

BOARD OF ALDERMEN
Regular Meeting
Monday, November 23, 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: New Business #3, 7 ~ 9, 12 ~ 16, 18 ~ 20, 22
Old Business #2, 4, 11

Hold: New Business #4, 5, 10, 17

Withdrew: New Business #21

Non-consent: New Business #12

**Motion made to "Approve" as Read by Alderman PERNERESKI, JR.
& seconded by Alderman CIOCHETTI**

"Passed by Unanimous Roll Call Vote"

☞ CALLED TO ORDER ~ 7:06 P.M.

☞ PUBLIC HEARING(S) ~ None

☞ PLEDGE OF ALLEGIANCE & SILENT PRAYER

☞ ROLL CALL~

<u>PRESENT:</u>	<i>Pernerewski, Jr.</i>	<i>Phelan</i>	<i>Denze, Sr.</i>
	<i>Pinto</i>	<i>Piccochi</i>	<i>Palladino</i>
	<i>Misset</i>	<i>Negron</i>	<i>Telesca</i>
	<i>Nogueira</i>	<i>Booker, Jr.</i>	<i>Ciochetti</i>
	<i>Petteway</i>	<i>Burgio, Sr.</i>	<i>Vance, Jr.</i>

ABSENT: *None*

ALSO PRESENT: *Michael J. Dalton; City Clerk*
 Patricia M. Daigle; Recording Secretary; Office of the City Clerk
 Mayor Michael Jarjura

☞ EXECUTIVE SESSION(S) ~ None

☞ PUBLIC SPEAKING ~ 7:08 P.M. ~ 7:55 P.M.

- *Celia Davis; 117 Cherry Street*
- *Len Margiotta; 115 Anderson Avenue*
- *Patrick J. Conney; 486 Willow Street*
- *Geraldo Reyes, Jr.; 30 Madison Street*
- *Luis Rosairo; 56 Gorman Circle*
- *Richard Hupprich; 321 Congress Avenue*
- *Lawrence V. DePillo; 11 Steuben Street*
- *Felix Rodriguez; 19 Eric Lane*
- *Charles Trombley; 26 Winthrop Avenue*
- *Ronnie Vazquez; 166 Hamden Avenue*
- *Brian Gibbons; 178 Faber Avenue*
- *Paul Thomas; 34 Oliver Avenue*
- *Kevin Caffrey; 272 Hauser Street*

OFFICIALLY SCHEDULED PRESENTATION(S) ~ Presentation by Corporation Counsel’s Office Relative to Work done by City Employees for Other Employees, Supervisors and Officials and Work Done by Supervisors and Officials for City Employees

➤ Attorney Joseph Summa

7:55 P.M. ~ 8:17 P.M.

**APPROVAL OF MINUTES ~ Regular Meeting of August 24, 2009
Regular Meeting of September 21, 2009**

On a motion from Alderman DENZE, SR. followed by a second from Alderman BOOKER, JR. the Board of Aldermen voted unanimously to APPROVE the aforementioned meeting minutes with a “friendly amendment” to the August 24, 2009 minutes to remove former Alderwoman Laurie Russo name from the minutes as being present

RECESS ~ 8:18 P.M. ~ 9:03 P.M.



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

Re: Monthly Report covering period September 1 to October 20, 2009

RECEIVE AND PLACE ON FILE

2. Frank Caruso; Deputy Tax Collector
Office of the Tax Collector

Re: Submittal of Delinquent Report CD-Rom plus Y-T-D Collections & Percentages, Y-T-D Collections through 10/31/09, total delinquent tax balances due the City and all Lien Holders, Y-T-D payments to outside Lien Holders, & Outstanding parking ticket receivable & Y-T-D Collections

RECEIVE AND PLACE ON FILE

3. Antoinette C. Spinelli
Town Clerk

Re: Appointment of Sub-registrars of Vital Statistics namely *Alderson Funeral Home, Casey-O'Donnell Family Funeral Home, & Snyder Funeral Home*, to produce burial permits in the absence of, or off-duty hours of the Registrar of Vital Statistics

