

BOARD OF ALDERMEN

Regular Meeting

Monday, February 23, 2009 at 7:00 P.M.

Waterbury Arts Magnet School

16 South Elm Street – Atrium



“SUMMARY MINUTES”



**CONSENT CALENDAR: #4 ~ 17, 21 &
O.B. #3, 6, 7**

HELD: New Business #19, 20

REMOVED FROM AGENDA: OB #20

**Item added under New Business
relative to OB#17**

NON-CONSENT ~ None

On a Motion of Alderman Pernerewski, Jr., followed
by a second by Alderman Ciochetti, the Board of
Aldermen voted Unanimously to APPROVE the
“Consent Calendar” as Read

In Attendance (12): Aldermen ~

P. Pernerewski, Jr.
C. Palladino
P. Vance, Jr.
A. Phelan

F. Burgio, Sr.
M. Telesca
P. Nogueira
A. Negron

A. Denze, Sr.
P. Ciochetti
J. Petteway
C. Booker, Jr.

Absent (3): Aldermen ~

L. Russo

M. Misset

A. Piccochi



PUBLIC HEARING(S) ~ None

PLEDGE OF ALLEGIANCE/ PRAYER ~ 7:00 P.M.

ROLL CALL ~ Michael J. Dalton ~ 7:02 P.M.

OFFICIALLY SCHEDULED PRESENTATION(S) ~ None



EXECUTIVE SESSION(S) ~

Leo Frank; CEO of Waterbury Development Corp. Relative to Wachovia Building *

On a Motion Made by Alderman PERNERESWSKI, JR., Seconded by Alderman PHELAN, the Board of
Aldermen Voted Unanimously to Enter into Executive Session

7:04 P.M.

On a Motion Made by Alderman CIOCHETTI, Seconded by Alderman NOGUEIRA, the Board of Aldermen
Voted Unanimously to Return to the Regular Order of Business

7:40 P.M.

NO VOTES WERE TAKEN DURING EXECUTIVE SESSION



PUBLIC SPEAKING ~ 7:42 P.M. ~ 8:02 P.M.

Peter Berube; 51 Clifford Street; Waterbury
Attorney Timothy Moynahan; 141 East Main Street; Waterbury
Lawrence DePillo; 11 Steuben Street; Waterbury
Mayor Michael Jarjura; 264 Harwood Avenue; Waterbury

APPROVAL OF MINUTES ~ No Minutes Submitted

RECESS ~

On a Motion Made by Alderman **PERNEREWSKI, JR.**, Seconded by Alderman **PHELAN**, the Board of Aldermen Voted Unanimously to Recess

8:03 P.M.

On a Motion Made by Alderman **BURGIO**, Seconded by Alderman **PERNEREWSKI**, the Board of Aldermen Voted Unanimously to Return to the Regular Order of Business

9:22 P.M.

- | | |
|--|--|
| 1. Blum Shapiro & Company, PC
29 So. Main Street
W. Hartford, CT | RE: Correspondence offering constructive suggestions for your consideration as part of an ongoing process of modifying & improving accounting controls & administrative practices |
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RECEIVE AND PLACE ON FILE

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| 2. Lisa Lessard
538 Sylvan Avenue | RE: Release of John Rowland's contract to the public and comments on the Loyola Project |
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RECEIVE AND PLACE ON FILE

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| 3. Peter Abare-Brown
Director of Human Resources | RE: Open Competitive Exam #1898; Water Pollution Control General Manager |
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RECEIVE AND PLACE ON FILE

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| 4. Kevin Taylor; Sr. Project Manager
Waterbury Development Corp. | RE: Acquisition & Remediation of a blighted property; 167 Maple Street by WDC & if approved by the Board, and requesting a Public Hearing relative to such at the Board's next regularly scheduled meeting on March 9, 2009 |
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REFERRED TO THE LAND COMMITTEE

On a Motion Made by Alderman **PERNEREWSKI, JR.**, Seconded by Alderman **CIOCHETTI**, the Board of Aldermen Voted Unanimously to **SET A PUBLIC HEARING FOR MARCH 23, 2009 AT 6:55 P.M.**
Relative to the Aforementioned, Namely Item #4

- | | |
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| 5. Kevin Taylor; Sr. Project Manager
Waterbury Development Corp. | RE: Cherry Street Industrial Park Project: (16 Cherry Avenue) WDC requesting the Board's approval to allow WDC to act as the City's agent to facilitate this project. |
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REFERRED TO THE LAND COMMITTEE

