

BOARD OF ALDERMEN
Regular Meeting
Monday, August 24, 2009 at 7:00 P.M.
Waterbury Arts Magnet School
16 South Elm Street - Atrium



“SUMMARY MINUTES”



CONSENT CALENDAR:
#3, 5, 7, 10, 13, 18, 21, 23 ~ 29, 31,
32
Old Business #8
Held: New Business #17
Removed from Agenda: O.B. #20

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

 **CALLED TO ORDER:** **7:00 p.m.**

 **PUBLIC HEARING(S):**

6:50 P.M. ~ ~~*For the purpose of seeking public input relative to a proposed Amendment to the Code of Ordinances of the City of Waterbury to establish a tax amnesty program to pursuant to a recently enacted State Statue allowing the same, as submitted by Craig A. Sullivan; Corporation Counsel; City of Waterbury*~~

Old Business Item #20 (Proposed Amendment to the Code of Ordinances) was withdrawn by Craig A. Sullivan; Corporation Counsel, therefore, the Public Hearing scheduled was cancelled

 **PLEDGE OF ALLEGIANCE & SILENT PRAYER**

 **ROLL CALL**

In Attendance (14) Aldermen:	P. Pernerewski, Jr.	F. Burgio, Sr.	A. Denze, Sr.
	A. Piccochi	P. Ciochetti	M. Misset
	M. Telesca	C. Palladino	P. Nogueira (<i>left @ 8:08 pm</i>)
	C. Booker, Jr.	P. Vance, Jr.	A. Negron
	A. Phelan		

Absent: Alderwoman J. Petteway



 **OFFICIALLY SCHEDULED PRESENTATION(S):**

Presentation by Andrew Martelli; Project Manager from Waterbury Development Corporation (WDC) relative to the progress of the restoration of the Historic City Hall Building

7:01 ~ 7:20 p.m.

EXECUTIVE SESSION(S):

PUBLIC SPEAKING:

None7:22 p.m. ~ 8:40 p.m.

Nick Coscia; 46 Gayfield Drive
Linn Asplund; 167 Madison Street
Lisa Lessard; 905 Pearl Lake Road
Steve Schrag; 14 Quentin Street
Ruth Barry; 109 Longmeadow Drive
Lawrence V. DePillo; 11 Steuben Street
Jim Shine; 50 Southwind Road
Shelia Lee Calhoun; 359 Tudor Street
Athena Wagner; 1558 Highland Avenue
Ed Bukoski; 370 Windy Drive
Thomas Harman; 351 Park Road
Andre Michaud; 54 Euclid Avenue
Dominic D. Rinaldi; 613 Willow Street
Joshua M. Angelus; 67 Hillside Avenue
Mayor Michael Jarjura; 264 Harwood Avenue

APPROVAL OF MINUTES:

RECESS:

None8:40 p.m. ~ 9:47 p.m.



1. Peter Abare-Brown
Director of Human Resources

Re: Notification of Promotional Exams for the Following:
Police Lieutenant; Exam #1042
Water Distribution Foreperson; Exam #1043
Water Utility Foreperson; Exam #1044
Chief of Police; Exam #1045

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2. Doreen Biolo; Business Analyst
Department of Education

Re: IN-KIND Services for Fiscal Year 2008-2009

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3. Toni Hirst
Chief Administrative Officer
New Opportunities, Inc.
232 No. Main Street; Wtby.

Re: Seeking City monies to help fund "HOOPS 4 Life" ~ New Opportunities, Inc. Summer Program Running from July ~ September.

REFERRED TO INTERGOVERNMENTAL COMMITTEE

ON A MOTION MADE BY ALDERMAN DENZE., SECONDED BY ALDERMAN CIOCHETTI
THE BOARD OF ALDERMEN VOTED BY UNANIMOUS CONSENT CALENDAR ROLL CALL VOTE TO
DENY THE AFOREMENTIONED, NAMELY ITEM #3

4.

Pasquale M. Salvatore
Law Offices of Yamin & Grant, LLC

Re: Requesting acceptance of subdivision street known as Destiny Circle

REFERRED TO THE LAND COMMITTEE

**ON A MOTION MADE BY ALDERMAN DENZE, SECONDED BY ALDERMAN CIOCHETTI
THE BOARD OF ALDERMEN VOTED BY UNANIMOUS CONSENT CALENDAR ROLL CALL VOTE TO
REFER TO CORPORATION COUNSEL THE AFOREMENTIONED, NAMELY ITEM #4**

5.