REFERRED TO THE PERSONNEL COMMITTEE

On a motion from Alderman PERNERESKI, JR., followed by a second from Alderman CIOCHETTI the Board of Aldermen voted by unanimous Consent Calendar Roll Call Vote to APPROVE the aforementioned, namely Item #3

4. James A. Sequin; AICP
City Planner

Re: Disposition of City owned property, known as the “Rectory Building” located at 110-118 East Main Street (Approved by the City Plan Commission on October 14, 2009)

REFERRED TO THE LAND COMMITTEE

On a motion from Alderman PERNERESKI, JR., followed by a second from 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. Celia Davis; Treasurer
The Cherry Street Co-operative, Inc.
115-117 Cherry Street; 06702
- Re:** Requesting the Board of Aldermen review lien fees & penalties assessed to their water & sewer account at 121 Cherry Street

REFERRED TO THE FINANCE COMMITTEE

On a motion from Alderman PERNERESKI, JR., followed by a second from Alderman CIOCHETTI the Board of Aldermen voted by unanimous Consent Calendar Roll Call Vote to REFER TO PAUL RIZZA & OTHERS FROM THE WATER DEPARTMENT WITH ANY AND ALL INFORMATION PERTAINING TO the aforementioned, namely Item #5 AND REPORT BACK TO THE BOARD AT THEIR DECEMBER 7, 2009 REGULAR MEETING

6. Peter Abare-Brown
Director of Human Resources
- Re:** Open Competitive Exam # 1919 ~ Firefighter

RECEIVE AND PLACE ON FILE

7. Carrie A. Swain; Clerk
Board of Education
- Re:** Subject to the Board of Education's approval on November 16, 2009, requesting the Board of Aldermen's approval on a Professional Services Agreement with Police Activity League of Waterbury, Inc. to provide services/equipment as outlined in the Safe & Drug Free Schools Carol M. White PEP Grant

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE

On a motion from Alderman PERNERESKI, JR., followed by a second from Alderman CIOCHETTI the Board of Aldermen voted by unanimous Consent Calendar Roll Call Vote to APPROVE the aforementioned, namely Item #7

8. Carrie A. Swain; Clerk
Board of Education
- Re:** Subject to the Board of Education's approval on November 16, 2009, requesting the Board of Aldermen's approval on a Professional Services Agreement with Greater Waterbury Young Men's Christian Association Inc. to provide services /equipment as outlined in the Safe & Drug Free Schools Carol M. White PEP Grant

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE

On a motion from Alderman PERNERESKI, JR., followed by a second from Alderman CIOCHETTI the Board of Aldermen voted by unanimous Consent Calendar Roll Call Vote to APPROVE the aforementioned, namely Item #8

9. Carrie A. Swain; Clerk
Board of Education
- Re:** Subject to the Board of Education's approval on November 16, 2009, requesting the Board of Aldermen's approval on a Professional Services Agreement with Education Connection-Center for Collaborative Evaluation and Strategic Change, to provide evaluation services as outlined in the Safe & Drug Free Schools Carol M. White PEP Grant

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE

On a motion from Alderman PERNERESKI, JR., followed by a second from Alderman CIOCHETTI the Board of Aldermen voted by unanimous Consent Calendar Roll Call Vote to APPROVE the aforementioned, namely Item #9

10. James A. Sequin; AICP
City Planner

Re: Referral from the City Plan Commission relative to extension of Rosengarten Drive and other public improvements associated with Gateway Estates Subdivision

REFERRED TO THE LAND COMMITTEE

On a motion from Alderman PERNERESKI, JR., followed by a second from Alderman CIOCHETTI the Board of Aldermen voted by unanimous Consent Calendar Roll Call Vote to REFER TO CORPORATION COUNSEL the aforementioned, namely Item #10

11. Ofelia F. Matos
Budget Director

Re: Monthly Financial Report ~ September 2009

RECEIVE AND PLACE ON FILE

12. Ofelia F. Matos
Budget Director

Re: Budget Transfer within the General Fund Operations for Fiscal Year ending 06/30/09 in the amount of **\$14,324,044**

