)*
<u>HELD</u>: Item #15

On a motion of Alderman Piccochi, duly seconded, by Alderman Burgio, Sr., the Board of Alderman voted by unanimous consent calendar vote to APPROVE the aforementioned consent calendar.

1. James A. Welcome
80 CENTRAL AVENUE

RE: Resignation as Commissioner from the Ethics Commission.

<u>Received & placed on file.</u>

2. Civil Service Commission

RE: Submittal of **OPEN** Competitive Exam No. 2019; for the position of **SCHOOL NURSE**.

<u>Received & placed on file.</u>

3. Civil Service Commission

RE: Submittal of **PROMOTIONAL** Exam No. 1102; for the position of **DIRECTOR OF PUBLIC WORKS**.

<u>Received & placed on file.</u>

4. Edward Beauchemin
WCEA PRESIDENT

RE: Submittal of the WCEA's (WTBY City Employees Association) Executive Board Delegates, Union Stewards and Union Officers.

<u>Received & placed on file.</u>

On a motion of Alderman Piccochi, duly seconded by Alderman Mulcahy, the Board of Aldermen voted unanimously to REFER ITEM #5 TO THE COMMITTEE OF THE WHOLE.

On a motion of Alderman Piccochi, duly seconded by Aldermen Burgio, Sr. and Mulcahy, the Board of Aldermen voted unanimously to RESOLVE INTO COMMITTEE OF THE WHOLE for the purpose of taking up the following; namely Item #5, to wit:~

5. James A. Sequin, AICP
CITY PLANNER

RE: Seeking approval of a resolution regarding the proposed acquisition of certain land and improvements for the purpose of providing a location for a City Public Works Facility.

Referred to the Finance Committee.

Attorney Gary O'Connor of Pullman & Comley LLC presented and explained - in depth - along with a power point presentation – the proposed purchase of the MacDermid site by the City to be utilized as a unified Public Works Facility.

Mayor O'Leary addressed questions and concerns raised by the aldermen with respect to the aforementioned proposal.

On a motion of Alderman Mulcahy, duly seconded by Alderman Brunelli, the Board of Aldermen voted by unanimous (14 – 0) roll call vote to APPROVE the following Resolution, to wit:~

Whereas, *the Public Works Department presently has and conducts public work operations at various locations throughout the City of Waterbury; and*

Whereas, *the City of Waterbury desires to consolidate many of the operations of the Department of Public Works into a new unified Public Works Facility at one location; and*

Whereas, *there exists certain real property consisting of two (2) parcels, totaling eleven (11) acres and thirty (30) acres, respectively, located on the north side and the south side of Huntingdon Avenue (the "Property"), owned by MacDermid, Inc.; and*

Whereas, *the City of Waterbury now has the opportunity to acquire the Property for $2, pursuant to the terms of a proposed purchase and sale agreement between the City of Waterbury and MacDermid, Inc.; and*

Whereas, *the Property would offer the City of Waterbury a superior location for a unified Public Works Facility; and*

Whereas, *on June 26, 2013, the City Plan Commission in accordance with CGS 8-24 recommended and approved the acquisition of the Property pursuant to the terms of the proposed purchase and sale agreement between the City of Waterbury and MacDermid, Inc. and approved the relocation of existing public works operations to the Property in a new unified Public Works Facility.*

Now, Resolved: *the Board of Aldermen approves the acquisition of the Property pursuant to the terms of the proposed purchase and sale agreement between the City of Waterbury and MacDermid, Inc.; and*

Further Resolved: *the Board of Aldermen approves the creation of a new unified Public Works Facility at the Property and the relocation of public works operations thereto.*

Further Resolved: *the Mayor, with the consent of Corporation Counsel may make minor revisions to the Purchase and Sale Agreement including, if necessary, the extension of the contract contingency period and closing date.*

On a motion of Alderman Begnal, Jr., duly seconded by Alderman Piccochi, the Board of Aldermen voted unanimously to DISSOVLE THE COMMITTEE OF THE WHOLE.

On a motion of Alderman Piccochi, duly seconded by Aldermen Brunelli and Burgio, Sr., the Board of Aldermen voted unanimously to APPROVE THE RECOMMENDATION FOR APPROVAL OF ITEM #5 (BY WAY OF A PROVIDED RESOLUTION) DURING THE COMMITTEE OF THE WHOLE SESSION.

6. James A. Sequin, AICP
CITY PLANNER

RE: **A).** Seeking approval of the drainage easement necessary to complete the public improvements associated with the Amber Manor Subdivision granted by the Chelsea Square Condominium Association, Inc. dated 12-06-12.