Pasquale M. Salvatore
Law Offices of Yamin & Grant, LLC

Re: Requesting a refund for overpayment of a inspection fee in the amount of, **\$3,691.00** relative to the Destiny Circle Subdivision

REFERRED TO THE FINANCE COMMITTEE

**ON A MOTION MADE BY ALDERMAN DENZE, SECONDED BY ALDERMAN CIOCHETTI
THE BOARD OF ALDERMEN VOTED BY UNANIMOUS CONSENT CALENDAR ROLL CALL VOTE TO
APPROVE THE AFOREMENTIONED, NAMELY ITEM #5**

6.

James T. Nemec; Supervisor of Parks
Dept. of Public Works
Bureau of Parks & Public Bldgs.

Re: Monthly Report covering activities carried out from May 21st to June 20th, 2009

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7.

E. Gil Graveline
Building Official

Re: Request for a refund in the amount of **\$1,395.00** for James Harlamon of Harlamon Homes, LLC, Inc., on cancelled Building Permits 4142D & 4143D for Lots 61~62 and 63~64 Lakeside Blvd., East (No work was performed regarding these permits)

REFERRED TO FINANCE COMMITTEE

**ON A MOTION MADE BY ALDERMAN DENZE, SECONDED BY ALDERMAN CIOCHETTI
THE BOARD OF ALDERMEN VOTED BY UNANIMOUS CONSENT CALENDAR ROLL CALL VOTE TO
APPROVE THE AFOREMENTIONED, NAMELY ITEM #7**

8.

James T. Nemec; Supervisor of Parks
Dept. of Public Works
Bureau of Parks & Public Bldgs.

Re: Monthly Report covering activities carried out from June 21st to July 20th, 2009

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9.

Michael LeBlanc; Director of Finance

Re: Capital Funds and Special Revenue Funds Status Report through the quarter ending June 30, 2009

RECEIVE AND PLACE ON FILE

10.

Kenneth R. Skov; Supt. of Water

Re: WTP Disinfection System Improvements Contract ~ C.H. Nickerson & Co., Inc. for the Water Treatment Plant Disinfection System Improvement Project for a sum not to exceed **\$660,978.00**

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE

**ON A MOTION MADE BY ALDERMAN DENZE, SECONDED BY ALDERMAN CIOCHETTI
THE BOARD OF ALDERMEN VOTED BY UNANIMOUS CONSENT CALENDAR ROLL CALL VOTE TO
APPROVE THE AFOREMENTIONED, NAMELY ITEM #10**

11.

Andrew Martelli
Project Manager
Waterbury Development Corporation

Re: Presentation relative to the restoration of City Hall, as requested by the Board of Aldermen

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12.

Edward P. Bushka
American Millwork & Lumber LLC
625 Wolcott Street
Waterbury 06705

Re: Requesting the acceptance of Highland Hill (off of Highland Avenue) as a new cul-de-sac road to access Highland Hill Condominium Complex & the release of the bond in the amount of **\$90,100.00**

REFERRED TO THE LAND COMMITTEE

ON A MOTION MADE BY ALDERMAN DENZE, SECONDED BY ALDERMAN CIOCHETTI
THE BOARD OF ALDERMEN VOTED BY UNANIMOUS CONSENT CALENDAR ROLL CALL VOTE TO
REFER TO CORPORATION COUNSEL THE AFOREMENTIONED, NAMELY ITEM #12

13.

Victor M. Diaz
Assistant City Clerk

Re: The Appointment of Louis Steponaitis; 368 Lakewood Road; to the Board of Public Works

REFERRED TO THE PERSONNEL COMMITTEE

ON A MOTION MADE BY ALDERMAN DENZE, SECONDED BY ALDERMAN CIOCHETTI
THE BOARD OF ALDERMEN VOTED BY UNANIMOUS CONSENT CALENDAR ROLL CALL VOTE TO
“NOT TO DISAPPROVE” (approved) THE AFOREMENTIONED, NAMELY ITEM #13

14.

Mary E. Nardini CCMC
Revenue Collections Manager

Re: Annual Report for Fiscal Year 2008 ~ 2009

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15.

David L. Snead, Ph.D.
Superintendent of Schools

Re: Department of Education’s Annual Report: 2008 ~ 2009

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16.