On a Motion Made by Alderman **PERNEREWSKI, JR.**, Seconded by Alderman **CIOCHETTI**, the Board of Aldermen Voted Unanimously to **APPROVE** the Aforementioned, Namely Item #5

6. William J. St. John, Jr.
St. John, Scappini, Lombard &
Stevens; Attorneys at Law
13 First Avenue; Waterbury
- RE:** Notice of the sell of property on Dube Lane
by Columbus Home Association, Inc., a tax
paying corporation, to Waterbury Christian
Fellowship, Inc., a tax-exempt corporation

REFERRED TO THE FINANCE COMMITTEE

On a Motion Made by Alderman **PERNEREWSKI, JR.**, Seconded by Alderman **CIOCHETTI**, the Board of
Aldermen Voted Unanimously to REFER TO CORPORATION COUNSEL the
Aforementioned, Namely Item #6

7. Gary Giordano
Professional Engineer &
Land Surveyor, LLC
19 Terrell Farm Road
Bethlehem, CT
- RE:** A request from LARS Realty, LLC; Watertown
Avenue, to discontinue a right-of-way
currently not in use, created by subdivision
for Ferrara Enterprises, Inc. (map provided)

REFERRED TO THE LAND COMMITTEE

On a Motion Made by Alderman **PERNEREWSKI, JR.**, Seconded by Alderman **CIOCHETTI**, the Board of
Aldermen Voted Unanimously to REFER TO CITY PLAN FOR AN OPINION the Aforementioned,
Namely Item #7

8. Gary Giordano
Professional Engineer &
Land Surveyor, LLC
19 Terrell Farm Road
Bethlehem, CT
- RE:** A request from LARS Realty, LLC; Watertown
Avenue, for a sanitary sewer extension &
easement across properties shown on map
provided to the Board

REFERRED TO THE LAND COMMITTEE

On a Motion Made by Alderman **PERNEREWSKI, JR.**, Seconded by Alderman **CIOCHETTI**, the Board of
Aldermen Voted Unanimously to REFER TO CITY PLAN FOR AN OPINION the Aforementioned,
Namely Item #8

9. Roseann Wright
Director of Health
- RE:** Childhood lead Poisoning Prevention &
Control Program Contract Log #2009-1500

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE

On a Motion Made by Alderman **PERNEREWSKI, JR.**, Seconded by Alderman **CIOCHETTI**, the Board of
Aldermen Voted Unanimously to APPROVE the Aforementioned, Namely Item #9

10. Kathleen McNamara
Community Planning &
Development Coordinator;
Waterbury Development Corp. &
Fire Chief, Michael Maglione
- RE:** Approval to enter into contract for re-roofing
of north-side Fire House

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE

On a Motion Made by Alderman **PERNEREWSKI, JR.**, Seconded by Alderman **CIOCHETTI**, the Board of
Aldermen Voted Unanimously to APPROVE the Aforementioned, Namely Item #10

11. Kenneth R. Skov; Supt. of Water Bureau of Water **RE:** Multi-year agreement with Connecticut Light & Power Co. for participation in the Independent System Operator New England (ISO-NE) Demand Response Program

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE

On a Motion Made by Alderman PERNEREWski, JR, Seconded by Alderman CIOCHETTI, the Board of Aldermen Voted Unanimously to APPROVE the Aforementioned, Namely Item #11

12. Carrie A. Swain; Clerk Board of Education **RE:** License Agreement with SWIS and CICO-SWIS to provide a web-based information system for school personnel.

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE

On a Motion Made by Alderman PERNEREWski, JR, Seconded by Alderman CIOCHETTI, the Board of Aldermen Voted Unanimously to APPROVE the Aforementioned, Namely Item #12

13. Ofelia F. Matos; Budget Director **RE:** Request for Budget Transfer within the City's Capital Budget Projects for Fiscal Year-ending June 30, 2009 in the amount of **\$600,000**

REFERRED TO THE FINANCE COMMITTEE

On a Motion Made by Alderman PERNEREWski, JR, Seconded by Alderman CIOCHETTI, the Board of Aldermen Voted Unanimously to APPROVE the Aforementioned, Namely Item #13

14. Ofelia F. Matos; Budget Director **RE:** Request for Budget Transfer within the City's General Fund for Fiscal Year-ending June 30, in the amount of **\$120,000**