B). Seeking approval of the drainage easement necessary to complete public improvements associated with the Amber Manor Subdivision granted by Ruby N. Nonez and Gerald E. Nonez of 41 Amber Place and dated 03-15-13.

Referred to the Finance Committee.

On a motion of Alderman Piccochi, duly seconded by Alderman Burgio, Sr., the Board of Aldermen voted by unanimous consent calendar roll call vote to APPROVE Item #6.

7. Brian J. Mays
47 WALL STREET
TORRINGTON, CT 06790

RE: Resignation as Commissioner from the Public Works Commission; effective immediately.

Received & placed on file.

8. Guy Riddick, Sr.
15 SOCIETY HILL ROAD

RE: Requesting a correction to Society Hill; should be Society Hill Road.

Referred to the Intergovernmental Committee.

On a motion of Alderman Piccochi, duly seconded by Alderman Burgio, Sr., the Board of Aldermen voted by unanimous consent calendar roll call vote to APPROVE Item #8.

9. Liz Ferrer
DEPUTY CITY CLERK

RE: Submittal of the Annual Report for the Office of the City Clerk for FY 2012 - 13.

Referred to the Intergovernmental Committee.

On a motion of Alderman Piccochi, duly seconded by Alderman Burgio, Sr., the Board of Aldermen voted by unanimous consent calendar roll call vote to APPROVE Item #9.

10. Donald Carver, Acting Supt.
BUREAU OF WATER

RE: Seeking approval of a contract between the City and Black & Warner in the amount of **$284,965.00** for the repair of the spillway channel at the Shepaug Reservoir.

Referred to the Intergovernmental Committee.

On a motion of Alderman Piccochi, duly seconded by Alderman Burgio, Sr., the Board of Aldermen voted by unanimous consent calendar roll call vote to APPROVE Item #10.

11. Lisa Lessard
905 PEARL LAKE ROAD

RE: Proposal to the Board for City General Funding with separate funding for Public Educational Funding and Special Educational Funding with line item control; three (3) Funds.

Received & placed on file.

12. Jean Guisto, Collections Supervisor
BUREAU OF WATER

RE: Submittal of the Suspense of Aged Account Balances for 2013.

Referred to the Finance Committee.

On a motion of Alderman Piccochi, duly seconded by Alderman Burgio, Sr., the Board of Aldermen voted by unanimous consent calendar roll call vote to APPROVE Item #12.

13. Civil Service Commission

RE: Submittal of **OPEN** Competitive Exam No. 2022 for the position of **CARPENTER**.

Received & placed on file.

14. Civil Service Commission **RE:** Submittal of **PROMOTIONAL** Exam No. 1103; for the position of **CARPENTER FOREMAN**.

Received & placed on file.

15. Steven R. Giacomi **ALDERMAN** **RE:** Seeking approval of the following Resolution, to wit:~

BE IT RESOLVED that the Director of Human Resources shall come before the Board of Aldermen every thirty (30) days, at the least, but at a shorter interval if necessary, in order to provide the Board with information and updates regarding the timely and efficient filling of all employment vacancies currently enumerated in the city's FY14 budget, and a list of all Acting, Emergency, Temporary, Provisional, and Limited-Term appointments including the current duration of individuals in said positions, as well as steps being taken and/or updates concerning the efforts to fill said positions in a timely and efficient manner.

Referred to the Intergovernmental Committee.

HELD IN COMMITTEE.

16. Ofelia F. Matos **BUDGET DIRECTOR** **RE:** Seeking approval of a budget transfer within the City's WPC Capital Budget Fund for the Fiscal Year ending June 30, 2014 in the amount of **$539,471.29**.

Referred to the Finance Committee.

On a motion of Alderman Piccochi, duly seconded by Alderman Burgio, Sr., the Board of Aldermen voted by unanimous consent calendar roll call vote to APPROVE Item #16.

17. Salvatore D. Porzio Project Manager **DPW** **RE:** Seeking approval of Amendment No. 1 to an agreement between the City and the RBA Group of CT, LLC for consulting engineering services for the Waterbury Naugatuck River Greenway in the amount of **$260,000** which increases the total contract amount to **$1,120,568**.

Referred to the Intergovernmental Committee.

On a motion of Alderman Piccochi, duly seconded by Alderman Burgio, Sr., the Board of Aldermen voted by unanimous consent calendar roll call vote to APPROVE Item #17.

