

BOARD OF ALDERMEN
Regular Meeting
Monday, April 6, 2009 at 7:00 P.M.
Waterbury Arts Magnet School
16 South Elm Street – Atrium

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"SUMMARY MINUTES"  
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CONSENT CALENDAR: #1, 3, 5 ~ 14
O.B. #6, 20
HELD: New Business #2
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 (14): Aldermen ~

P. Pernerewski, Jr.	F. Burgio, Sr.	A. Denze, Sr.
M. Misset	A. Piccochi	P. Ciochetti
C. Palladino	M. Telesca	J. Petteway
P. Vance, Jr.	P. Nogueira	C. Booker, Jr.
A. Phelan	A. Negron	

Absent (1): Aldermen ~ L. Russo



PUBLIC HEARING(S) ~ None
PLEDGE OF ALLEGIANCE/ PRAYER ~ 7:00 P.M.
ROLL CALL ~ Michael J. Dalton ~ 7:01 P.M.

OFFICIALLY SCHEDULED PRESENTATION(S) ~
Dominic D. Rinaldi; Executive Director Waterbury Parks Beautification Program~
"Beautification of the Parks in Waterbury" with a Feature on Fulton Park
7:02 P.M. ~ 7:16 P.M.

EXECUTIVE SESSION(S) ~ None

PUBLIC SPEAKING ~ 7:16 P.M. ~ 7:40 P.M.

Lisa Lessard; 904 Pearl Lake Road; Waterbury
Leo Frank; CEO; Waterbury Development Corp.; 24 Leavenworth St.; 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 MISSET, the
Board of Aldermen Voted Unanimously to **RECESS**
7:41 P.M.

On a Motion Made by Alderman CIOCHETTI, Seconded by Alderman MISSET, the
Board of Aldermen Voted Unanimously to **RETURN TO THE REGULAR ORDER OF BUSINESS**
8:26 P.M.



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| 1. | Kenneth R. Skov
Supt. of Water | Re: Contract with J&J Log & Lumber Corporation for
the Harvesting of Lumber on Bureau of Water
Property for the sale price of \$68,142.06 |
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REFERRED TO 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 #1

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| 2. | Craig Schmidt
Risk Manager | Re: Contract with Berkley Administrators of CT., Inc. |
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REFERRED TO 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 #2

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| 3. | Dawn E. DeSantis
Attorney, Office of the
Corporation Counsel | Re: Request for Release of Public Assistance Lien
on the Property of Jimmy Blash, Jr. at 12-14 Coe
Street |
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REFERRED TO LAND COMMITTEE

On a Motion Made by Alderman PERNEREWski, JR., Seconded by Alderman CIOCHETTI, the
Board of Aldermen Voted Unanimously to APPROVE THE RELEASE of the Aforementioned, Namely Item #3

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| 4. | Peter Abare-Brown
Director of Human Resources | Re: Notification of Open Competitive Exam #1901;
Mason |
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RECEIVE AND PLACE ON FILE

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| 5. | Geoffrey M. Green
Community Development Program
Specialist; Neighborhood
Re-Investing Group | Re: HOME Contract Approvals, to wit ~
Lisa Ferrucci; 21 Cathy Lane
Fejzo Akaratovia; 43 East Farms Street
Randy Taylor; 29 West Farms Street |
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REFERRED TO 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 #5

6. Mayor Michael Jarjura

Re: Mayor's Proposed Budget for Fiscal Year
Ending June 30, 2009-2010

REFERRED TO FINANCE COMMITTEE

On a Motion Made by Alderman PERNEREWski, JR., Seconded by Alderman CIOCHETTI, the Board of Aldermen Voted Unanimously to REFER TO THE YET TO BE NAMED BUDGET SUB-COMMITTEE the Aforementioned, Namely Item #6

7. Mayor Michael Jarjura

Re: Capital Budget Resolutions Regarding the
Implementation of the Capital Budget of the
City of Waterbury for Fiscal Year July 1, 2009
to June 30, 2010

REFERRED TO FINANCE COMMITTEE

On a Motion Made by Alderman PERNEREWski, JR., Seconded by Alderman CIOCHETTI, the Board of Aldermen Voted Unanimously to REFER TO THE YET TO BE NAMED BUDGET SUB-COMMITTEE & SET A PUBLIC HEARING FOR APRIL 20, 2009 AT 6:00 P.M. Relative to the Aforementioned, Namely Item #7

