

BOARD OF ALDERMEN
Regular Meeting
Waterbury Arts Magnet School ~ Atrium
16 South Elm Street
MONDAY, MARCH 09, 2009 AT 7:00 P.M.

“AGENDA”

PUBLIC HEARING
PRAYER
PLEDGE OF ALLEGIANCE
ROLL CALL

<u>PRESENT:</u>	Vance, Jr. Misset Burgio, Sr. Telesca	Pernerewski, Jr. Phelan Palladino	*Russo Piccochi Ciochetti	Petteway Booker, Jr. Denze, Sr.
<u>ABSENT:</u>	Negron *Russo *Departed @ 8:30 P.M.			

OFFICIALLY SCHEDULED PRESENTATION:
EXECUTIVE SESSION/S:

- {1} For the purpose of discussing the purchase of Wachovia Bank, as submitted by Steve Gambini, Mayoral Aide, Office of the Mayor.
- {2} For the purpose of discussing evaluations relative to the acquisition of real property known as 1875 Thomaston, Avenue, Waterbury, CT., as submitted by Craig A. Sullivan, Corporation Counsel, City of Waterbury.

ON A MOTION ALDERMAN RUSSO, FOLLOWED BY A SECOND BY ALDERMAN PICCOCHI, THE BOARD OF ALDERMEN VOTED UNANIMOUSLY TO ENTER INTO EXECUTIVE SESSION AT 7:07 P.M.

ON A MOTION ALDERMAN RUSSO, FOLLOWED BY A SECOND BY ALDERMAN MISSET, THE BOARD OF ALDERMEN VOTED UNANIMOUSLY TO ENTER INTO EXECUTIVE SESSION AT 7:46 P.M.

PUBLIC SPEAKING
APPROVAL OF MINUTES
RECESS

ON A MOTION ALDERMAN PERNEREWski, JR., FOLLOWED BY A SECOND BY ALDERMAN RUSSO, THE BOARD OF ALDERMEN VOTED UNANIMOUSLY TO RECESS INTO STANDING COMMITTEES AT 8:10 P.M.

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| {1} | Intergovernmental Committee: | 8:10 P.M. to 8:35 P.M. |
| {2} | Finance Committee: | 8:40 P.M. to 8:41 P.M. |
| {3} | Charter/Revision Committee: | 8:41 P.M. to 8:45 P.M. |
| {4} | Land Committee: | 9:10 P.M. to 9:11 P.M. |

ON A MOTION ALDERMAN NOGUEIRA, FOLLOWED BY A SECOND BY ALDERMAN MISSET, THE BOARD OF ALDERMEN VOTED UNANIMOUSLY TO RETURN TO REGULAR ORDER AT 9:14 P.M.

CONSENT CALENDAR: #1 - 6, 8, 10, 12 - 18 & O.B. #18.

WITHDRAWN: #5.

NON-CONSENT: #16 & 18.

"PASSED BY UNANIMOUS ROLL CALL VOTE"

**Motion made to *"Approve as Read"* by Alderman Pernerevski, Jr.,
and seconded by Alderman Misset.**

1. Gary S. Roosa
Legal Advisor
Dept. of Police Service
- Re:** Requesting approval of the Federal Highway Safety Program Grant. Said Program will reimburse the City for one-half of the cost of purchasing four {4} new Stalker radar units. The total cost of the radar units is **\$13,024.00**, of which **\$6,512.00** will be reimbursed to the City through this grant.

Referred to the Intergovernmental Committee.

ON A MOTION OF ALDERMAN CIOCHETTI, FOLLOWED BY A SECOND BY ALDERMAN NOGUEIRA, THE BOARD OF ALDERMEN VOTED BY UNANIMOUS CONSENT CALENDAR ROLL CALL VOTE TO APPROVE ITEM #1, AS STATED ABOVE.

2. Carrie A. Swain, Clerk
Board of Education
- Re:** Requesting review and approval of a Professional Service Agreement with Glen Martin Research Associates, Inc. to provide evaluation services for and required by the Early Reading First Grant.

Referred to the Intergovernmental Committee.