18. Salvatore D. Porzio
Project Manager
DPW

RE: Seeking approval of CT DEEP Grant Agreement in the amount of **$139,000** between the City of Waterbury and the State of CT.

Referred to the Intergovernmental Committee.

On a motion of Alderman Piccochi, duly seconded by Alderman Burgio, Sr., the Board of Aldermen voted by unanimous consent calendar roll call vote to APPROVE Item #18.

19. Mark J. Pronovost
City Engineer
PWD

RE: Seeking approval of a construction contract between the City and Black and Boucher, LLC for 2013 Pavement Milling in the amount of **$202,976.00**.

Referred to the Intergovernmental Committee.

On a motion of Alderman Piccochi, duly seconded by Alderman Burgio, Sr., the Board of Aldermen voted by unanimous consent calendar roll call vote to APPROVE Item #19.

20. Mark J. Pronovost
City Engineer
PWD

RE: Seeking approval of a construction contract between the City and Tilcon CT Inc. for 2013 Bituminous Concrete Paving in the amount of **$2,077,087.90**.

Referred to the Intergovernmental Committee.

On a motion of Alderman Piccochi, duly seconded by Alderman Burgio, Sr., the Board of Aldermen voted by unanimous consent calendar roll call vote to APPROVE Item #20.

21. Michael LeBlanc
DIRECTOR OF FINANCE

RE: Seeking favorable consideration to increase the Greenway total appropriation for design costs from **$1,150,150** to **$1,410,150** and approving an additional local funding commitment of **$135,000** from the city's accounting unit #55005 (Town Clerk Public Act 05-228, recording fees designated for local capital improvement projects) to the Project.

Referred to the Finance Committee.

On a motion of Alderman Piccochi, duly seconded by Alderman Burgio, Sr., the Board of Aldermen voted by unanimous consent calendar roll call vote to APPROVE Item #21.

22. Michael LeBlanc
DIRECTOR OF FINANCE

RE: Submittal of the Pension Plan Actuarial Valuation Report prepared by Hooker & Holcombe, Inc. and issued July 01, 2012.

Referred to the Finance Committee.

On a motion of Alderman Piccochi, duly seconded by Alderman Burgio, Sr., the Board of Aldermen voted by unanimous consent calendar roll call vote to APPROVE Item #22.

23. James Mullen
WIC PROJECT MANAGER
WDC
Andrew Martelli
PROJECT MANAGER
WDC

RE: Seeking approval of Amendment 4 to the original contract between the City and Weston & Sampson Engineers, Inc. in the amount **$72,000.00**. This amendment will allow for resident engineering services for the reconstruction of Commons Court and a new railroad crossing.

Referred to the Intergovernmental Committee.

On a motion of Alderman Piccochi, duly seconded by Alderman Burgio, Sr., the Board of Aldermen voted by unanimous consent calendar roll call vote to APPROVE Item #23.

24. James Mullen
WIC PROJECT MANAGER
WDC
Andrew Martelli
PROJECT MANAGER
WDC

RE: Seeking approval of a contract between the City and Standard Demolition Services in the amount of **$5,357,211.18**. The contract is a result of the City's issuance of Invitation to Bid Number 4742 and subsequent review of received bids.

Referred to the Intergovernmental Committee.

On a motion of Alderman Piccochi, duly seconded by Alderman Burgio, Sr., the Board of Aldermen voted by unanimous consent calendar roll call vote to APPROVE Item #24.

25. Carrie A. Swain, Clerk
BOARD OF EDUCATION

RE: Seeking review and approval of an Agreement Amendment – Fourth Renewal Term to the Agreement with O & G Industries, Inc., for the additional period of September 1, 2013 through August 31, 2014, to provide program management Services for school building construction projects.

Referred to the Intergovernmental Committee.

On a motion of Alderman Piccochi, duly seconded by Alderman Burgio, Sr., the Board of Aldermen voted by unanimous consent calendar roll call vote to APPROVE Item #25.

26. Carrie A. Swain, Clerk
BOARD OF EDUCATION

RE: Seeking review and approval of Amendment No. 1 to the Agreement with Megan, LLC (Fairfield Testing Laboratory), in the not to Exceed amount of **$70,000.00**, to provided material testing services for the Carrington Elementary School and Waterbury Career Academy High School projects.

Referred to the Intergovernmental Committee.

On a motion of Alderman Piccochi, duly seconded by Alderman Burgio, Sr., the Board of Aldermen voted by unanimous consent calendar roll call vote to APPROVE Item #26.

