BOARD OF ALDERMEN
Regular Meeting
Monday, October 6, 2008 @ 7:00 P.M.
Waterbury Arts Magnet School
16 South Elm Street - Atrium

"SUMMARY MINUTES"

PRESENT ~ Aldermen Pernerewski, Russo, Misset, Nogueira, Petteway, Phelan, Piccochi, Negron, Booker Jr., *Burgio, Denze, Palladino, Telesca, Ciochetti, Vance, Jr. ~ 15
{* left at 9:24 p.m.}

ABSENT ~ None

- PUBLIC HEARINGS~

6:45 p.m. ~ For the purpose of seeking public input relative to a Bond Authorization for the Library's Heating & Air Conditioning System Replacement FY2009 Capital Improvement Plan (CIP) in the amount of **$2,404,115** as submitted by John Jedrzejczyk; Director of Finance.

On a Motion by Alderman Pernerewski, Duly Seconded by Alderman Russo the Board of Aldermen voted unanimously by voice vote to Close the 6:45 p.m. Public Hearing ~ 6:47 p.m.

6:55 p.m. ~ For the purpose of seeking public input relative to a Proposed Co-Generation Tax Exemption Ordinance, pursuant to CGS Section 12-81{63 as submitted by Antony A. Casagrande ; of Counsel; Carmody & Torrance, LLP.

On a Motion by Alderman Pernerewski, Duly Seconded by Alderman Russo the Board of Aldermen voted unanimously by voice vote to Close the 6:45 p.m. Public Hearing ~ 7:14 p.m.

- PRAYER ~7:14 P.M.
- PLEDGE OF ALLEGIANCE ~ 7:14 P.M.
- ROLL CALL ~ 7:15 P.M.
- OFFICIALLY SCHEDULED PRESENTATION ~ NONE
- EXECUTIVE SESSION/S ~ NONE
- PUBLIC SPEAKING ~ 7:14 p.m. ~ 8:02 P.M.
- APPROVAL OF MINUTES ~ Meeting Minutes of August 11, 2008

On a Motion by Alderman Pernerewski, Duly Seconded by Alderman Russo, the Board of Aldermen voted unanimously by voice vote to Approve Meeting Minutes of August 11, 2008 as Amended; i.e., Correction of Mayor Michael Jarjura's Home Address on Page 9

- RECESS ~ 8:28 P.M. ~ 9:24 P.M.

NO CONSENT CALENDAR

1. John Jedrzejczyk
Director of Finance

RE: Division Street Drainage Design & Construction Bond Authorization Amendment **($900,000 to $1,200,000)**

REFERRED TO FINANCE COMMITTEE

ON A MOTION BY ALDERMAN PICCOCHI, DULY SECONDED BY ALDERMAN PERNEREWSKI THE BOARD OF ALDERMEN VOTED UNANIMOUSLY BY VOICE VOTE TO SET A PUBLIC HEARING AT THE BOARD'S OCTOBER 20, 2008 REGULAR MEETING AT 6:45 P.M. RELATIVE TO THE AFOREMENTIONED, NAMELY ITEM #1

2. Mark J. Pronovost; P.E.
Supervisory Engineer; DPW

RE: State Project #151-296/297 Widening of Homer Street & Chase Avenue

REFERRED TO INTERGOVERNMENTAL COMMITTEE

ON A MOTION BY ALDERMAN MISSET, DULY SECONDED BY ALDERMAN PERNEREWSKI THE BOARD OF ALDERMEN VOTED UNANIMOUSLY BY VOICE VOTE TO APPROVE THE AFOREMENTIONED, NAMELY ITEM #2

3. Mark K. McQuillan
Commissioner of Education

RE: Resolution to the Board of Education approving & directing the Board to Implement the District Improvement Plan for the Waterbury Public School System

RECEIVE AND PLACE ON FILE

4. John P. Lawlor, Jr.
Director of Public Works

RE: Annual Report 7/1/2007 ~ 6/30/08

RECEIVE AND PLACE ON FILE

5. John Jedrzejczyk
Director of Finance

RE: Bond Authorization for Acquisition of Land for Open Space Purposes in the amount of **$1.65 million**