8. Carrie A. Swain; Clerk
Board of Education

Re: "Resolutions of the Board of Aldermen
Regarding the Selection of School Sites
& Acquisition of Specific Properties"

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 #8

9. Craig A. Sullivan
Corporation Counsel

Re: Proposed Amendment to Chapter 31 of the City
of Waterbury Code of Ordinances ("An Omnibus
Ordinance Regarding Implementation of Charter
Provisions Pertaining to Appointive Boards and
Commissions Required by Section 6c-1 of
The Charter")

REFERRED TO THE CHARTER REVISION ~ ORDINANCE 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 MAY 11, 2009 AT 6:50 P.M. Relative to the Aforementioned, Namely Item #9

10. Ofelia F. Matos
Budget Director

Re: Budget Transfers ~ General Fund Budget FY09
in the amount of **\$15,512**

REFERRED TO 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 #10

11. Salvatore D. Porzio
Project Manager; PWD

Re: Amendment #1 to Architect Design Services Agreement for East Mountain & Western Hill Golf Courses between the City of Waterbury & Stephen Kay – Doug Smith Golf Course Design (P006 A#1) in the amt. of **\$74,500**

REFERRED TO INTERGOVERNMENTAL COMMITTEE

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

12. Craig A. Sullivan
of Corporation Counsel

Re: Proposed Amendment to Chapter 31 of the City Waterbury Code of Ordinances

REFERRED TO THE CHARTER REVISION ~ ORDINANCE COMMITTEE

On a Motion Made by Alderman PERNERESKI, JR., Seconded by Alderman CIOCHETTI, the Board of Aldermen Voted Unanimously to SET A PUBLIC HEARING FOR MAY 11, 2009 AT 6:55 P.M. Relative to the Aforementioned, Namely Item #12

13. Ofelia F. Matos
Budget Director

Re: Budget Transfer within the City's Capital Improvements Fund for FY ending June 30, 2009 in the amt. of **\$37,500**

REFERRED TO FINANCE COMMITTEE

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

14. Jim Weir
Corporation Counsel

Re: Proposed Agreement between City of Waterbury and CT Light & Power (CL&P) in which CL&P will make a one-time payment of \$20,000 to the City for its use of energy efficient motors at its Water Purification facility

REFERRED TO INTERGOVERNMENTAL COMMITTEE

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

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 **\$99,895.37**

On a Motion Made by Alderman PICCOCHI, Seconded by Alderman PERNERESKI, JR., the Board of Aldermen Voted Unanimously to APPROVE AND AUTHORIZE THE DIRECTOR OF FINANCE TO MAKE REFUNDS TO TAXPAYERS REPRESENTING OVERPAYMENTS OF TAX BILLS IN THE AMOUNT OF \$99,895.37

OLD BUSINESS:

1. J. Paul Vance, Jr.; President
Board of Aldermen
Re: Status of Funds from the Board of Aldermen
Budget Transfer of Surplus **[Received on 03-23-09
and referred to the Finance 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. George C. Tzepos
444 Middlebury Road
Middlebury, CT 06762
Re: Requesting the layout and discontinuance of Warren
Street; Waterbury **[Received on 3-9-09 and
referred to the Land 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 9-08-08 and referred to the
Intergovernmental Committee]**

6. Dominic D. Rinaldi
Executive Director
Beautification Program
Re: Request for presentation at Board of Aldermen
Meeting on **April 6, 2009** re: Waterbury Parks
“*Beautification of the Parks in Waterbury*” with a
Feature on Fulton Park **[Received on 3-23-09 and
referred to the Intergovernmental Committee]**

**On a Motion Made by Alderman PERNERESKI, JR, Seconded by Alderman CIOCHETTI, the
Board of Aldermen Voted Unanimously to RECEIVE AND PLACE ON FILE the
Aforementioned, Namely Old Business Item #6**

7. William J. St. John, Jr.
St. John, Scappini, Lombard &
Stevens; Attorneys at Law
First Avenue; Waterbury
Re: Notice of the sale of property on Dube Lane by
Columbus Home Association, Inc., a tax paying
corporation, to Waterbury Christian Fellowship 13
Inc., a tax-exempt corporation **[Received on 2-23-
09 and referred to the Land 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
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]**

