BOARD OF ALDERMEN

Regular Meeting
Waterbury Arts Magnet School
16 South Elm Street - Atrium
Monday, September 21, 2009 at 7:00 p.m.

"*SUMMARY MINUTES*"

PLEDGE OF ALLEGIANCE AND SILENT PRAYER @ 7:00 p.m.

ROLL CALL

PRESENT:

*Vance, Jr.	Pernerewski, Jr.	Phelan
Misset	Negron	Nogueira
Petteway	Piccochi	Pinto
Booker, Jr.	Burgio, Sr.	Denze, Sr.
Palladino	Telesca	Ciochetti

*@7:30 p.m.

ABSENT: None

EXECUTIVE SESSION/S:

None

PUBLIC SPEAKING 7:02 p.m. to 8:40 p.m.

Steven Schrag; 14 Quentin Street

Antoinette D'Almeida; 177 Allen Street

Edward Bukoski; 370 Windy Drive

Thomas Harman; 351 Park Road

Dominic Rinaldi; 613 Willow Street

Marie Miklinevich; 209 Allen Street

Shelia Ann Lee Calhoun; 359 Tudor Street

Lawrence V. De Pillo; 11 Steuben Street

Andre Michard; 54 Euclid Avenue

Michael Jarjura; 264 Harwin Road

APPROVAL OF MINUTES

Sheriff's Call Meeting ~ Monday, August 3, 2009 at 5:45 p.m.
Sheriff's Call Meeting ~ Monday, August 3, 2009 at 6:00 p.m.

On a motion Alderman Pernerewski, followed by a second by Alderman Ciochetti, the Board of Aldermen unanimously voted to APPROVE the minutes.

RECESS at 8:40 p.m.

RETURNED AT 8:30 p.m.

CONSENT CALENDAR: # 3, 4, 7, 11, 13, 14, OB #19, and OB #22.

NON CONSENT CALENDAR: OB # 12 *Receive and Place on File*
"Passed by unanimous roll call vote"

On a motion Alderman Pernerewski followed by a second by Alderman Ciochetti, the Board of Aldermen voted unanimously to APPROVE as read the aforementioned, namely its Consent Calendar.

1.	Rae Brier, J.A.S. Properties	**Re:**	Requesting an extension of the existing roadway (Leslie St.) and the associated utility extensions as on the enclosed plans by Land-Data Engineers.

REFERRED TO LAND COMMITTEE.

On a motion Alderman Pernerewski, followed by a second by Alderman Ciochetti, the Board of Aldermen voted by a unanimous consent calendar roll call vote to REFER TO CITY PLAN the aforementioned, namely item #1.

2.	Denis A. Cuevas, P.E. General Manager, WPC	**Re:**	Submittal of the Annual Report for Water Pollution Control for Fiscal Year 2008-2009.

RECEIVE AND PLACE ON FILE.

3.	Gary S. Roosa, Legal Advisor Department of Police Service	**Re:**	Request approval of Professional Services agreement between Docview, LLC and the City of Waterbury.

REFERRED TO INTERGOVERNMENTAL COMMITTEE.

On a motion Alderman Pernerewski, followed by a second by Alderman Ciochetti, the Board of Aldermen voted by a unanimous consent calendar roll call vote to APPROVE the aforementioned, namely item #3.

4.	Gary S. Roosa, Legal Advisor Department of Police Service	**Re:**	Request approval of the enclosed construction contract between Hartford Elevator, LLC and the City of Waterbury.

REFERRED TO INTERGOVERNMENTAL COMMITTEE.

On a motion Alderman Pernerewski, followed by a second by Alderman Ciochetti, the Board of Aldermen voted by a unanimous consent calendar roll call vote to APPROVE the aforementioned, namely item #4.

5.	James T. Nemec, Supervisor of Parks Department of Public Works	**Re:**	Submittal of monthly report covering activities during the period of July 21, 2009 to August 20, 2009.

RECEIVE AND PLACE ON FILE

6.	Roseann Wright, Director of Public Health Health Department	**Re**:	Submittal of the Department of Public Health's 2009 Annual Report.

RECEIVE AND PLACE ON FILE

7.	Michael T. Gilmore, Re-Investment Specialist, WDC	**Re:**	Request approval of The City of Waterbury acting by and through The Waterbury Development Corporation to enter into contract not to exceed Ninety Nine Thousand Dollars (($99,000.00) with EnviroMed Services Inc. for Asbestos/Lead testing And Consulting.

REFERRED TO INTERGOVERNMENTAL COMMITTEE.

On a motion Alderman Pernerewski, followed by a second by Alderman Ciochetti, the Board of Aldermen voted by a unanimous consent calendar roll call vote to <u>APPROVE</u> the aforementioned, namely item #7.

