BOARD OF ALDERMEN

Regular Meeting
Tuesday, January 20, 2009 at 7:00 p.m.
Waterbury Arts Magnet School
16 South Elm Street ~ Atrium

"SUMMARY MINUTES"

On a motion Alderman Misset, followed by a second by Nogueira, the Board of Aldermen voted unanimously to NOMINATE Pernerewski, Jr. as acting temporary president in the absence of President Vance, Jr.

PUBLIC HEARING
PRAYER
PLEDGE OF ALLEGIANCE
ROLL CALL

PRESENT:	*Vance, Jr.	Pernerewski, Jr.	Misset	Nogueira
	Petteway	Phelan	Piccochi	Negron
	Booker, Jr.	Burgio, Sr.	Denze, Sr.	Palladino
	Telesca	Ciochetti		
ABSENT:	Russo			
	*Arrived @ 8:20 p.m.			

OFFICIALLY SCHEDULED PRESENTATION:

On a motion Alderman Misset, followed by a second by Nogueira, the Board of Aldermen voted unanimously to take the agenda out of its regular order and place PUBLIC SPEAKING ahead of the EXECUTIVE SESSION.

EXECUTIVE SESSION/S:

For the purpose of discussing the following pending litigation matter that is being handled by Carmody & Torrance LLP on behalf of the City: M Credit, Inc., et al vs. City of Waterbury, Docket No. UWY-CV - 05-4007371 S, Superior Court, Judicial District of***, as submitted by Antony A. Casagrande, Carmody & Torrance LLP.***

WITHDRAWN

PUBLIC SPEAKING
APPROVAL OF MINUTES
RECESS @ 8:35 p.m.

Return to Regular Order @ 9:50 p.m.

CONSENT CALENDAR: #2, 3, 8 ~ 10, 20 ~ 22. O.B. 1, 6, 7, 9, 11, 12 & 16.

HELD: #4, 6, 7, 12 & 19.

NON-CONSENT: #14 & 18.

On a motion Alderman Pernerewski, Jr., followed by a second by Alderman Nogueira, the Board of Aldermen voted unanimously to APPROVE the Consent Calendar as read.

1. James T. Nemec
Supervisor of Parks
Dept. of Public Works

Re: Submittal of the monthly report covering activities carried out within the Department and its division during the reporting period of November 21, 2008 to December 20, 2008.

Received and Placed on File.

2. John Jedrzejczyk
Director of Finance

Re: Submittal to the Board of the following Year End Reports:

- ***The City's June 30, 2008 Comprehensive Annual Financial Report***
- ***2008 Report on State Financial Assistance Programs***
- ***2008 Report on Federal Awards***
- ***June 30, 2008 Actuarial Valuation Report of the City's Retirement Plan***
- ***Actuarial Valuation, Other Post Employment Benefits {OPEB}***

Referred to the Finance Committee.

On a motion Alderman Pernerewski, Jr., followed by a second by Alderman Nogueira, the Board of Aldermen voted by unanimous consent calendar roll call vote to request that the AUDITOR APPEAR at the next regular meeting (2/09/2009).

3. Edward G. Fitzpatrick
Fitzpatrick, Mariano & Santos, P.C.
Attorneys at Law
203 Church Street

Re: Seeking a temporary turnaround easement by and between Joao Marques and Marco Marques and the City of Waterbury for property located on Carmen Street, Waterbury.

Referred to the Land Committee.

On a motion Alderman Pernerewski, Jr., followed by a second by Alderman Nogueira, the Board of Aldermen voted by unanimous consent calendar vote to REFER to the CITY PLANNER Item #3, as noted above.

4. Peter Abare Brown
Director of Human Resources

Re: Request for salary range adjustments for Assistant Corporation Counsel and Attorneys.

Referred to the Personnel Committee.

HELD IN COMMITTEE.

5. Frank A. Caruso, Jr.
Deputy Tax Collector

Re: Request for approval to transfer the uncollected tax bills to the 2008/09 Suspense Tax Book, in accordance with Section 12-165 of the CGS.

Referred to the Finance Committee.

On a motion Alderman Pernerewski, Jr., followed by a second by Alderman Nogueira, the Board of Aldermen voted by unanimous consent calendar roll call vote to APPROVE Item #5, as noted above.

6.	Alderman Paul Nogueira Alderman J. Paul Vance, Jr.	Re:	Seeking approval of a Resolution entitled "Loyola Development Corporation/City of Waterbury Funding Partnership Resolution".