REFERRED TO THE FINANCE COMMITTEE

On a motion from Alderman PICCOCHI followed by a second from Alderman PERNERESKI, JR., the Board of Aldermen voted by a 14 Yea ~ 1 *Nay Roll Call Vote to APPROVE the aforementioned, namely Item #12

**Nay: Alderman J. Paul Vance, Jr.*

13. Ofelia F. Matos
Budget Director

Re: Budget Transfer FY10 ~ Water Pollution Control Enterprise Fund

REFERRED TO THE FINANCE COMMITTEE

On a motion from Alderman PERNERESKI, JR., followed by a second from Alderman CIOCHETTI the Board of Aldermen voted by unanimous Consent Calendar Roll Call Vote to APPROVE the aforementioned, namely Item #13

14. Carrie A. Swain; Clerk
Board of Education

Re: Subject to the Board of Education's approval on November 16, 2009, requesting the Board of Aldermen's approval on an Agreement with S/L/A/M Collaborative to provide complete architectural & engineering services for the Waterbury Career Academy High School Construction Project

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE

On a motion from Alderman PERNERESKI, JR., followed by a second from Alderman CIOCHETTI the Board of Aldermen voted by unanimous Consent Calendar Roll Call Vote to APPROVE the aforementioned, namely Item #14

15. Peter Abare-Brown
Director of Human Resources

Re: Successor Agreement between the City of Waterbury and the CT Healthcare Associates, 2009 through 2013

REFERRED TO THE PERSONNEL COMMITTEE

On a motion from Alderman PERNERESKI, JR., followed by a second from Alderman CIOCHETTI the Board of Aldermen voted by unanimous Consent Calendar Roll Call Vote to APPROVE the aforementioned, namely Item #15

16. Diane C. Toolan
Housing & Community Planning Director
Waterbury Development Corporation

Re: Proposed Changes to the Citizen Participation Plan

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE

On a motion from Alderman PERNERESKI, JR., followed by a second from Alderman CIOCHETTI the Board of Aldermen voted by unanimous Consent Calendar Roll Call Vote to APPROVE the aforementioned, namely Item #16

17. J. Paul Vance, Jr.; President
Board of Aldermen

Re: Bonding Request of up to **\$3,250,000.00** for reconstruction and renovation of Huntington Field

REFERRED TO THE FINANCE COMMITTEE

On a motion from Alderman PERNERESKI, JR., followed by a second from Alderman CIOCHETTI the Board of Aldermen voted by unanimous Consent Calendar Roll Call Vote to HOLD UNTIL DECEMBER 7, 2009, the aforementioned, namely Item #17

18. Salvatore D. Porzio; Project Manager
Public Works Dept.

Re: Preservation Easement ~ Chase Building
\$197,058 Save America's Treasures Grant

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE

On a motion from Alderman PERNERESKI, JR., followed by a second from Alderman CIOCHETTI the Board of Aldermen voted by unanimous Consent Calendar Roll Call Vote to APPROVE the aforementioned, namely Item #18

19. Ofelia F. Matos; Budget Director

Re: City of Waterbury's "Three Year Plan for Fiscal Years 2010-2013"

REFERRED TO THE FINANCE COMMITTEE

On a motion from Alderman PERNERESKI, JR., followed by a second from Alderman CIOCHETTI the Board of Aldermen voted by unanimous Consent Calendar Roll Call Vote to RECEIVE AND PLACE ON FILE the aforementioned, namely Item #19

20. James T. Nemec
Supervisor of Parks and Public Facilities

Re: Submittal of proposed 2010 golf rates

REFERRED TO THE FINANCE COMMITTEE

On a motion from Alderman PERNERESKI, JR., followed by a second from Alderman CIOCHETTI the Board of Aldermen voted by unanimous Consent Calendar Roll Call Vote to APPROVE the aforementioned, namely Item #20