E. Gil Graveline
Building Official
Dept. of Inspection

Re: Dept. of Inspections Annual Report: July 1, 2008 ~ June 30, 2009

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17.

Carrie A. Swain; Clerk
Board of Education

Re: License Agreement with SWIS & CICO-SWIS to provide a web-based information system for school personnel (the aforementioned was approved by the Board of Education at its special meeting of July 31, 2009)

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE

ON A MOTION MADE BY ALDERMAN DENZE, SECONDED BY ALDERMAN CIOCHETTI
THE BOARD OF ALDERMEN VOTED BY UNANIMOUS CONSENT CALENDAR ROLL CALL VOTE TO
HOLD IN COMMITTEE THE AFOREMENTIONED, NAMELY ITEM #17

18. Carrie A. Swain; Clerk
Board of Education
- Re:** Approval of an Energy Efficiency Services Letter of Agreement with Connecticut Light and Power for Duggan School (the aforementioned was approved by the Board of Education at its special meeting of July 31, 2009)

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE

**ON A MOTION MADE BY ALDERMAN DENZE, SECONDED BY ALDERMAN CIOCHETTI
THE BOARD OF ALDERMEN VOTED BY UNANIMOUS CONSENT CALENDAR ROLL CALL VOTE TO
APPROVE THE AFOREMENTIONED, NAMELY ITEM #18**

19. Mark J. Pronovost; P.E. City Engineer
- Re:** As requested by the Board of Aldermen at its June 8, 2009 Regular Meeting, the design schedule for the Reconstruction of Chase Avenue/ Homer Street

RECEIVE AND PLACE ON FILE

20. Mark J. Pronovost; P.E. City Engineer
- Re:** As requested by the Board of Aldermen at its May 26, 2009 Regular Meeting, the design schedule for the Pearl Lake Road Reconstruction revised 7/30/09, as provided by URS Corp.

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21. Michael LeBlanc
Director of Finance
- Re:** Supplemental Agreement with the State of CT for Rights of Way activities in relation to the reconstruction of Chase Avenue from Nottingham Terrace to North Main Street

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE

**ON A MOTION MADE BY ALDERMAN DENZE, SECONDED BY ALDERMAN CIOCHETTI
THE BOARD OF ALDERMEN VOTED BY UNANIMOUS CONSENT CALENDAR ROLL CALL VOTE TO
APPROVE THE AFOREMENTIONED, NAMELY ITEM #21**

22. Craig A. Sullivan
Corporation Counsel
- Re:** Legal Department's Annual Report 2008~2009

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23. Patricia E. Goodin; Accountant
Public Works Department
- Re:** Amendment of the Personal Service Agreement with the State of Connecticut for East Mountain Park Improvements

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE

**ON A MOTION MADE BY ALDERMAN DENZE, SECONDED BY ALDERMAN CIOCHETTI
THE BOARD OF ALDERMEN VOTED BY UNANIMOUS CONSENT CALENDAR ROLL CALL VOTE TO
APPROVE THE AFOREMENTIONED, NAMELY ITEM #23**

24. Denis A. Cuevas, P.E.
General Manager of WPC
- Re:** Construction Contract between the City of Waterbury and Aaron Associates of CT., Inc. regarding the Wastewater Collection SCADA System Project ~ Phase I in an amount not to exceed **\$72,030.00**

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE

**ON A MOTION MADE BY ALDERMAN DENZE, SECONDED BY ALDERMAN CIOCHETTI
THE BOARD OF ALDERMEN VOTED BY UNANIMOUS CONSENT CALENDAR ROLL CALL VOTE TO
APPROVE THE AFOREMENTIONED, NAMELY ITEM #24**

25. Peter Abare-Brown
Director of Human Resources

Re: New Job Specification for Nurse Practitioner Supervisor

REFERRED TO THE PERSONNEL COMMITTEE

**ON A MOTION MADE BY ALDERMAN DENZE, SECONDED BY ALDERMAN CIOCHETTI
THE BOARD OF ALDERMEN VOTED BY UNANIMOUS CONSENT CALENDAR ROLL CALL VOTE TO
APPROVE THE AFOREMENTIONED, NAMELY ITEM #25**