Referred to the Charter Revision~Ordinance Committee.

HELD IN COMMITTEE.

7.	Alderman Paul K. Pernerewski, Jr.	Re:	Seeking approval of a Resolution authorizing the Mayor and Budget Director to transfer **$200,000** to WDC to be dispersed to the Loyola Development Corporation for the South End Redevelopment project.

Referred to the Charter Revision~Ordinance Committee.

HELD IN COMMITTEE.

8.	Carrie A. Swain, Clerk Board of Education	Re:	Requesting review and approval of an Agreement with Dimeo Construction Company for construction management services for the New Elementary School #2 Project - Robinson/North Main Street.

Referred to the Intergovernmental Committee.

On a motion Alderman Pernerewski, Jr., followed by a second by Alderman Nogueira, the Board of Aldermen voted by unanimous consent calendar roll call vote to APPROVE Item #8, as noted above.

9.	Carrie A. Swain, Clerk Board of Education	Re:	Requesting review and approval of an Agreement with Newfield Construction, Inc. for construction management services for the Enlightenment and Special Education Program Center Project.

Referred to the Intergovernmental Committee.

On a motion Alderman Pernerewski, Jr., followed by a second by Alderman Nogueira, the Board of Aldermen voted by unanimous consent calendar roll call vote to APPROVE Item #9, as noted above.

10.	Carrie A. Swain, Clerk Board of Education	Re:	Requesting review and approval of an Agreement with Greater Waterbury Young Men's Christian Association to provide recreational services for the 21st Century Community Learning Center Grant - Cohort 7/Project.

Referred to the Intergovernmental Committee.

On a motion Alderman Pernerewski, Jr., followed by a second by Alderman Nogueira, the Board of Aldermen voted by unanimous consent calendar roll call vote to APPROVE Item #10, as noted above.

11. Kenneth R. Skov, Superintendent of Water — Re: Submittal of the Annual Report of the City of Waterbury, Bureau of Water, for the fiscal year ending June 30, 2008.

Receive & Place on File.

12. Peter Abare Brown, Director of Human Resources — Re: Seeking approval of the resubmission of a new job specification for Water Distribution foreperson.

Referred to the Personnel Committee.

HELD IN COMMITTEE.

13. Civil Service Commission — Re: Submittal of various job openings with the City of Waterbury, to wit:

Water Pollution Control Supt.	(Open Competitive)
Glazier	(Open Competitive)

Received & Placed on File.

14. Carrie A. Swain, Clerk, Board of Education — Re: Requesting review and approval of the 2009 ~ 2012 Stipulated Award/Agreement between the School Administrators of Waterbury (SAW) and the Waterbury Board of Education.

Referred to the Intergovernmental Committee.

On a motion Alderman Phelan, followed by a second by Alderman Pernerewski, Jr., the Board of Aldermen voted by a 7 Yea ~ 6 Nay ~ 1 Abstention Roll Call vote to APPROVE Item #14, as noted above.

YEAS: Aldermen Pernerewski, Jr., Misset, Nogueira, Phelan, Piccochi Negron and Ciochetti.
NAYS: Aldermen Petteway, Booker, Jr., Burgio, Sr., Denze, Sr., Telesca and Vance, Jr..
ABSTENTION: Alderman Palladino.

15. Ofelia F. Matos, Budget Director — Re: Budget transfers within the City's General Fund for the FY ending June 30, 2009, in the amount of **$147,600.**

Receive & Place on File.

16. Antonio Sanna
585 Park Road ~ U11-9

Re: Requesting to be placed on the agenda to address problem of business property tax and a plan beneficial to the educational system as well as enticement for bringing new business/industry into Waterbury.

Receive & Place on File.

17. Kevin J. Daly, Jr.
88 Holmes Avenue

Re: Notice of resignation as an agent on the Silas Bronson Library Board.

Receive & Place on File.

18. Alderman Cicero B. Booker, Jr.

Re: Seeking approval of a Resolution to amend BOA Rules adopted 12.01.2007, specifically that BOA Committee meetings be held in open chamber for the observation of both the television viewing public and the public in attendance, as submitted by Alderman Cicero B. Booker, Jr.

Referred to the Rules/Law Committee.

On a motion Alderman Pernerewski, Jr. followed by a second by Alderman Misset, the Board of Aldermen voted by a 12 Yea ~ *2 Nay vote to APPROVE ~ as *Amended ~ Item #14 as noted above.

NAYS: Aldermen Telesca and Piccochi.

