

BOARD OF ALDERMEN

Public Hearings/Regular Meeting
Waterbury Arts Magnet School
16 South Elm Street - Atrium
Monday, July 20, 2009 at 6:45 p.m.

“SUMMARY MINUTES”

PLEDGE OF ALLEGIANCE AND SILENT PRAYER @

ROLL CALL

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

ABSENT: Negron

PUBLIC HEARING:

6:45 p.m. ~ For the purposes of providing information related to the implementation of a Water User Charge, {“Rate Schedule”} by the Bureau of Water for FY 2009-2010, as submitted by Kenneth R. Skov, Superintendent of Water.

6:45 p.m. to 7:04 p.m.

Lisa Lessard; 905 Pearl Lake Road

Mayor Jarjura; 264 Harwood Road

Lawrence De Pillo; 11 Steuben Street

Charles Baril; 29 Maple Avenue

On a motion Alderman Nogueira, followed by a second by Alderman Misset, the Board of Aldermen unanimously voted TO CLOSE the public hearing at 7:04 p.m.

6:55 p.m. ~ 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, as submitted by Craig A. Sullivan, Corporation Counsel.

7:05 p.m. to 7:40 p.m.

Joe Connolly; 56 Franklin Street

Sam D Ambrosi; 59 Westwood Avenue

Lawrence De Pillo; 11 Steuben Street

Charles Baril; 29 Maple Avenue

On a motion Alderman Nogueira, followed by a second by Alderman Piccochi, the Board of Aldermen unanimously voted TO CLOSE the public hearing at 7:40 p.m.

PUBLIC SPEAKING 7:40 p.m. to 8:32 p.m.

Lisa Lessard; 905 Pearl Lake Road

Steven Shrag; 14 Quentin Street

Lawrence De Pillo; 11 Steuben Street

Antoinette D'Ameida; 179 Allen Street

Rev. Thomas Mallory; 39 Hawkins Street

Juan Rodriguez Torrent; 100 Grand

Rev. Lionel French; P. O. Box 2358

Richard Hupprich; 173 Mark Lane

Thomas Pelletier; 112 Concord Street

Joe Savoy; 168 Lucille Street

Mayor Jarjura; 264 Harwood Road

EXECUTIVE SESSION/S: 8:35 p.m. to 8:56 p.m.

On a motion Alderman Nogueira, followed by a second by Alderman Phelan, the Board of Aldermen unanimously voted to go into Executive Session at 8:35 p.m.

1. *For the purpose of discussing North Main / Robinson School Project New Elementary School #2 – Property Acquisition, as submitted by Andrew Martelli, Project Manager, WDC.*
2. *For the purpose of discussing pursuant to C.G.S. §1-200 (6) and C.G.S. § 1-210 (b) (1) to discuss a draft of a proposed agreement relative to the potential acquisition of real property known as 1875 Thomaston Ave, Waterbury, CT., as submitted by Craig A. Sullivan, Corporation Counsel.*

On a motion Alderman Ciochetti, followed by a second by Alderman Piccochi, the Board of Aldermen unanimously voted to RETURN to the Regular Order of Business at 8:56 p.m.

RECESS @ 8:57 p.m.

On a motion Alderman Misset, followed by a second by Alderman Ciochetti, the Board of Aldermen unanimously voted RECESS into subcommittees at 8:57 p.m.

On a motion Alderman Pernerewski, followed by a second by Alderman Nogueira, the Board of Alderman unanimously voted to RETURN to the regular order of business at 9:59 p.m.

CONSENT CALENDAR: # 4, 5, 6, 8, 11, 13, 16, 17, 18, 21, 23, 26, 27, 29, 30, and 32.

NON CONSENT CALENDAR: # 20 , and OB #1.
“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. Paul F. Guidone Chief Operating Officer
Waterbury Public Schools

Re: As requested by the Board of Aldermen, the attached report is being forwarded to your attention.

REFERRED TO 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 HOLD the aforementioned, namely item #1.

2. Civil Service Commission

Re: Notice of open competitive examinations for the following positions:

Kennel Person
Vehicle utility Maintenance Person
Collection Systems Maint. Mechanic

RECEIVED & PLACED ON FILE.

3. J. Emmett McSweeney Director,
Silas Bronson Library

Re: Submittal of the Silas Bronson library’s 2008-2009 annual report.

RECEIVE AND PLACE ON FILE.

4. Carrie A Swain, Clerk
Board of Education

Re: Requesting review and approval of Professional Services Agreement wit fifteen (15) individual sub-grantees, to receive School Readiness and Child Day Care Grant funds received and Administered by the City of Waterbury. Said

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.