REFERRED TO FINANCE COMMITTEE

HOLD

6. Arthur J. Weir
144 Clough Road

RE: Resignation Letter as Commissioner on the Board of Public Works

RECEIVE AND PLACE ON FILE

7. J. Paul Vance Jr.
President of the Board of Aldermen

RE: City of Waterbury Conservation Commission Initiating Resolution

REFERRED TO INTERGOVERNMENTAL COMMITTEE

HOLD

8. Cynthia M. Zdanzukas
135 Farmington Avenue
Waterbury 06710

RE: Correspondence asking for consideration in support of a dog park

REFERRED TO INTERGOVERNMENTAL COMMITTEE

ON A MOTION MADE BY ALDERMAN RUSSO, DULY SECONDED BY ALDERMAN PERNEREWSKI THE BOARD OF ALDERMEN VOTED UNANIMOUSLY BY VOICE VOTE TO RECEIVE AND PLACE ON FILE THE AFOREMENTIONED, NAMELY ITEM #8

9. James T. Nemec; Supervisor of Parks
Dept. of PW; Bureau of Parks & Public Buildings

RE: Submittal of Monthly Activities Report Covering period August 21, 2008 ~ September 20, 2008

RECEIVE AND PLACE ON FILE

10. Lee Kennedy Tiernan
Attorney, Office of the Corporation Counsel

RE: Proposed Ordinance Change ~ Food Pantries

REFERRED TO THE CHARTER REVISION/ORDINANCE COMMITTEE

ON A MOTION BY ALDERMAN RUSSO, DULY SECONDED BY ALDERMAN PERNEREWSKI THE BOARD OF ALDERMEN VOTED UNANIMOUSLY BY VOICE VOTE TO SET A PUBLIC HEARING ON THE BOARD'S NOVEMBER 10, 2008 REGULAR MEETING AT 6:55 P.M. RELATIVE TO THE AFOREMENTIONED, NAMELY ITEM #10

11. Lauren Ashe; Project Manager
Waterbury Development Corporation

RE: Professional Services Agreement between the City of Waterbury and Dryco, LLC for Inventory & Cleaning of Historical Documents in the amount of **$86,010.00**

REFERRED TO INTERGOVERNMENTAL COMMITTEE

ON A MOTION BY ALDERMAN MISSET, DULY SECONDED BY ALDERMAN PERNEREWSKI THE BOARD OF ALDERMEN VOTED UNANIMOUSLY BY VOICE VOTE TO APPROVE THE AFOREMENTIONED, NAMELY ITEM #11

12. Anthony D. Santoro
The Law Offices of Anthony D. Santoro
65 Bank Street

RE: Sub-recipient Agreement Between the City of Waterbury and Waterbury Hospital Health Center, Inc. under Federal Earmark Grant in the amount of **$191,593.00** (Program Funds)

REFERRED TO INTERGOVERNMENTAL COMMITTEE

ON A MOTION BY ALDERMAN MISSET, DULY SECONDED BY ALDERMAN PERNEREWSKI THE BOARD OF ALDERMEN VOTED UNANIMOULSY BY VOICE VOTE TO APPROVE THE AFOREMENTIONED, NAMELY ITEM #12

13. Carrie A. Swain; Clerk
Board of Education

REFERRED TO INTERGOVERNMENTAL COMMITTEE

RE: Requesting approval, subject to the Board of Education's approval at their next regular meeting on September 29, 2008, of Amendment #1 to the contract with All-Star Transportation, LLC.

ON A MOTION BY ALDERMAN MISSET, DULY SECONDED BY ALDERMAN PERNEREWSKI THE BOARD OF ALDERMEN VOTED UNANIMOUSLY BY VOICE VOTE TO APPROVE THE AFOREMENTIONED, NAMELY ITEM #13

14. Carrie A. Swain; Clerk
Board of Education

REFERRED TO INTERGOVERNMENTAL COMMITTEE

RE: Requesting approval, subject to the Board of Education's approval at their next regular meeting on September 29, 2008, of a contract with J&J Paving, LLC for parking lot paving at Walsh Elementary School.

ON A MOTION BY ALDERMAN MISSET, DULY SECONDED BY ALDERMAN PERNEREWSKI THE BOARD OF ALDERMEN VOTED UNANIMOUSLY BY VOICE VOTE TO APPROVE THE AFOREMENTIONED, NAMELY ITEM #14

15. Ofelia F. Matos; Budget Director

REFERRED TO FINANCE COMMITTEE

RE: Budget Transfer FY09 in the amount of **$185,000** ~Water Pollution Control Enterprise Fund.