21. Victor M. Diaz
Assistant City Clerk

Re: The Appointment of Dennis H. Odle (U) of 229 Columbia Blvd.; Waterbury 06710 to the Finance and Audit Review Committee (Term: 12/31/07 to 12/31/11)

REFERRED TO THE PERSONNEL COMMITTEE

WITHDRAWN BY VICTOR M. DIAZ

22. Craig A. Sullivan
Corporation Counsel

Re: Presentation including the findings and conclusions relative to work done by City employees for other employees, supervisors and officials and work done by supervisors and officials for City employees

REFERRED TO THE RULES AND LAW COMMITTEE

On a motion from Alderman PERNERESKI, JR., followed by a second from Alderman CIOCHETTI the Board of Aldermen voted by unanimous Consent Calendar Roll Call Vote to RECEIVE AND PLACE ON FILE the aforementioned, namely Item #22



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, **\$103,944.28**

On a motion from Alderman PICCOCHI, followed by a second from Alderman PERNERESKI, JR. the Board of Aldermen voted by unanimous Voice Vote to APPROVE AND AUTHORIZE THE DIRECTOR OF FINANCE TO MAKE REFUNDS TO TAXPAYERS REPRESENTING OVERPAYMENTS IN THE AMOUNT OF \$103,944.28

OLD BUSINESS:

1. Craig Schmidt; Property Manager **Re:** Request public hearing and approval for the Sale of surplus City property at 110-118 East Main Street (also referred to as The Rectory Building) **[Received on 11-09-09 and referred to the Intergovernmental Committee]**

2. Carrie A. Swain, Clerk
Board of Education **Re:** Subject to approval by the Board of Education on 11-04-09, Request review and approval of an Agreement with Friar Associates Inc. to provide architectural services for the Pre-K to 8 Carrington School Project **[Received on 11-09-09 and referred to the Intergovernmental Committee]**

On a motion from Alderman PERNERESKI, JR., followed by a second from Alderman CIOCHETTI the Board of Aldermen voted by unanimous Consent Calendar Roll Call Vote to APPROVE the aforementioned, namely Old Business 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 09-08-09 and referred to Finance Committee]**

4. Carrie A. Swain; Clerk
Board of Education **Re:** Subject to approval by the Board of Education on 11-04-09, Request review and approval of an Agreement with Silver / Petrucell & Associates, Inc. to provide architectural services for the renovations to the Science Suite at Wilby High School Project **[Received on 11-09-09 and referred to the Intergovernmental Committee]**

On a motion from Alderman PERNERESKI, JR., followed by a second from Alderman CIOCHETTI the Board of Aldermen voted by unanimous Consent Calendar Roll Call Vote to APPROVE the aforementioned, namely Old Business Item #4

5. 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 Land Committee]**
6. Monroe Webster, President
Greater Waterbury Branch of NAACP **Re:** Requesting that a committee be formed for the express purpose of rewriting the good Jobs Ordinance **[Received on 10-09-09 and referred to the Charter Revision - Ordinance Committee]**
7. 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]**

8.

Peter L. Ressler, Esq.
Law Office of Groob, Ressler,
& Mulqueen, P.C.
The Crown Tower
123 York Street
New Haven, CT 06511

Re:

Requesting to appear before the Board of Aldermen for consideration of an abatement of interest accrued on real estate taxes currently claimed by the City relative to the Warner Gardens Co-Op Inc. **[Received on 10-05-09 and referred to the Finance Committee]**
9.

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]**
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.

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]**

On a motion from Alderman **PERNEREWSKI, JR.**, followed by a second from Alderman **CIOCHETTI** the Board of Aldermen voted by unanimous Consent Calendar Roll Call Vote to RECEIVE AND PLACE ON FILE the aforementioned, namely Old Business Item #11

12.

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]**

NEW BUSINESS ~ None

ADJOURNMENT @ 9:12 p.m.

On a motion from Alderman **TELESCA** followed by a second from Alderman **BURGIO SR.**, the Board of Aldermen voted unanimously to ADJOURN

MJD/pmd