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| 5. Carrie A Swain, Clerk
Board of Education | Re: Requesting review and approval of an Agreement with O & G Industries, Inc., to provided program Management services for school building construction projects. Said Agreement is subject to Board of Ed approval on 06-29-09. |
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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 #5.

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| 6. Carrie A Swain, Clerk
Board of Education | Re: Requesting review and approval of an Agreement with Area Cooperative Educational Services (ACES) to provide School Readiness and Child Daycare funding to the City of Waterbury. Board of Education |
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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 #6.

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| 7. Craig Schmidt, Risk Manager
City of Waterbury | Re: Regarding: City of Waterbury Property & Casualty Insurance Renewal |
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REFERRED TO INTERGOVERNMENTAL COMMITTEE.

On a motion Alderman Booker, followed by a second by Alderman Piccochi, the Board of Aldermen unanimously voted to REFER TO CORPORATION COUNSEL the aforementioned, namely item #7.

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| 8. Salvatore D. Porzio, Project Manager
PWD | Re: Regarding Construction Contract for Waterbury Police Department Air Distribution and Hydronic System Renovation between the City of Waterbury and All State Construction Inc. (C083) |
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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 #8.

9. Antoinette C. Spinelli, Town Clerk **Re:** Submittal of the Annual Report of the Town Clerk's Office for the FY2008/09.

RECEIVE AND PLACE ON FILE.

10. Reverend Thomas Mallory, Chairman Human Rights Commission **Re:** A Verbal Synopsis of the Human Rights Commission's quarterly report for year 2009.

RECEIVE AND PLACE ON FILE.

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| <p>11. Salvatore D. Porzio, Project Manager
PWD</p> | <p>Re: Regarding Engineering Services Agreements [RFQ No. 00609] for Design Services for Water Pipe Relocation at The East Liberty Street Bridge (DOT No. 03681) Between the City of Waterbury and URS Corporation AES (C052-Water).</p> |
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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 #11.

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| 12. | Mark J. Pronovost, P. E. City Engineer
PWD | Re: Regarding requested is a copy of the design
schedule for the Pearl Lake Road Reconstruction
Revised as of 7-09-09 provided by URS Corp. |
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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 with the condition of Monthly updates to be submitted to the BOA the aforementioned, namely item #12.

13. Salvatore D. Porzio, Project Manager PWD **Re:** Regarding Engineering Services Agreements [RFQ No. 03681 at East Liberty Street over the Mad River between the City of Waterbury and URS Corporation AES (C052-Bridge).

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.

Ofelia F. Matos
Budget Director
- Re:

Submittal of the City of Waterbury’s Capital Improvement Plan for Fiscal Years 2010 – 2014.
As adopted June 8, 2009.

RECEIVE AND PLACE ON FILE.

15.

Ofelia F. Matos
Budget Director
- Re:

Submittal of City of Waterbury’s Adopted Budget 2009-2010 for the Fiscal Year End June 30, 2010.

RECEIVE AND PLACE ON FILE.

16.

Andrew Martelli, Project Manager
WDC
- Re:

Request approval regarding North Main/ Robinson School Project New Elementary School #2 – Property Acquisition.

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 #16.

17.

Tina Lubus, Housing Neighborhood Specialist
WDC
- Re:

Regarding approval of HOME Contract Approval-Amendment of Commitment Letter in the additional amount of \$500,000.

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 #17.

18.

Tina Lubus, Housing Neighborhood Specialist
WDC
- Re:

Regarding approval of Eight (8) HOME Contract Partnership Program Assistance Agreements & one (1) Commitment for \$500,000 to NHS.

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 #18.

19. Ofelia F. Matos, Budget Director

Re: Regarding City of Waterbury Monthly Financial report for May and June 2009.

RECEIVED & PLACED ON FILE.

20. Ofelia F. Matos, Budget Director

Re: Regarding Budget Transfers – General Fund Budget FY09 in the amount of \$280,000.

REFERRED TO FINANCE COMMITTEE.

*On a motion Alderman Piccochi, followed by a second by Alderman Pernerewski, the Board of Aldermen voted by a 10 YEAS, 4 NAY ROLL CALL VOTE to APPROVE the aforementioned, namely item #20.*Aldermen Booker, Burgio, Sr., Denze, and Telesca.*

21. Paul R. Mazzaccaro
School Business Administrator, WPS

Re: Request approval School Readiness Grant Professional Services Agreement and Child Day Care Providers for the 2009-2010 School Year.

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 subject to changes on insurance by Risk Manager the aforementioned, namely item #21.

22. Mark J. Pronovost, P.E. City Engineer
PWD

Re: Submittal of requested copy of current project schedule for the reconstruction of the Chase Avenue and Homer Street dated 7-9-2009.