ON A MOTION BY ALDERMAN PICCOCHI, DULY SECONDED BY ALDERMAN PERNEREWSKI THE BOARD OF ALDERMEN VOTED UNANIMOUSLY BY VOICE VOTE TO APPROVE THE AFOREMENTIONED, NAMELY ITEM #15

16. Ofelia F. Matos; Budget Director

RECEIVE AND PLACE ON FILE

RE: City of Waterbury Monthly Financial Report ~ July & August 2008

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

REFERRED TO INTERGOVERNMENTAL COMMITTEE

RE: Agreement ~ State of CT for a Cash Grant in the amt. of **$8,440** Toward the Purchase of Alternative / Clean Fuel(s) Vehicle, FHWA Project #CM-000R(533), State Project #170-2777

ON A MOTION BY ALDERMAN MISSET, DULY SECONDED BY ALDERMAN PERNEREWSKI THE BOARD OF ALDERMEN VOTED UNANMIOUSLY BY VOICE VOTE TO APPROVE THE AFOREMENTIONED, NAMELY ITEM #17

18. Lynn M. McHale; General Mgr.; WPC

REFERRED TO INTERGOVERNMENTAL COMMITTEE

RE: Amendment #17 to Professional Services Agreement ~ Camp Dresser & McKee & City of Waterbury.

ON A MOTION BY ALDERMAN MISSET, DULY SECONDED BY ALDERMAN PERNEREWSKI THE BOARD OF ALDERMEN VOTED UNANMIOUSLY BY VOICE VOTE TO APPROVE THE AFOREMENTIONED, NAMELY ITEM #18

19. Karen Lang; Pension & Benefits Mgr.

REFERRED TO INTERGOVERNMENTAL COMMITTEE

RE: Contract for disability claims review services ~ Disability Management Services.

ON A MOTION BY ALDERMAN MISSET, DULY SECONDED BY ALDERMAN PERNEREWSKI THE BOARD OF ALDERMEN VOTED UNANIMOUSLY BY VOICE VOTE TO APPROVE THE AFOREMENTIONED, NAMELY ITEM #19

20. Antony A. Casagrande; of Counsel
Carmody & Torrance LLP
50 Leavenworth Street; Wtby.

REFERRED TO THE CHARTER EVISION/ORDINANCE COMMITTEE

RE: Proposed Co-Generation Tax Exemption Ordinance Pursuant to CT General Statutes, Sec. 12-81(63).

21. John Jedrzejczyk; Director of Finance

REFERRED TO THE FINANCE COMMITTEE

RE: Bond Authorization for acquisition of the Wachovia Building on South Main street in the amount of **$5,000,000**.

ON A MOTION BY ALDERMAN PICCOCHI , DULY SECONDED BY ALDERMAN PERNEREWSKI, THE BOARD OF ALDERMEN VOTED BY A 10 YEA ~ 4 NAY ROLL CALL VOTE TO SET A PUBLIC HEARING AT THE BOARD'S OCTOBER 20, 2008 REGULAR MEETING AT 6:45 P.M. RELATIVE TO THE AFOREMENTIONED, NAMELY ITEM #21

YEAS ~ Aldermen Pernerewski, Russo, Misset, Nogueira, Petteway, Phelan, Piccochi, Negron, Ciochetti, Vance ~ 10

NAY ~ Alderman Booker, Denze, Palladino, Telesca ~ 4

Absent ~ Alderman Burgio ~ 1

STANDING COMMITTEES:

OLD BUSINESS:

1. Hazel O'Neill, President
Hillside Historic District
Neighborhood

Re: Submittal to the Board of an Agreement between the City of Waterbury and the Waterbury Talmudic Institute regarding the Yeshiva located in the Overlook and Hillside Districts of Waterbury. **[Received on 9/08/08 and referred to the Intergovernmental Committee]**

ON A MOTION BY ALDERMAN MISSET, DULY SECONDED BY ALDERMAN PERNEREWSKI THE BOARD OF ALDERMEN VOTED UNANMIOUSLY BY VOICE VOTE TO REFER TO THE FINANCE MANAGER & RISK MANAGER TO REPORT BACK ON THE STATUS OF LEASE PAYMENTS AND REQUIRED INSURANCE COVERAGE ON AN AGREEMENT BETWEEN THE CITY OF WATERBURY AND THE TALMUDIC INSTITUTE REGARDING THE AFOREMENTIONED, NAMELY OLD BUSINEES ITEM #1