REFERRED TO THE FINANCE COMMITTEE

On a Motion Made by Alderman PERNEREWski, JR, Seconded by Alderman CIOCHETTI, the Board of Aldermen Voted Unanimously to APPROVE the Aforementioned, Namely Item #14

15. Ofelia F. Matos; Budget Director **RE:** Request for three Budget Transfers within the City's Sewer Enterprise Fund for Fiscal Year-ending June 30, 2009 in the aggregate amount of **\$161,000**

REFERRED TO THE FINANCE COMMITTEE

On a Motion Made by Alderman PERNEREWski, JR, Seconded by Alderman CIOCHETTI, the Board of Aldermen Voted Unanimously to APPROVE the Aforementioned, Namely Item #15

16. E. Gil Graveline
Building Official

RE: Request of refunds totaling **\$247.50** from Mark Laliberte; 925 Oronoke Rd; Unit 12-F regarding Plumbing Permits 650-08-P & 651-08-P for work done at 53 Oak St. & 44 Elmwood Ave

REFERRED TO THE FINANCE COMMITTEE

On a Motion Made by Alderman **PERNEREWSKI, JR.**, Seconded by Alderman **CIOCHETTI**, the Board of Aldermen Voted Unanimously to **APPROVE** the Aforementioned, Namely Item #16

17. Avery Gaddis
Project Manager
Waterbury Development Corp.

RE: Approval of a contract between Municipal Software Corporation & the City of Waterbury, in the amount of, **302,640.00**

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE

On a Motion Made by Alderman **PERNEREWSKI, JR.**, Seconded by Alderman **CIOCHETTI**, the Board of Aldermen Voted Unanimously to **APPROVE** the Aforementioned, Namely Item #17

18. Leo J. Frank
Chief Executive Officer
Waterbury Development Corp.

RE: Request for Executive Session for discussion on the Wachovia Building

RECEIVE AND PLACE ON FILE

19. Steve Gambini
Mayor's Office

RE: Update on the status of current repairs, inspection and conformance to the lease terms and conditions regarding the agreement between the City of Waterbury and the Waterbury Talmudic Institute, as requested by the Board of Aldermen on January 20, 2009

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE

On a Motion Made by Alderman **PERNEREWSKI, JR.**, Seconded by Alderman **CIOCHETTI**, the Board of Aldermen Voted Unanimously to **HOLD IN COMMITTEE** the Aforementioned, Namely Item #19

20. David Simpson
Deputy Director of Public Works
(Operations)

RE: Submitting to the Board on behalf of John P. Lawlor; Director of Public Works, the "Usage, Needs and Contractual Requirements" in regards to the Vehicle Purchase Opportunity Resolution as requested by the Board at their February 9, 2009 Regular Meeting

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE

On a Motion Made by Alderman **PERNEREWSKI, JR.**, Seconded by Alderman **CIOCHETTI**, the Board of Aldermen Voted Unanimously to **HOLD IN COMMITTEE** the Aforementioned, Namely Item #20

21. James Sequin, AICP
City Planner

RE: Resolution from the City Plan Commission recommending the acceptance of a turnaround easement located at the terminus of Carmen Street

REFERRED TO THE LAND COMMITTEE

On a Motion Made by Alderman **PERNEREWSKI, JR.**, Seconded by Alderman **CIOCHETTI**, the Board of Aldermen Voted Unanimously to RECEIVE AND PLACE ON FILE the Aforementioned, Namely Item #21

STANDING COMMITTEES:

- Mary E. Nardini
Revenue Collection Manager

Re: Seeking approval of vouchers representing overpayments by the taxpayers for tax bills, in the amount of **\$28,373.91**

On a Motion Made by Alderman **PERNEREWSKI, JR.**, Seconded by Alderman **PHELAN**, the Board of Aldermen Voted Unanimously to **APPROVE** the Aforementioned, Standing Committee Item

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 & Hillside Districts of Waterbury [**Received on 9-08-08 & referred to the Intergovernmental Committee**]
2. Ric Livingston
PHR. Sr. H.R. Generalist

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. Mohsen Solhjoo DMD
186 Highland Avenue

Re: Requesting refund in the amount of \$630.00 for a second application fee [**Received on 2-9-09 and Referred to the Finance Committee**]

On a Motion Made by Alderman **PERNEREWSKI, JR.**, Seconded by Alderman **CIOCHETTI**, the Board of Aldermen Voted Unanimously to APPROVE the Aforementioned, Namely Old Business Item #3

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

Re: Request approval of a resolution to establish & 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 & the use of eminent domain for properties having been cited multiple times for blight violations & being used for drug trafficking **[Received on 9-08-08 and referred to the Intergovernmental Committee]**

6.