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 with the condition of Quarterly updates to be submitted to the BOA the aforementioned, namely item #22.

23. Theresa A. Caldarone
Counsel to the Mayor

Re: Request approval of an Agreement between the City of Waterbury and Waterbury Youth Service System, Inc. (WYSS) for fiscal year 2009-2010.

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 #23.

24. Laurie Singer Russo

Re: Submittal of resignation from the Board of Aldermen.

RECEIVED & PLACED ON FILE.

25. Antonio Paulo Pinto

Re: Submittal of resignation from the Board of Education.

RECEIVED & PLACED ON FILE.

26. John P. Lawlor, Jr., Director
Public Works

Re: Request approval of Contract Between the City of Waterbury and United Athletic Centers, LLC.

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 #26.

27. Victor M. Diaz, Asst. City Clerk

Re: Appointment of Nancy H. Romaniello to the Litter Control Commission.

REFERRED TO 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 NOT TO DISAPPROVE (APPROVE) the aforementioned, namely item #27.

28. Alderman Arthur J. Denze

Re: Correspondence to Kenneth Skov regarding Construction Project Bureau of Water.

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 #28.

29. Michael LeBlanc
Director of Finance

Re: Request approval of the Fund Balance Policy for the City of Waterbury.

REFERRED TO 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 APPROVE the aforementioned, namely item #29.

30.

Antony A. Casagrande, *Of Counsel*
Carmody & Torrance LLP

Re: Request approval of Agreement between the acting by and through WDC and Brass City Harvest, Inc./CDBG Agreement.

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 #30.

31.

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 Ave, Waterbury, CT.

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 HOLD the aforementioned, namely item #31.

32.

Rosanne Wright, Director of Health

Re: Seeking approval to apply for Waterbury Eliminates Lead Hazard (W.E.L.H.), Reduction Demonstration 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 #32.

33.

Craig A. Sullivan, Corporation Counsel

Re: Request to set a public hearing for the public purpose of receiving input regarding a proposed Amendment to Code of Ordinances of the City of Waterbury to establish a tax amnesty program to pursuant to a recently enacted state statute allowing the same.

REFERRED TO 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 SET A PUBLIC HEARING FOR AUGUST 24 AT 6:50 P.M.

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 \$20,117.81.
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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. Kenneth R. Skov Superintendent of Water	Re: Requesting, on behalf of the Bureau of Water that { 1 } a public hearing be set for July 20, 2009 at 6:45 p.m. for the purposes of providing information related to the implementation of a Water User Charge, { “Rate Schedule” } by the Bureau of Water For FY 2009-2010, and { 2 } after said public hearing, the Board of Aldermen approve of said Rate Schedule. [Received on June 22, 2009 and referred to the Finance Committee.]
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*On a motion Alderman Piccochi, followed by a second by Alderman Pernerewski, the Board of Aldermen voted by a **9 YEAS, *5 NAY** ROLL CALL VOTE to APPROVE the aforementioned, namely old business item #1. *Alderman Booker, Jr., Burgio, Sr., Denze, Sr., and Vance, Jr.*

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. Leo J. Frank, CEO Waterbury Development Corp.	Re: Requesting for a change in policy that allows submittal of documents in electronic format to be Posted on the City’s website. [Received 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 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 9-08-08 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 5-11-09 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 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 02-23-09 and referred to the Finance Committee.] |
| 8. | Craig A. Sullivan
Corporation Counsel | Re: Requesting the scheduling of a public hearing prior to the commencement of the Boards 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.] |

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 HOLD the aforementioned, namely item #8.

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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 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.] |
| 10. | Michael J. Dalton | Re: Resolution from the Land Use Regulatory Revision |

City Clerk

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.**]
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.**]
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.**]
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 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.
- Re:** Lease Agreement Extension; Waterbury Commons
LLC (Sovereign Bank Bldg.) [**Received on 01-12-
09 and referred to the Intergovernmental
Committee.**]

NEW BUSINESS

Alderman Petteway at this time Ladies and Gentleman, I would like nominate Paul Nogueira for President Protemp. of the Board of Aldermen.

On a motion Alderman Petteway, followed by a second by Aldermen Ciochetti and Misset, the Board of Aldermen unanimously voted Alderman Nogueira President Protemp.

Aldermen Nogueira thanks Board of Aldermen for electing him President Protemp. of the Board of Aldermen for the remaining term and also took opportunity to welcome Antonio Pinto to the Board of Aldermen. I would also like thank Laurie Singer Russo for her years of dedication on the Board of Aldermen and the citizens and taxpayers.

ADJOURNMENT

On a motion Alderman Burgio Sr., followed by a second from Alderman Ciochetti voted to adjourn at 10:25 p.m.

MJD/rf