26. Peter Abare-Brown
Director of Human Resources

Re: New Job Specification for Direct Care Nurse

REFERRED TO THE PERSONNEL COMMITTEE

**ON A MOTION MADE BY ALDERMAN DENZE, SECONDED BY ALDERMAN CIOCHETTI
THE BOARD OF ALDERMEN VOTED BY UNANIMOUS CONSENT CALENDAR ROLL CALL VOTE TO
APPROVE THE AFOREMENTIONED, NAMELY ITEM #26**

27. Karen Lang
Pension & Benefits Manager

Re: Contract between the City of Waterbury and Milliman, Inc., for health and brokerage services

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE

**ON A MOTION MADE BY ALDERMAN DENZE, SECONDED BY ALDERMAN CIOCHETTI
THE BOARD OF ALDERMEN VOTED BY UNANIMOUS CONSENT CALENDAR ROLL CALL VOTE WITH ONE
*ABSTENSION TO APPROVE THE AFOREMENTIONED, NAMELY ITEM #27
*Alderman Pinto**

28. Denis A. Cuevas, P.E.
General Manager of WPC

Re: Construction Contract between the City of Waterbury and Camp Dresser & McKee Inc. Regarding the Harpers Ferry Road Pump Station Replacement in an amt. not to exceed
\$149,304.00

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE

**ON A MOTION MADE BY ALDERMAN DENZE, SECONDED BY ALDERMAN CIOCHETTI
THE BOARD OF ALDERMEN VOTED BY UNANIMOUS CONSENT CALENDAR ROLL CALL VOTE TO
APPROVE THE AFOREMENTIONED, NAMELY ITEM #28**

29. Karen Lang
Pension & Benefits Manager

Re: Contract for claims consolidation services between the City of Waterbury and In-Tech Health Ventures

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE

**ON A MOTION MADE BY ALDERMAN DENZE, SECONDED BY ALDERMAN CIOCHETTI
THE BOARD OF ALDERMEN VOTED BY UNANIMOUS CONSENT CALENDAR ROLL CALL VOTE TO
APPROVE THE AFOREMENTIONED, NAMELY ITEM #29**

30. Ofelia F. Matos
Budget Director

Re: Monthly Financial Report Fiscal Year 2009 Update

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31. Antony A. Casagrande
 Carmody & Torrance LLP

Re: Grant Agreement between the U.S. Department
 of Housing and Urban Development (HUD) and
 the City of Waterbury for the CDBG-R Program

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE

**ON A MOTION MADE BY ALDERMAN DENZE, SECONDED BY ALDERMAN CIOCHETTI
THE BOARD OF ALDERMEN VOTED BY UNANIMOUS CONSENT CALENDAR ROLL CALL VOTE TO
APPROVE THE AFOREMENTIONED, NAMELY ITEM #31**

32. Antony A. Casagrande
 Carmody & Torrance LLP

Re: Approval of the existing and proposed amended
 NSP Budget Allocations of Housing and Urban
 Development (HUD) and the City of Waterbury
 for the CDBG-R Program

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE

**ON A MOTION MADE BY ALDERMAN DENZE, SECONDED BY ALDERMAN CIOCHETTI
THE BOARD OF ALDERMEN VOTED BY UNANIMOUS CONSENT CALENDAR ROLL CALL VOTE TO
APPROVE THE AFOREMENTIONED, NAMELY ITEM #32**



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, **\$192,522.82**

**ON A MOTION MADE BY ALDERMAN PICCOCHI, SECONDED BY ALDERMAN PERNEREWski, JR.
THE BOARD OF ALDERMEN VOTED BY UNANIMOUS CONSENT CALENDAR ROLL CALL VOTE TO
APPROVE THE AFOREMENTIONED STANDING COMMITTEE REPORT FOR TAX OVERPAYMENTS
IN THE AMOUNT OF \$192,522.82**

OLD BUSINESS:

1. Paul F. Guidone; COO
 Waterbury Public Schools

Re: As requested by the Board of Aldermen, the
 School Inspector’s Office Overtime Report
 **[Received on 07-20-09 and referred to the
 Rules/Law Committee]**

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

Re: Seeking approval of a new job specification for
 a Permit Center Coordinator **[Received on
 06-25-07 and referred to the Personnel
 Committee]**