*AMENDMENT:

SUBSECTION "A "of document titled "Rules of the City of Waterbury Board of Aldermen December 1, 2 007 to December 1, 2009".

SUBSECTION "A" shall read:
"The Standing Committees of the Board of Aldermen (and any Special Committees as designated pursuant to the Rules of the Board of Aldermen) shall meet during recess *"OR AT SUCH OTHER TIMES AS MAY BE NECESSARY"* in the following order:

SUBSECTION "D" has been *REMOVED* in its entirety.

What was once noted as SUBSECTIONS E, F and G have now been reassigned as follows: *D {formerly E}, E {formerly F} and F {formerly G}.*

SUBSECTION "G" shall now read All Committee meetings *HELD DURING RECESS"* shall be held in open chambers.

19. Antony A. Casagrande
Carmody & Torrance LLP
50 Leavenworth Street

Re: Seeking approval of the partial settlement of the following litigation: M Credit, Inc., et al vs. City of Waterbury, Docket No. UWY-CV - 05-4007371 S, Superior Court, Judicial District of Waterbury.

Referred to the Finance Committee.

HELD IN COMMITTEE.

20. Craig Schmidt, Risk Manager — **Re:** Submittal to the Board of an update on the status of the insurance for the Talmudic Institute and the City of Waterbury.

Referred to the Intergovernmental Committee.

On a motion Alderman Misset, followed by a second by Nogueira, the Board of Aldermen voted by unanimous consent calendar roll call to RECEIVE & PLACE ON FILE Item #20, as noted above.

21. Victor M. Diaz, Assistant City Clerk — **Re:** Appointment of the following individuals, to wit:

Charles E. Beyer [D]
Environmental Control Commission
Term shall expire 12-31-2009

Jane T. Cooney [D]
Silas Bronson Library Board of Agents

Referred to the Personnel Committee.

On a motion Alderman Misset, followed by a second by Nogueira, the Board of Aldermen voted by unanimous consent calendar roll call to NOT TO DISAPPROVE Item #21, as noted above.

22. Ofelia F. Matos, Budget Director — **Re:** Budget transfers within the City's General Fund for the FY ending June 30, 2009, in the amount of **$100,000.**

Referred to the Finance Committee.

On a motion Alderman Misset, followed by a second by Nogueira, the Board of Aldermen voted by unanimous consent calendar roll call to APPROVE Item #22, as noted above.

STANDING COMMITTEES:

OLD BUSINESS:

1. Hazel O'Neill, President, Hillside Historic District Neighborhood — **Re:** Submittal to the Board of an Agreement between the City of Waterbury and the Waterbury Talmudic Institute regarding the Yeshiva located in the Overlook and Hillside Districts of Waterbury. **[Received on 9-09-08 and referred to the Intergovernmental Committee.]**

On a motion Alderman Pernerewski, Jr., followed by a second by Alderman Nogueira, the Board of Aldermen voted unanimous consent calendar roll call vote to REFER the aforementioned to the MAYOR'S OFFICE for an immediate report regarding the City of Waterbury & Waterbury Talmudic Agreement.

2. Ric Livingston
PHR. Sr. H.R. Generalist
Human Resources

Re: Seeking approval of a new job specification of the position of Permit Center Coordinator. **[Received on 6-25-07 and referred to the Personnel Committee.]**

3. J. Paul Vance, Jr., President
Board of Aldermen

Re: Seeking approval of a Dog Park. **[Received on 1-7-08 and referred to the Intergovernmental Committee.]**

4. Alderman Dennis Odle
Alderman Frank Burgio, Sr.
Alderman Cicero Booker, Jr.
Alderman Art Denze

Re: Request approval of a resolution to establish and fund top quality senior centers. **[Received on 9-24-07 and referred to the Committee of the Whole.]**

5. Joyce Petteway
J. Paul Vance, Jr.
Board of Aldermen

Re: Requesting consideration of a concept regarding blight and the use of eminent domain for properties having been cited multiple times for blight violations and being used for drug trafficking. **[Received on 9-09-08 and referred to the Intergovernmental Committee.]**

6. J. Paul Vance, Jr., President
Board of Aldermen

Re: Requesting approval of the FY 2009 Capital Budget - Open Space Allocation to approve a bonding package of **$1,500,000** for an Open Space program. **[Received on 9-22-08 and referred to the Finance Committee.]**

On a motion Alderman Pernerewski, Jr., followed by a second by Alderman Nogueira, the Board of Aldermen voted unanimously to RECEIVE & PLACE ON FILE Old Business Item #6, as noted above.