2.	Ric Livingston; PHR Sr. H.R. Generalist	**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.	J. Paul Vance, Jr., President Board of Aldermen	**Re:**	Seeking approval of a Dog Park. **[Received on 1-7-08 and referred to the Intergovernmental 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 Vance, Jr. Board of Aldermen	**Re:**	Requesting consideration of a concept J. Paul 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.	John Jedrzejczyk Director of Finance	**Re:**	Bond Authorization for Library Heating & Air Conditioning System Replacement FY2009 Capital Improvement Plan (CIP) in the amount of **$2,404,115. [Received on 09/22/08 and referred to the Finance Committee]**

ON A MOTION BY ALDERMAN PICCOCHI, DULY SECONDED BY ALDERMAN PERNEREWSKI THE BOARD OF ALDERMEN VOTED UNANIMOUSLY BY VOICE VOTE TO APPROVE THE AFOREMENTIONED, NAMELY OLD BUSINESS ITEM #6

7.	Nancy A. Vitarelli Patricia M. Mulhall Registrars of Voters	**Re:**	Seeking approval of a Resolution enabling the Registrars of Votes to comply with the provisions of the Help America Vote Act (HAVA). **[Received on 9/25/06 and referred to the Rules/Law Committee]**
8.	J. Paul Vance, Jr., President Board of Aldermen	**Re:**	Requesting approval of a proposed resolution and ordinance regarding any projects on City-owned properties. **[Received on 9/24/07 and referred to the Charter Revision ~ Ordinance Committee]**

ON A MOTION BY ALDERMAN RUSSO, DULY SECONDED BY ALDERMAN PERNEREWSKI THE BOARD OF ALDERMEN VOTED UNANIMOUSLY BY VOICE VOTE TO SET A PUBLIC HEARING AT THE BOARD'S NOVEMBER 10, 2008 MEETING AT 6:50 P.M. RELATIVE TO THE AFOREMENTIONED, NAMELY OLD BUSINESS ITEM #8

9.	James A. Sequin, AICP City Planner	**Re:**	Notice of City Plan Commission's acceptance of Chapin Avenue at its meeting held on 02/13/2008. **[Received on 2/15/08 and referred to the Intergovernmental Committee]**

REMOVE FROM AGENDA, ITEM ACTED ON AT THE JULY 21, 2008 BOARD OF ALDERMEN MEETING

10. Ofelia F. Matos
Budget Director

Re: Budget Transfer ~ General Fund FY08 ending June 30, 2008 in the amount of **$1,000,000** **[Received 09/22/08 and referred to the Finance Committee]**

ON A MOTION BY ALDERMAN PICCOCHI, DULY SECONDED BY ALDERMAN PERNEREWSKI THE BOARD OF ALDERMEN VOTED BY A 13 YEA ~ 1 NAY VOICE VOTE TO APPROVE THE AFOREMENTIONED, NAMELY OLD BUSINESS ITEM #10

NAY ~ ALDERMAN TELESCA

11. Craig A. Sullivan
Corporation Counsel

Re: Amendments to the Enterprise Zone Ordinance. **[Received on 5-19-08 and referred to the Charter Revision/ Ordinance Committee]**

REMOVE FROM AGENDA ~ ACTED ON PREVIOUSLY

12. Mary E. Nardini, CCMC
Revenue Collection Manager

Re: Proposed Design for New City Hall Location **[Received on 7-21-08 and referred to the Intergovernmental Committee]**

ON A MOTION BY ALDERMAN MISSET, DULY SECONDED BY ALDERMAN PERNEREWSKI THE BOARD OF ALDERMEN VOTED BY UNANIMOUS VOICE VOTE TO REFER TO WATERBURY DEVELOPMENT CORPORATION (WDC) FOR CONSIDERATION THE AFOREMENTIONED, NAMELY OLD BUSINESS ITEM #12

13. Ofelia F. Matos
Budget Director

Re: Budget Transfers ~ General Fund / Capital Budget FY08 ending June 30, 2008 in the amount of **$1,775,000 [Received on 09/22/08 and referred to the Finance Committee]**

ON A MOTION BY ALDERMAN PICCOCHI, DULY SECONDED BY ALDERMAN PERNEREWSKI THE BOARD OF ALDERMEN VOTED BY A 13 YEA ~ 1 NAY VOICE VOTE TO APPROVE AS AMENDED THE AFOREMENTIONED, NAMELY OLD BUSINESS ITEM #13