ON A MOTION OF ALDERMAN CIOCHETTI, FOLLOWED BY A SECOND BY ALDERMAN NOGUEIRA, THE BOARD OF ALDERMEN VOTED BY UNANIMOUS CONSENT CALENDAR ROLL CALL VOTE TO APPROVE ITEM #2, AS STATED ABOVE.

3. Carrie A. Swain, Clerk
Board of Education
- Re:** Requesting review and approval of Amendment #1 to the Agreement with the Waterbury Development Corporation for project management services regarding site selection, land acquisition, relocation activities, and other administrative services relating to the School Construction Program project.

Referred to the Intergovernmental Committee.

ON A MOTION OF ALDERMAN CIOCHETTI, FOLLOWED BY A SECOND BY ALDERMAN NOGUEIRA, THE BOARD OF ALDERMEN VOTED BY UNANIMOUS CONSENT CALENDAR ROLL CALL VOTE TO APPROVE ITEM #3, AS STATED ABOVE.

4. Carrie A. Swain, Clerk
Board of Education
- Re:** Requesting review and approval of a Maintenance Services Agreement with Honeywell, Inc. to provide building automation maintenance services.

Referred to the Intergovernmental Committee.

ON A MOTION OF ALDERMAN CIOCHETTI, FOLLOWED BY A SECOND BY ALDERMAN NOGUEIRA, THE BOARD OF ALDERMEN VOTED BY UNANIMOUS CONSENT CALENDAR ROLL CALL VOTE TO APPROVE ITEM #4, AS STATED ABOVE.

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| 5. Carrie A. Swain, Clerk
Board of Education | Re: Requesting review and approval of An Agreement between the WTBY Board of Ed and the Services Employees International Union {SEIU} for the period of July 1, 2008 through June 30, 2011. |
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Referred to the Intergovernmental Committee.

WITHDRAWN {PER ORDER OF SUBMITTER.}

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| 6. Alderman J. Paul Vance, Jr. | Re: Seeking approval of a Resolution entitled “Residential Facility/Group Homes.” |
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Referred to the Intergovernmental Committee.

ON A MOTION OF ALDERMAN MISSET, FOLLOWED BY A SECOND BY ALDERMAN PHELAN, THE BOARD OF ALDERMEN VOTED BY UNANIMOUS CONSENT CALENDAR ROLL CALL VOTE TO APPROVE ITEM #6, AS STATED ABOVE.

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| 7. 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 January 21, 2009 to February 20, 2009. |
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Received and Placed on File.

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| 8. Moynahan & Minnella, LLC
Attorneys at Law
141 East Main Street | Re: Correspondence to the board relative to an existing lease agreement for premises situated at 96 Bank Street. |
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Referred to the Intergovernmental Committee.

ON A MOTION OF ALDERMAN PERNEREWski, JR., FOLLOWED BY A SECOND BY ALDERMAN NOGUEIRA, THE BOARD OF ALDERMEN VOTED BY UNANIMOUS CONSENT CALENDAR ROLL CALL VOTE TO RECEIVE & PLACE ON FILE ITEM #8, AS STATED ABOVE.

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| 9. Michael J. Dalton
City Clerk | Re: Copy of correspondence forwarded to the Mayor’s Office relative to city-owned vehicles used for private use. |
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Received and Placed on File.

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| 10. George C. Tzeos
444 Middlebury Road | Re: Requesting the layout and discontinuance of Warren Street, Waterbury. |
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Referred to the Land Committee.

ON A MOTION OF ALDERMAN PERNEREWski, JR., FOLLOWED BY A SECOND BY ALDERMAN NOGUEIRA, THE BOARD OF ALDERMEN VOTED BY UNANIMOUS CONSENT CALENDAR ROLL CALL VOTE TO REFER TO CITY PLANNER SEQUIN ITEM #10, AS STATED ABOVE.

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| 11. Civil Service Commission | Re: Submittal of various job openings with the City of Waterbury, to wit: | | |
| | <table border="0"><tr><td style="padding-right: 20px;">Cafeteria Manager
Maintainer I</td><td>(Promotional Competitive)
(Open Competitive)</td></tr></table> | Cafeteria Manager
Maintainer I | (Promotional Competitive)
(Open Competitive) |
| Cafeteria Manager
Maintainer I | (Promotional Competitive)
(Open Competitive) | | |

Received & Placed on File.