7. J. Paul Vance, Jr., President
Board of Aldermen

Re: Seeking approval of a formal request to transfer **$400,000.00** of surplus funds from the recently ended fiscal year to the Park Dept., in order to facilitate the development & construction of a Dog Park. **[Received on 9-22-08 and referred to the Finance Committee.]**

On a motion Alderman Pernerewski, Jr., followed by a second by Alderman Nogueira, the Board of Aldermen voted unanimously to RECEIVE & PLACE ON FILE Old Business Item #7, as noted above.

8. Craig A. Sullivan, Corporation Counsel — Re: November 25, 2008 referral of City Projects Resolution & Ordinance proposal. **[Received on 01-12-09 and referred to the Charter Revision~Ordinance Committee.]**

9. John Jedrzejczyk, Director of Finance — Re: Bond Authorization Acquisition of Land for Open Space purposes in the amount of **$1.65 million. [Received on 10-06-08 and referred to the Finance Committee.]**

On a motion Alderman Pernerewski, Jr., followed by a second by Alderman Nogueira, the Board of Aldermen voted unanimously to RECEIVE & PLACE ON FILE Old Business Item #9, as noted above.

10. Michael J. Dalton, City Clerk — Re: Resolution from the Land Use Regulatory Revision Project Advisory Committee {LURRPAC} regarding establishing a Conservation Commission for the city. **[Received on 11-10-08 and referred to the Charter Revision~Ordinance Committee.]**

11. Craig Schmidt, Property Manager — Re: Recommendation to award Lot #23; Hill Street to a successful bidder. **[Received on 01-12-09 and referred to the Land Committee.]**

On a motion Alderman Pernerewski, Jr., followed by a second by Alderman Nogueira, the Board of Aldermen voted unanimously to APPROVE Old Business Item #11, as noted above.

12. Craig Schmidt, Property Manager — Re: Update of Insurance Status ~ Talmudic Institute. **[Received on 10-06-08 and referred to the Land Committee.]**

On a motion Alderman Pernerewski, Jr., followed by a second by Alderman Nogueira, the Board of Aldermen voted unanimously to RECEIVE & PLACE ON FILE Old Business Item #12, as noted above.

13. John M. Wabiszczewicz, Attorney at Law, 150 Prospect Street — Re: Requesting approval of an easement by St. James Associates, LLC to the City of Waterbury **[Received on 9-22-08 and referred to the Land Committee.]**

14. John Jedrzejczyk, Director of Finance — Re: Bond authorization acquisition of the Wachovia Building on South Main Street in the amount of **$5,000,000. [Received on 10-06-08 and referred to the Finance Committee.]**

15.	John Jedrzejczyk Director of Finance	Re:	Bond authorization for: Water Department Office expansion and renovation in the amount of **$750,000. [Received on 9-08-08 and referred to the Finance Committee.]**

16.	Craig Schmidt Property Manager	Re:	Recommendation to award Lot #37; Westwood Avenue to successful bidder. **[Received on 01-12-09 and referred to the Land Committee.]**

On a motion Alderman Pernerewski, Jr., followed by a second by Alderman Nogueira, the Board of Aldermen voted unanimously to APPROVE Old Business Item #16, as noted above.

17.	John P. Lawlor, Jr. Director of Public Works	Re:	Lease Agreement Extension; Waterbury Commons LLC (Sovereign Bank Bldg.) **[Received on 01-12-09 and referred to the Intergovernmental Committee.]**
18.	Alderman Paul K. Pernerewski, Jr.	Re:	Seeking adoption of an amendment to Chapter 31 of the Code of Ordinances of the City of Waterbury, entitled "An Omnibus Ordinance relative to the implementation of Charter Provisions pertaining to Appointive Boards and Commission required by Section 6C-1 of the Charter. **[Received on 11-24-08 and referred to the Charter Revision~Ordinance Committee.]**
19.	Mayor Michael J. Jarjura	Re:	Recommendation from the Mayor's Economic Development Task Force relative to the proposed reconstruction of Interstate 84 and Route 8. **[Received on 11-10-08 and referred to the Land Committee.]**

NEW BUSINESS

ADJOURNMENT

On a motion of Burgio, Sr., followed by a second by Misset, the Board of Aldermen voted unanimously to ADJOURN at 10:15 p.m.

MJD/Amb

C:Angela.Alderman.SummaryMinutes2009..doc