8.	James A. Sequin, AICP	**Re:**	Correspondence requesting your consideration relative to a request from Mr. Scott Tedesco of Heritage Builders to dedicate 47,532 square feet of land located on Alisha Lane to the City of Waterbury.

REFERRED TO LAND COMMITTEE.

On a motion Alderman Pernerewski, followed by a second by Alderman Ciochetti, the Board of Aldermen voted by a unanimous consent calendar roll call vote to <u>REFER TO CITY PLAN COMMISSION AND CORPORATION COUNSEL the aforementioned, namely item #8.</u>

9.	James A. Sequin, AICP	**Re:**	Response to the Board relative to old business # 20, concerning the acquisition of real property known as 1875 Thomaston Avenue.

REFERRED TO INTERGOVERNMENTAL COMMITTEE.

On a motion Alderman Pernerewski, followed by a second by Alderman Ciochetti, the Board of Aldermen voted by a unanimous consent calendar roll call vote to <u>RECEIVE AND PLACE ON FILE</u> the aforementioned, namely item #9.

10. James A. Sequin, AICP **Re:** Response to the Board relative to old business #22, concerning the acquisition of real property known as One Jefferson Square.

REFERRED TO INTERGOVERNMENTAL COMMITTEE.

On a motion Alderman Pernerewski, followed by a second by Alderman Ciochetti, the Board of Aldermen voted by a unanimous consent calendar roll call vote to RECEIVE AND PLACE ON FILE the aforementioned, namely item #10.

11. James A. Sequin, AICP **Re:** Referring a request: Mr. Kevin Taylor of WDC has requested a waiver of the fee associated with an application for an Inland Wetlands Agent Certification of No Greater than a Minimal Impact for a property located at 777 South Main Street.

REFERRED TO LAND COMMITTEE.

On a motion Alderman Pernerewski, followed by a second by Alderman Ciochetti, the Board of Aldermen voted by a unanimous consent calendar roll call vote to APPROVE the aforementioned, namely item #11.

12. Antoinette D'Almeida **Re:** Correspondence concerns regarding the deteriorating condition of Prichard's Pond on Pearl Lake Road in Waterbury.

REFERRED TO LAND COMMITTEE.

On a motion Alderman Pernerewski, followed by a second by Alderman Ciochetti, the Board of Aldermen voted by a unanimous consent calendar roll call vote to REFER TO CITY ENGINER TO REPORT BACK AT THE NEXT REGULAR MEETING aforementioned, namely item #12.

13. Carrie A. Swain, Clerk, BOE **Re:** Requesting approval and acceptance of the U.S. Department of Education's "Carol M. White Physical Education Program Grant."

REFERRED TO INTERGOVERNMENTAL COMMITTEE.

On a motion Alderman Pernerewski, followed by a second by Alderman Ciochetti, the Board of Aldermen voted by a unanimous consent calendar roll call vote to APPROVE the aforementioned, namely item #13.

14. Michael T. Gilmore, Re-Investment Specialist, WDC **Re:** Request approval the City of Waterbury acting by and through The Waterbury Development Corporation to enter into Contract not to exceed ($123,625.00) with

Industrial Wrecking Inc. for demolition of 524 Lakewood Road.

REFERRED TO INTERGOVERNMENTAL COMMITTEE.

On a motion Alderman Pernerewski, followed by a second by Alderman Ciochetti, the Board of Aldermen voted by a unanimous consent calendar roll call vote 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 $37,292.54.

On a motion Alderman Piccochi, followed by a second by Alderman Pernerewski, the Board of Aldermen voted to Approve, the aforementioned, Standing Committee for Tax Overpayments.

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]**

On a motion Alderman Pernerewski, followed by a second by Alderman Ciochetti, the Board of Aldermen voted by a unanimous consent calendar roll call vote to RECEIVE AND PLACE ON FILE the aforementioned, namely item #1.

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.]**

On a motion Alderman Pernerewski, followed by a second by Alderman Ciochetti, the Board of Aldermen voted by a unanimous consent calendar roll call vote to RECEIVE AND PLACE ON FILE the aforementioned, namely item #2.

3. Michael LeBlanc
Director of Finance

Re: Seeking approval of a resolution authorizing an appropriation of **$2,000,000** for the acquisition of the Drubner parcel of land authorizing the issuance of city general obligation bonds in the amount not to exceed **$2,000,000** to finance the appropriation. **[Received on 9-08-09 and referred to Finance Committer.]**

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.]**

On a motion Alderman Pernerewski, followed by a second by Alderman Ciochetti, the Board of Aldermen voted by a unanimous consent calendar roll call vote to RECEIVE AND PLACE ON FILE the aforementioned, namely item #4.

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.]**

On a motion Alderman Pernerewski, followed by a second by Alderman Ciochetti, the Board of Aldermen voted by a unanimous consent calendar roll call vote to RECEIVE AND PLACE ON FILE the aforementioned, namely item #5.