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| 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] |
| 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
Director of Finance | Re: Bond Authorization for: Water Department Office expansion and renovation in the amt. 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. Roseann Wright
Director of Public Health
- Re:** Seeking favorable consideration to Waterbury Eliminates Lead Hazards” grant award of **\$3,000,000** through the Office of Healthy Homes Lead Hazard Control (provided by Housing & Urban Development) [**Received on 03-23-09 and referred to the Intergovernmental Committee**]

On a Motion Made by Alderman PERNERESKI, JR., Seconded by Alderman CIOCHETTI, the Board of Aldermen Voted Unanimously to APPROVE the Aforementioned, Namely Old Business Item #20

21. David Simpson
Deputy Director of Operations
Bureau of Public Works
- Re:** Submitting to the Board of 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 02-09-09 Regular Meeting.[**Received on 2-23-09 and referred to the Intergovernmental Committee**]
22. J. Paul Vance, Jr.; President
Board of Aldermen
- Re:** Seeking approval of a Vehicle Purchase Opportunity Resolution [**Received on 02-09-09 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 02-09-09 and referred to the Intergovernmental Committee**]
24. Aldermen:
Cicero B. Booker, Jr.
Frank A. Burgio
Arthur Denze, Sr.
Carlo Palladino
Michael J. Telesca
- Re:** Whereas: The Board of Aldermen of the City of Waterbury has entered in a 5-year Lease for the Location of the Health Department of the City of Waterbury by overruling the Veto of said Lease by Mayor Michael Jarjura by a Vote of 10~3.
- Therefore let it be Resolved: That the Board of Aldermen do hereby seek legal advice independent of the Corporation Counsel of the City of Waterbury and the funds to pay for said advice.
[**Received on 03-23-09 and referred to the Rules/Law Committee**]
25. J. Paul Vance, Jr.; President
Board of Aldermen
- Re:** City Plan Ordinance Enforcement [**Received on 03-23-09 and referred to the Rules/Law Committee**]

NEW BUSINESS~

THE FOLLOWING ITEM TO BE ADDED UNDER EXECUTIVE SESSION AT THE BOARD’S NEXT REGULARLY SCHEDULED MEETING ON APRIL 20, 2009~

HEALTH DEPARTMENT LITIGATION ADR RESOLUTION

WHEREAS, The City of Waterbury, through its Board of Aldermen, Mayor's Office and other City department, have been considering the future location of the City's Health Department; AND

WHEREAS, The Office of the Mayor recommended a location on Bank Street for the City's Health Department; AND

WHEREAS, The Board of Aldermen approved the proposed location and the proposed lease; AND

WHEREAS, The Mayor vetoed the proposed lease for the Bank Street location and the veto was overridden by the Board of Aldermen ; AND

WHEREAS, The controversy regarding the location of the health department has played out in the newspaper and is now the subject of a lawsuit between the City of Waterbury and the owner of the Bank Street location; AND

WHEREAS, The Board of Aldermen believes that it is integral that this controversy is resolved in the quickest and most cost-efficient way for the Waterbury taxpayers; AND

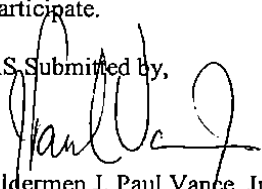
WHEREAS, The Board of Aldermen does not believe that expense of a protracted civil litigation is in the best interest of the City, its taxpayers and will serve only to delay a final decision regarding the location of the Health Department.

THEREFORE:

BE IT SO RESOLVED, The Board of Aldermen hereby directs that the Corporation Counsel schedule the matter for a private mediation or arbitration, AND

BE IT SO RESOLVED, The Board of Aldermen hereby requests that the Corporation Counsel notify the Board of Aldermen of the schedule and type of alternative dispute resolution (either mediation or arbitration) so that representative(s) from the Board of Aldermen may attend and participate.

AS Submitted by,


Aldermen J. Paul Vance, Jr.

April 6, 2009

ADJOURNMENT ~

On a Motion Made by Alderman BURGIO SR., Seconded by Alderman CIOCHETTI, the
Board of Aldermen Voted Unanimously to ADJOURN @ 8:50 PM.

MJD/pmd