NAY ~ ALDERMAN TELESCA

14. John Jedrzejczyk
Director of Finance

Re: Bond Authorization for: Water Department Cleaning, Lining and Rehabilitation of Water Mains in the amt. of ***$910,000***. **[Received on 9-08-08 and referred to the Finance Committee]**

ON A MOTION BY ALDERMAN PICCOCHI, DULY SECONDED BY ALDERMAN PERNEREWSKI THE BOARD OF ALDERMEN VOTED UNANIMOUSLY BY VOICE VOTE TO APPROVE THE AFOREMENTIONED, NAMELY OLD BUSINESS ITEM #14

15. Alderman Cicero B. Booker, Jr.

Re: ***VERBAL REQUEST ~*** seeking a resolution on whether Board of Aldermen who are also City Employees can be eligible to vote in the budget process or can be involved in the budget committees**.** ***[REQUESTED ON 2-22-08; NEVER REFERRED TO COMMITTEE]***

16. John Jedrzejczyk
Director of Finance

Re: Bond Authorization for: Water Department Replace Chlorine Feed System of Water Mains in the amt. of ***$460,000****.* **[Received on 9-08-08 and referred to the Finance Committee]**

ON A MOTION BY ALDERMAN PICCOCHI, DULY SECONDED BY ALDERMAN PERNEREWSKI THE BOARD OF ALDERMEN VOTED BY A 13 YEA ~ 1 NAY VOICE VOTE TO APPROVE THE AFOREMENTIONED, NAMELY OLD BUSINESS ITEM #16

NAY ~ ALDERMAN TELESCA

17. John Jedrzejczyk
Director of Finance

Re: Bond Authorization for the Water Dept. Office Expansion and Renovations in the amt. of ***$750,000****.* **[Received on 9-08-08 and referred to the Finance Committee]**

HOLD

18. Lisa Lessard
538 Sylvan Avenue

Re: Concerns relative to the Board's 7/21/2008 meeting. **[Received on 9-08-08 and referred to Rules / Law Committee]**

19.	Antony A. Casagrande just *of-Counsel* Carmody & Torrance LLP	**Re:**	Requesting a Public Hearing to be held prior to the Board's scheduled regular meeting on 09-08-2008 relative to a proposed Co-Generation Tax Exemption Ordinance, pursuant to CGS Section 12-81(63. **[Received on 8-11-08 and referred to the Charter Revision / Ordinance Committee]**

REMOVE FROM AGENDA ~ ACTED ON PREVIOUSLY

20.	Alderman Cicero B. Booker, Jr.	**Re:**	***VERBAL REQUEST*** ~ seeking an opinion from Corporation Counsel relative to: "What Recourse does an Alderman have that's been Sanctioned for Present or Future Recourse for Appeal?" ***[REQUESTED ON 9-08-08.]***
21.	J. Paul Vance, Jr.; President Board of Aldermen	**Re:**	Requesting approval of the FY 2009 Capital Budget Open Space Allocation to approve a bonding package of **$1,500,000** for an Open Space program. **[Received on 09/22/08 and referred to the Finance Committee]**
22.	J. Paul Vance, Jr.; President Board of Aldermen	**Re:**	A Formal Request to transfer **$400,000** of surplus funds from the recently ended fiscal year to the Park Department in order to facilitate development & construction of a Dog Park. **[Received on 09/22/08 and referred to the Finance Committee]**
23.	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 as part of its subdivision approval. **[Received on 09/22/08 and referred to the Land Committee]**

NEW BUSINESS ~

Item #21 Regarding Bond Authorization for acquisition of the Wacovia Building on South Main street in the amount of $5,000,000 as submitted by John Jedrzejczyk; Director of Finance ~ Referred to Finance Committee.

ON A MOTION BY ALDERMAN PERNEREWSKI, DULY SECONDED BY ALDERMAN RUSSO, THE BOARD OF ALDERMEN VOTED BY A 11 YEA ~ 3 NAY ROLL CALL VOTE TO ADD ITEM #21 TO THE AGENDA

YEAS ~ Aldermen Pernerewski, Russo, Misset, Nogueira, Petteway, Phelan, Piccochi, Negron, Burgio, Ciochetti, Vance ~ 10

NAYS ~ Alderman Booker, Denze, Telesca ~ 3

Abstained ~ Alderman Palladino ~ 1

ADJOURNMENT ~ 9:45 P.M.

Motion to adjourn made by Alderman Negron, Seconded by Alderman Pernerewski. All were in favor.

MJD/pmd