6. Thomas C. Harman
President, WHNA

Re: Proposed Resolution for the Board of Aldermen to Approve the Final Draft of the Revised Land Use Regulations Prior To Adoption by the Land Use Commissions. **[Received on 5-11-09 and referred to the Charter Revision Ordinance Committee.]**

On a motion Alderman Pernerewski, followed by a second by Alderman Ciochetti, the Board of Aldermen voted by a unanimous consent calendar roll call vote to RECEIVE AND PLACE ON FILE the aforementioned, namely item #6.

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 -23-09 and referred to the Finance Committee.]**

DENIED AT LAST MEETING

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

Re: Requesting acceptance of subdivision street known as Destiny Circle. **[Received on 8-24-09 and Referred to the Land Committee.]**

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 I 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 4-20-09 and referred to the Public Safety Committee.]**

On a motion Alderman Pernerewski, followed by a second by Alderman Ciochetti, the Board of Aldermen voted by a unanimous consent calendar roll call vote to RECEIVE AND PLACE ON FILE the aforementioned, namely item #9.

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.	President J. Paul Vance, Jr. 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.]**

On a motion Alderman Pernerewski, followed by a second by Alderman Ciochetti, the Board of Aldermen voted by a unanimous consent calendar roll call vote to SET A PUBLIC HEARING FOR OCTOBER 19, 2009 AT 6:30 P.M. FOR CORPORATE ETHICS ORDINANCE DRAFT LANGUAGE AS SUBMITTED.

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 Rules/Law Committee.]**

*On a motion Alderman Pernerewski and duly a seconded, the Board of Aldermen voted by a 12 YEAS, *3 NAYS ROLL CALL VOTE to RECEIVE AND PLACE ON FILE the aforementioned, namely item #12. *Aldermen Burgio, Denze, Telesca*

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.	Alderman Cicero B. Booker, Jr. Alderman Frank A. Burgio 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 over ruling 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 advice. **[Received on 3-23-09 and referred to the Rules/Law Committee.]**

On a motion Alderman Pernerewski, followed by a second by Alderman Ciochetti, the Board of Aldermen voted by a unanimous consent calendar roll call vote to RECEIVE AND PLACE ON FILE the aforementioned, namely item #14.

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.]**

On a motion Alderman Pernerewski, followed by a second by Alderman Ciochetti, the Board of Aldermen voted by a unanimous consent calendar roll call vote to RECEIVE AND PLACE ON FILE the aforementioned, namely item #15.

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 Commission 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 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 the Charter/Revision Committee]**

On a motion Alderman Pernerewski, followed by a second by Alderman Ciochetti, the Board of Aldermen voted by a unanimous consent calendar roll call vote to APPROVE the aforementioned, namely item #19.

20. Atty. Michael G. Tansley
Cicchetti, Tansley & McGrath
500 Chase Parkway

Re: Correspondence requesting a referral to the City Plan Commission of the Agreement by and between the City of Waterbury and WTBY Industrial Commons Associates regarding the potential Acquisition of the property located at 1875 Thomaston Ave./Commons Court by the City; and

Request for approval of the form of the Agreement By and between the City of the Waterbury and WTBY Industrial Commons Associates regarding the potential acquisition of the property by the city. **[Received on 09-08-09 and referred to the Intergovernmental Committee.]**

On a motion Alderman Pernerewski, followed by a second by Alderman Ciochetti, the Board of Aldermen voted by a unanimous consent calendar roll call vote to <u>RECEIVE AND PLACE ON FILE</u> the aforementioned, namely item #20.

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

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. [Received on 08-24-09 and referred to the Finance Committee.]**

22. Atty. Gary B O'Connor
Pepe & Hazard LLP
500 Chase Parkway

Re: Correspondence requesting approval of a referral to the City Plan Commission of the purchase and sale Agreement between American Financial TRS, Inc. ("American") with First States Investors 3000B, L.P. ("Joinder Party") and the City of Waterbury (the "City") One Jefferson Square, Waterbury. **[Received on 08-24-09 and referred to The Intergovernmental Committee.]**

On a motion Alderman Pernerewski, followed by a second by Alderman Ciochetti, the Board of Aldermen voted by a unanimous consent calendar roll call vote to <u>APPROVE</u> the aforementioned, namely item #22.

<u>NEW BUSINESS</u>

Ofelia Matos come to next regular meeting of the Board of Aldermen to talk about the effects on the State Budget and questions on furlough dates whether or not they were going be realized in this budget or not.

On a motion Alderman Booker, followed by a second by Alderman Burgio, the Board of Aldermen unanimously voted to Ofelia Matos to ATTEND NEXT REGULAR MEETING to discuss the aforementioned.

<u>ADJOURNMENT</u>

On a motion Alderman Burgio Sr., followed by a second by all voted to adjourn at 8:52 p.m.

MJD/ralf