Salvatore D. Porzio
Project Manager; PWD

Re: Request approval of Amendment No. 1 to an Agreement with Milone and MacBroom, Inc., for reconstruction & widening of Chase Ave. (Conn DOT Project No. 151-296 and 151-297) **[Received on 2-9-09 and Referred to the Intergovernmental Committee]**

On a Motion Made by Alderman PERNEREWski, JR., Seconded by Alderman CIOCHETTI, the Board of Aldermen Voted Unanimously to APPROVE the Aforementioned, Namely Old Business Item #6

7.

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 & Marco Marques & the City of Waterbury for property located on Carmen St.; Wtby. **[Received on 01-20-09 and referred to the Land Committee]**

On a Motion Made by Alderman PERNEREWski, JR., Seconded by Alderman CIOCHETTI, the Board of Aldermen Voted Unanimously to APPROVE the Aforementioned, Namely Old Business Item #7

8.

Craig A. Sullivan
Corporation Couns

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.

Peter Abare Brown
Director of Human Resources

Re: Request for salary range adjustments for Assistant Corporation Counsel & Attorneys **[Received on 01-20-09 and referred to the Personnel Committee]**
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.

Alderman Paul Nogueira
Alderman J. Paul Vance, Jr.

Re: Seeking approval of a Resolution entitled "Loyola Development Corporation/City of Waterbury Funding Partnership Resolution" **[Received on 1-20-09 and referred to the Charter Revision ~ Ordinance Committee]**

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| 12. | Alderman Paul K. Pernerewski, Jr. | Re: Seeking approval of a Resolution authorizing the Mayor & Budget Director to transfer \$200,000 to WDC to be dispersed to the Loyola Development Corporation for the South End Redevelopment Project [Received on 1-20-09 and referred to the Charter Revision ~ Ordinance Committee] |
| 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 for 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
Finance Director | Re: Bond Authorization for the Water Dept. Office expansion and renovation in the amount of \$750,000 [Received on 9-08-08 and referred to the Finance Committee] |
| 16. | Peter Abare Brown
Director of Human Resources | Re: Seeking approval of the resubmission of a new job specification for Water Distribution foreperson [Received on 1-20-09 and referred to the Personnel Committee] |
| 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. | Paul K. Pernerewski, Jr.
Alderman | 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 & 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] |

20. 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-CY – 05-4007371 S, Superior Court, Judicial District of Waterbury [**Received on 1-20-09 and referred to the Finance Committee**]

REMOVED FROM THE AGENDA ~ ACTED ON AT A PREVIOUS MEETING

21. Craig A. Sullivan
Corporation Counsel
- Re:** Proposed of Amendment to Chapter 31 of the Code of Ordinances of the City of Waterbury [**Received on 2-9-09 and Referred to Charter ~ Revision Ordinance Committee**]
22. Alderman J. Paul Vance, Jr.
- Re:** Seeking approval of a Vehicle Purchase Opportunity Resolution [**Received on 2-9-09 and Referred to the Intergovernmental Committee**]
23. Joshua M. Angelus
Waterbury Neighborhood Council
67 Hillside Avenue
- Re:** A Resolution to support Education funding titled, *The American Recovery and Reinvestment Act of 2009* [**Received on 2/9/09 and Referred to the Intergovernmental Committee**]

NEW BUSINESS ~

Relative to Old Business Item #17

The Intergovernmental Committee respectively recommends that the Board of Aldermen send a memo through the Mayor's office to Department Heads clarifying the City's Vehicle Use Policy of "*No Personal Use Allowed or Appropriate Disciplinary Action May be Taken*"

On a Motion Made by Alderman PERNERESKI, JR., Seconded by Alderman CIOCHETTI, the Board of Aldermen Voted Unanimously to APPROVE the Aforementioned New Business Item

~ DURING EXECUTIVE SESSION ~

- * Committee Formulated to Report Back to the Board by Next Regular Meeting on March 9, 2009 Relative to Possible Purchase of the Wachovia Building, ("To come up with a schedule")
Committee Members ~ Aldermen P. Pernereski, Jr., M. Telesca, M. Misset

ADJOURNMENT ~ 9:30 P.M.

On a Motion Made by Alderman BURGIO, Seconded by Alderman PERNERESKI, JR., the Board of Aldermen Voted Unanimously to ADJOURN

MJD/pmd