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| 12. Peter Abare Brown
Director of Human Resources | Re: Request the withdrawal of correspondence previously submitting seeking salary range adjustments for Assistant Corporation Counsel and Attorneys. |
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Referred to the Personnel Committee.

ON A MOTION OF ALDERMAN PERNEREWski, JR., FOLLOWED BY A SECOND BY ALDERMAN NOGUEIRA, THE BOARD OF ALDERMEN VOTED BY UNANIMOUS CONSENT CALENDAR ROLL CALL VOTE RECEIVE & PLACE ON FILE ITEM #12, AS STATED ABOVE.

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| 13. Kenneth R. Skov,
Superintendent of Water | Re: Requesting approval of Amendment #1 to Pre-Construction Engineering Services Contract relative to Shepaug Infrastructure Project for \$44,716.00. The original amount was \$169,048.00 and the amended amount is for \$203,764.00. |
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Referred to the Intergovernmental Committee.

ON A MOTION OF ALDERMAN PERNEREWski, JR., FOLLOWED BY A SECOND BY ALDERMAN NOGUEIRA, THE BOARD OF ALDERMEN VOTED BY UNANIMOUS CONSENT CALENDAR ROLL CALL VOTE APPROVE ITEM #13, AS STATED ABOVE.

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| 14. Alderwoman Anne P. Phelan | Re: Seeking approval of a Resolution concerning revision of the Civil Services Rules to allow residency points to an individual domiciled in the city who receives a passing mark on any competitive examination. |
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Referred to the Charter Revision~Ordinance Committee.

ON A MOTION OF ALDERMAN PERNEREWski, JR., FOLLOWED BY A SECOND BY ALDERMAN NOGUEIRA, THE BOARD OF ALDERMEN VOTED BY UNANIMOUS CONSENT CALENDAR ROLL CALL VOTE REFER TO THE CIVIL SERVICE COMMISSION WITH RECOMMENDATION FOR APPROVAL, ITEM #14, AS STATED ABOVE.

15. Craig A. Sullivan
Corporation Counsel
City of Waterbury
- Re: Requesting approval a Memorandum of Understanding between the City of Waterbury and the Town of Watertown.

Referred to the Intergovernmental Committee.

ON A MOTION OF 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 #15, AS STATED ABOVE.

16. Alderman Michael J. Telesca
- Re: Seeking approval of a Resolution that would order the Water Department of the City of Waterbury to “Cease the practice of shutting off the supply of water” to occupied homes and to continue to lien properties and charge interest on unpaid delinquent water rents and sewer us charges.

Referred to the Charter Revision~Ordinance Committee.

ON A MOTION OF ALDERMAN PERNEREWski, JR., FOLLOWED BY A SECOND BY ALDERMAN NOGUEIRA, THE BOARD OF ALDERMEN VOTED BY AN 8 YEA - 5 NAY ROLL CALL VOTE TO DENY ITEM #16, AS REQUESTED AND STATED ABOVE.

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

17. Kevin Taylor
Senior Project Manager
WDC
- Re: Seeking approval to enter into a twenty-three {23} month lease for a temporary office unit adjacent to City Hall, for a not to exceed total of \$42,033.

Referred to the Intergovernmental Committee.

ON A MOTION OF 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 #17, AS STATED ABOVE.

18. Antony A. Casagrande
Carmody & Torrance LLP
50 Leavenworth Street
- Re: Requesting a waiver of approval requirements for The Neighborhood Stabilization Program and other Stimulus Programs.

Referred to the Intergovernmental Committee.

ON A MOTION OF ALDERMAN PERNEREWski, JR., FOLLOWED BY A SECOND BY ALDERMAN NOGUEIRA, THE BOARD OF ALDERMEN VOTED BY UNANIMOUS CONSENT CALENDAR ROLL CALL VOTE TO APPROVE *WITH AMENDMENTS, ITEM #18, AS STATED ABOVE.