27. Carrie A. Swain, Clerk
BOARD OF EDUCATION

RE: Seeking review and approval of Amendment No. 3 to contract with Ricoh USA, Inc. (formerly known as Ikon Office Solutions, Inc.), in the not to exceed monthly amount of **$5,508.00**, to provide copy machine lease, installation, supplies, and maintenance for 10 additional copiers.

Referred to the Intergovernmental Committee.

On a motion of Alderman Piccochi, duly seconded by Alderman Burgio, Sr., the Board of Aldermen voted by unanimous consent calendar roll call vote to APPROVE Item #27.

28. Carrie A. Swain, Clerk
BOARD OF EDUCATION

RE: Seeking review and approval of a Maintenance Services Agreement with SNE Building Systems, Inc., for a period of three (3) years and in the not to exceed amount of **$202,200.00**, for maintenance services for facilities management system, system support services, and temperature control at various schools.

Referred to the Intergovernmental Committee.

On a motion of Alderman Piccochi, duly seconded by Alderman Burgio, Sr., the Board of Aldermen voted by unanimous consent calendar roll call vote to APPROVE Item #28.

29. Linda T. Wihbey
CORPORATION COUNSEL

RE: Requesting approval of the following Resolution, to wit:~

To acknowledge and assent to the proposed transfer of properties acquired by the City pursuant to the federal Neighborhood Stabilization Program III to the Waterbury Development Corporation Limited Liability Company for purposes of holding and development, pursuant to federal regulations.

Referred to the Intergovernmental Committee.

On a motion of Alderman Piccochi, duly seconded by Alderman Burgio, Sr., the Board of Aldermen voted by unanimous consent calendar roll call vote to APPROVE Item #29.

30. Linda T. Wihbey
CORPORATION COUNSEL

RE: Requesting the Board set a Public Hearing for the purpose of receiving public input regarding a proposed amendment to the WTBY Code of ordinance in order to amend Title XV by amending sub-chapters 150.60 to 150.66 regarding urban blight.

Referred to the Intergovernmental Committee.

On a motion of Alderman Piccochi, duly seconded by Alderman Burgio, Sr., the Board of Aldermen voted by unanimous consent calendar roll call vote to SCHEDULE A PUBLIC HEARING FOR MONDAY, AUGUST 19, 2013 @ 6:45 p.m. with respect to Item #30.

31. Michael Dalton
CITY CLERK

RE: Verbal request to the Board to reschedule two (2) Public Hearings with respect to the following from Corporation Counsel Linda T. Wihbey, to wit:~

OLD BUSINESS ITEM #3: Amendment to the Code of Ordinances proposed by Vinnie Valente, Program Manager, Office of Apprenticeship Training of the CT Department of Labor for the definition of "Apprentice" to comply with CT General Statutes § 31-22(m) **AND**,

OLD BUSINESS ITEM #6: Amendment to the Code of Ordinances regarding "Fees, Charges, Penalties and Rewards.

Referred to the Intergovernmental Committee.

On a motion of Alderman Piccochi, duly seconded by Alderman Burgio, Sr., the Board of Aldermen voted by unanimous consent calendar roll call vote to SCHEDULE THE FOLLOWING PUBLIC HEARINGS with respect to Item #30 and noted Old Business items, to wit:~

Monday, August 19, 2013 @ 6:50 p.m. with respect to Old Business Item #3, and Monday, August 19, 2013 @ 6:55 p.m. with respect to Old Business Item #6

32. Andrew Martelli
PROJECT MANAGER
WDC

RE: Informational Purposes Only: Project Authorization Letter - 333 Meadow Street Building Demolition - the State DOT and the City of Waterbury.

Referred to the Intergovernmental Committee.

On a motion of Alderman Piccochi, duly seconded by Alderman Burgio, Sr., the Board of Aldermen voted by unanimous consent calendar roll call vote to APPROVE Item #32.

33. Alderman Frederick Luedke **RE:** Submittal of a proposed ordinance with respect to the sale of marijuana within the City of Waterbury; proposed ordinance would limit the sale of marijuana through the use of its municipal powers.

Referred to the Intergovernmental Committee.

On a motion of Alderman Piccochi, duly seconded by Alderman Burgio, Sr., the Board of Aldermen voted by unanimous consent calendar roll call vote to REFER Item #33 TO CORPORATION COUNSEL.