3. Leo Frank; CEO
 Waterbury Development Corp.

Re: Requesting for a change in the policy that allows
 for submittal of documents in electronic format to
 be posted on the City’s website **[Received on
 on 06-08-09 and referred to the Rules / Law
 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
 09-24-07 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 09-08-08 and referred to the Intergovernmental Committee] |
| 6. | Thomas C. Harman
President, WHNA | Re: Proposed Resolution for the Board of Aldermen to review and approve the Final Draft of the Revised Land Use Regulations prior to adoption by the Land Use Commissions [Received on 05-11-09 and referred to the Charter Revision/ Ordinance Committee] |
| 7. | William J. St. John, Jr.
St. John, Scappini, Lombard &
Stevens; Attorneys at Law
13 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 Inc., a tax-exempt corporation [Received on 02-23-09 and referred to the Land Committee] |

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| 8. | Craig A. Sullivan
Corporation Counsel | Re: Requesting the scheduling of a Public Hearing prior to the commencement of the Board’s next Regular Meeting on July 20, 2009, for the purpose of receiving public input regarding a proposed Amendment to the Code of Ordinance of the City of Waterbury to establish a smoke-free zone on public properties and rights-of-way in the vicinity of Saint Mary’s Hospital [Received on 06-22-09 and referred to the Charter-Revision Ordinance Committee] |
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**ON A MOTION MADE BY ALDERMAN DENZE, SECONDED BY ALDERMAN CIOCHETTI
THE BOARD OF ALDERMEN VOTED BY UNANIMOUS CONSENT CALENDAR ROLL CALL VOTE TO
*APPROVE THE AFOREMENTIONED, NAMELY OLD BUSINESS ITEM #8**

*** “Ordinance Language from Corporation Counsel”**

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| 9. | Alderman Arthur J. Denze, Sr. | Re: Requesting that the BOA invite a DPUC senior representative to the Board of Aldermen’s next meeting to advise relative to the Class 1 approval and where the Chestnut Hill BioEnergy LLC Proposal regarding the DPUC permitting process and whether the City or the DPUC will act first to Review, Approve, or Deny a formal application [Received on 04-20-09 and referred to the Public Safety 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. | J. Paul Vance, Jr.; President
Board of Aldermen | Re: Regarding Corporate Ethics Ordinance draft language -2.0 [Received on 05-11-09 and referred to the Charter Revision/Ordinance Committee] |
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- Removed from Consent Calendar
Charter-Revision Ordinance Subcommittee to meet with Corporation Counsel for
discussion on Corporate Ethics Ordinance Draft Language 2.0**

12.

Mayor Michael J. Jarjura
City of Waterbury

Re:

Respond to Questions and Return within 10 days of receipt **[Received on 05-11-09 and referred to the Rules / Law Committee]**
13.

John M. Wabiszczewicz
Attorney at Law
150 Prospect Street; Waterbury

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.

Alderman Cicero B. Booker, Jr.
Alderman Frank A. Burgio, Sr.
Alderman Arthur Denze, Sr.
Alderman Carlo Palladino
Alderman 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 to 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 advise **[Received on 03-23-09 and referred to the Rules/Law 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.

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 Commissions required by Section 6C-1 of the Charter*" **[Received on 11-24-08 and referred to the Charter Revision ~ Ordinance 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.

Craig Schmidt; Risk Manager
City of Waterbury

Re:

City of Waterbury Property & Casualty Insurance Renewal **[Received on 07-20-09 and referred to Intergovernmental Committee]**
19.

Craig A. Sullivan
Corporation Counsel

Re:

Request referral and approval of the proposed Agreement between City of Waterbury and Waterbury Industrial Commons Associates relating to the potential acquisition of real property known as 1875 Thomaston Avenue; Waterbury **[Received on 07-20-09 and referred to Intergovernmental Committee]**
20.

Craig A. Sullivan
Corporation Counsel

Re:

Request to set a Public Hearing for public input relative to a proposed Amendment to the Code of Ordinances of the City of Waterbury to establish a tax amnesty program pursuant to a recently enacted State Statue allowing the same **[Received on 07-20-09 and referred to the Charter/Revision Committee]**

WITHDRAWN

NEW BUSINESS: None

ADJOURNMENT:

ON A MOTION MADE BY ALDERMAN BURGIO SR.; SECONDED BY ALDERMAN PICCOCHI
THE BOARD OF ALDERMEN VOTED UNANIMOUSLY TO

ADJOURN @ 9:56 p.m.

MJD/pmd