***AMENDMENTS: Now, therefore be it so resolved that the Board of Aldermen hereby approved the relevant plans and amendments for the following programs or submissions of any required applications thereof: Neighborhood Stabilization Program in the amount of \$3,486,000.**

19. Ofelia F. Matos
Budget Director
- Re: Emergency budget transfers within the City’s General Fund for the FY ending June 30, 2009, in the amount of \$235,000.

Receive & Place on File.

20.

Ofelia F. Matos
Budget Director
- Re:

Emergency budget transfers within the City’s General Fund for the FY ending June 30, 2009, in the amount of **\$80,000.**

Receive & Place on File.

STANDING COMMITTEES:

ON A MOTION OF ALDERMAN PICCOCHI, FOLLOWED BY A SECOND BY ALDERMAN PERNEREWski, JR., THE BOARD OF ALDERMEN VOTED UNANIMOUSLY TO APPROVE & AUTHORIZE THE DIRECTOR OF FINANCE TO MAKE REFUNDS TO TAXPAYERS REPRESENTING OVERPAYMENTS OF TAX BILLS IN THE AMOUNT OF \$32,321.49.

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.]**
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.]**

ACTED ON AT A PREVIOUS MEETING; THEREFORE REMOVED FROM THE AGENDA.

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.]**

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| 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. | Kevin Taylor, Sr., Project Manager
Waterbury Development Corporation | 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. [Received on 2-23-09 and referred to the Land Committee.] |
| 7. | 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. [Received on 2-23-09 and referred to the Finance Committee.] |
| 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. | Peter Abare-Brown
Director of Human Resources | Re: Request for salary range adjustments for Assistant Corporation Counsel and Attorneys. [Received on 1-20-09 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.] |
| 12. | 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. [Received on 1-20-09 and referred to the Charter Revision~Ordinance Committee.] |

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| 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. 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. 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.] |
| 20. Gary Giordano
Professional Engineer & Land
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). [Received on 2-23-09 and referred to the Land Committee.] |

- 21.** Craig A. Sullivan
Corporation Counsel
- Re:** Proposed Amendment to Chapter 31 of the Code of Ordinances of the City of Waterbury. [Received on 2-09-09 and referred to the Charter Revision~Ordinance Committee.]

ON A MOTION OF ALDERMAN PICCOCHI, FOLLOWED BY A SECOND BY ALDERMAN CIOCHETTI, THE BOARD OF ALDERMEN VOTED BY UNANIMOUS CONSENT CALENDAR ROLL CALL VOTE TO APPROVE OLD BUSINESS ITEM #21, AS STATED ABOVE.

- 22.** J. Paul Vance, Jr., President
Board of Aldermen
- Re:** Seeking approval of a Vehicle Purchase Opportunity Resolution. [Received on 2-09-09 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 2-09-09 and referred to the Intergovernmental Committee.]
- 24.** Gary Giordano
Professional Engineer & Land
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. [Received on 2-23-09 and referred to the Land Committee.]
- 25.** Steve Gambini
Mayoral Aide
Office of the Mayor
- Re:** Update on the status of current repairs, inspection and conformance to the lease terms and conditions regarding the agreement between the City of WTBY and the WTBY Talmudic Institute, as requested by the Board of Aldermen on 1.20.2009. [Received on 2-23-09 and referred to the Intergovernmental Committee.]
- 26.** David Simpson
Deputy Director of Operations
Bureau of Public Works
- Re:** Submitting to the Board on behalf of John P. Lawlor; Director of Public Works, relative to the "Usage, Needs and Contractual Requirements" as it relates to the Vehicle Purchase Opportunity Resolution as requested by the Board at its 2.09.2009 regular meeting. [Received on 2-23-09 and referred to the Intergovernmental Committee.]

NEW BUSINESS

ADJOURNMENT

ON A MOTION ALDERMAN BURGIO, SR., FOLLOWED BY A SECOND BY ALDERMAN PHELAN, THE BOARD OF ALDERMEN VOTED UNANIMOUSLY TO ADJOURN @ 9:40 P.M.

MJD/Amb

C:Angela.Alderman.SummaryMinutes2009.doc