34. Daniel Grasso
COMMUNITY DEVELOPMENT PROJECTS MANAGER
WDC
RE: Seeking review and approval of Amendment #2 a Construction Contract for modular home construction, Burton and Walnut Streets between the City of Waterbury acting by and through the Waterbury Development Corporation and Ashe Construction, LLC.

Referred to the Intergovernmental Committee.

On a motion of Alderman Piccochi, duly seconded by Alderman Burgio, Sr., the Board of Aldermen voted by unanimous consent calendar roll call vote to APPROVE Item #34.

STANDING COMMITTEE:

Frank A. Caruso, CCMC
Revenue Collection Manager
RE: Tax Overpayments in the amount of $30,291.03.

On a motion of Alderman Begnal, Jr., Piccochi, followed by a second by Alderman Hadley, the Board of Aldermen voted unanimously to APPROVE and authorize the Director of Finance to make refunds to taxpayers representing overpayment of tax bills in the amount of $30,291.03.

OLD BUSINESS:

1. Gregory T. Nolan, Esq.
STAFF ATTORNEY
OFFICE OF CORPORATION COUNSEL
RE: Public Hearing for the purpose of receiving public input regarding a proposed amendment to the Code of Waterbury in order to amend Title XV by amending Chapter 160

to create a position for a Property Use Compliance Officer. **[Received on 09-11-12 and referred to the Intergovernmental Committee.]**

2. Denis A. Cuevas, P.E.
WATER POLLUTION CONTROL

RE: Engineer Agreement with Wright-Pierce, Inc. for Fats, Oils & Grease (FOG) receiving facility engineering services in an amount not to exceed **$87,500** for final design & bidding services regarding FOG receiving facility to be constructed at WPC. **[Received on 05-20-13 and referred to the Intergovernmental Committee.]**

3. Linda T. Wihbey
CORPORATION COUNSEL

RE: Amendment to the Code of Ordinances proposed by Vinnie Valente, Program Manager, Office of Apprenticeship Training of the CT Department of Labor for the definition of "Apprentice" to comply with CT General Statutes § 31-22(m). **[Received on 06-25-13 and referred to the Intergovernmental Committee.]**

On a motion of Alderman Piccochi, duly seconded by Alderman Burgio, Sr., the Board of Aldermen voted by unanimous consent calendar roll call vote to SCHEDULE A PUBLIC HEARING FOR MONDAY, AUGUST 19, 2013 @ 6:50 p.m. with respect to Old Business Item #3.

4. Paul K. Pernerewski, Jr., President
BOARD OF ALDERMEN

RE: Requesting approval of the following resolution:

"Be it resolved by the Board of Aldermen that Section 38.049 of the Waterbury Code of Ordinances is hereby repealed and replaced with the following: §38,049 PREFERENCE FOR BIDDERS AND OFFERORS LOCATED IN THE CITY.

A preference shall be given to a qualified bidder or offeror whose business is located in the city and whose bid falls within ~~2%~~ 10% of the lowest bid or the preferred proposal, *provided that said bidder or offeror shall meet the lowest bid or preferred proposal*. ~~Notwithstanding the foregoing, the preference shall not apply when the bid or proposal exceeds $20,000 over the lowest qualified bid or preferred proposal~~. This provision shall apply to commodities or services that are funded entirely by the city general or capital funds.
[Received on 02-25-13 and referred to the Intergovernmental Committee.]

5. Ronald Napoli, Jr.
ALDERMAN

RE: Seeking approval of the following resolution:

BE IT RESOLVED That with respect to the City of Waterbury's public-funded construction projects a consultant be hired to conduct a Disparity Study and upon completion forward said report to the Board. **[Received on 11-21-11 and referred to the Minority Business Enterprise Committee on 11-19-12.]**

6. Linda T. Wihbey
CORPORATION COUNSEL

RE: Amendment to the Code of Ordinances regarding "Fees, Charges, Penalties and Rewards. **[Received on 06-25-13 and referred to the Intergovernmental Committee.]**

On a motion of Alderman Piccochi, duly seconded by Alderman Burgio, Sr., the Board of Aldermen voted by unanimous consent calendar roll call vote to SCHEDULE A PUBLIC HEARING FOR MONDAY, AUGUST19, 2013 @ 6:55 p.m. with respect to Old Business Item #6.

NEW BUSINESS:

ADJOURNMENT:

On a motion of Alderman Burgio, Sr., followed by a second by Alderman Brunelli, the Board of Aldermen voted unanimously to ADJOURN @ 10:30 p.m.

Mjd:Amb