

BOARD OF ALDERMEN

Regular Meeting

Monday, November 10, 2008 at 6:45 p.m.

*Waterbury Arts Magnet School
16 South Elm Street - Atrium*

“SUMMARY MINUTES”

PRESENT ~ Aldermen Pernerewski, Misset, Nogueira, Petteway,
Phelan, Booker Jr., Burgio, Denze, Palladino, Telesca,
Ciochetti, Vance, Jr. ~ **12**

ABSENT ~ Aldermen Russo, Negron, Piccochi ~ **3**

PUBLIC HEARING(S)

6:45 P.M. ~ *For the purpose of seeing public input relative to a Proposed Resolution and Ordinance Regarding any Projects of City-owned Properties as submitted by J. Paul Vance; President of the Board of Aldermen.*

On a Motion made by Alderman Pernerewski, Duly Seconded by Alderman Ciochetti, the Board of Aldermen voted by unanimous voice vote to Close the 6:50 p.m. Public Hearing ~
6:50 p.m.

6:55 P.M. ~ *For the purpose of seeking public input relative to Proposed Changes to the Existing Ordinance Pertaining to Food Pantries as submitted by Lee Kennedy-Tiernan; Attorney Office of the Corporation Counsel.*

On a Motion made by Alderman Pernerewski, Duly Seconded by Alderman Misset, the Board of Aldermen voted by unanimous voice vote to Close the 6:55 p.m. Public Hearing ~
7:16 p.m.

 **PRAYER** ~ 7:16 p.m.

 **PLEDGE OF ALLEGIANCE** ~ 7:16 p.m.

 **ROLL CALL** ~ 7:20 p.m.

 **OFFICIALLY SCHEDULED PRESENTATION(S)** ~ None

 **EXECUTIVE SESSION(S)** ~ None

 **PUBLIC SPEAKING** ~ 7:21 p.m. ~ 8:03 p.m.

 **APPROVAL OF MINUTES** ~ REVISED July 21, 2008 ~ Regular Meeting

*On a Motion made by Alderman Pernerewski, Duly Seconded by Alderman Ciochetti, The Board of Aldermen voted by unanimous voice vote to **APPROVE**
The Revised Meeting Minutes of July 21, 2008*

 **RECESS** ~ 8:05 p.m. ~ 9:15 p.m.

NO CONSENT CALENDAR

1. Peter Abare-Brown
Director of Human Resources

Re: Notices of Open Competitive Exam #1889 for the position of Paraprofessional; Open Competitive Exam #1886 for the position of Certified Sign Language Interpreter & Notice of Promotional Exam #1031 for the position of Elementary School Teaching Vice-Principal

RECEIVE AND PLACE ON FILE

2. Kevin Taylor
Project Manager

Re: Correspondence regarding the Proposed Senior Design for the New City Hall Tax Office

REFERRED TO INTERGOVERNMENTAL COMMITTEE

*On a Motion made by Alderman Misset, Duly Seconded by Alderman Ciochetti,
The Board of Aldermen voted by unanimous voice vote to **RECEIVE AND PLACE ON FILE**
THE AFOREMENTIONED, NAMELY ITEM #2*

3. James T. Nemec
Supervisor of Parks; DPW
Bureau of Parks & Public Buildings

Re: Monthly Report covering period September 21, 2008 ~ October 20, 2008

RECEIVE AND PLACE ON FILE

4. Nancy Shea; AICP
Land Use Officer
Inland / Wetland & Watercourses Agent

Re: Inland Wetlands and Watercourses Commission’s Request to change their scheduled meeting time to 5:00 p.m. from 7:00 p.m. beginning in 2009

REFERRED TO CHARTER REVISION/ORDINANCE COMMITTEE

HOLD

5. 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

REFERRED TO CHARTER REVISION/ORDINANCE COMMITTEE

*On a Motion made by Alderman Pernerewski, Duly Seconded by Alderman Ciochetti,
The Board of Aldermen voted by unanimous voice vote to **REFER THE RESOLUTION TO
CORPORATION COUNSEL TO REPORT BACK TO THE BOARD OF ALDERMEN
WITH AN OPINION ON THE OVERLAP BETWEEN THE POTENTIAL CONSERVATION COMMISSION
& THE ENVIRONMENTAL COMMISSION***

6. Dawn E. DeSantis; Attorney
Office of Corporation Counsel

Re: Corporation Counsel’s opinion and a possible procedure regarding eminent domain relative to properties that have been cited for multiple blight violations and used for drug trafficking (See Old Business Item #5)

REFERRED TO INTERGOVERNMENTAL COMMITTEE

*On a Motion made by Alderman Misset, Duly Seconded by Alderman Pernerewski,
The Board of Aldermen voted by unanimous voice vote to **RECEIVE AND PLACE ON FILE**
THE AFOREMENTIONED, NAMELY ITEM #6*

7. Victor M. Diaz
Assistant City Clerk
- Re:** Pursuant to CT General Statutes 1-225; Board of Aldermen's 2009 Meeting Schedule

REFERRED TO RULES AND LAW COMMITTEE

*On a Motion made by Alderman Pernerewski, Duly Seconded by Alderman Nogueira,
The Board of Aldermen voted by unanimous voice vote to **APPROVE**
THE AFOREMENTIONED, NAMELY ITEM #7*

8. The Board of Public Works
- e:** Refunds totaling **\$363.70** for over estimated Bureau of Water accounts; to wit ~
John Zinno; 134 Edin Street ~**\$118.53**
Tami Grassler; 31 Terrell Road ~ **\$245.17**

REFERRED TO FINANCE COMMITTEE

*On a Motion made by Alderman Pernerewski, Duly Seconded by Alderman Nogueira,
The Board of Aldermen voted by unanimous voice vote to **APPROVE**
THE AFOREMENTIONED, NAMELY ITEM #8*

9. Salvatore D. Porzio
Project Manager; PWD
- Re:** Construction Contract ~ NY-CONN Corp. for Traffic Signal Improvements in the amt. of **\$519,394.75** (No. Main St. at East & West Farm Sts., Highland Ave., at Congress Ave., & Congress Ave. Ext., & Highland Ave., at New Haven Ave., & Bradley Ave.) (T017)

REFERRED TO INTERGOVERNMENTAL COMMITTEE

*On a Motion made by Alderman Misset, Duly Seconded by Alderman Pernerewski,
The Board of Aldermen voted by unanimous voice vote to **APPROVE**
THE AFOREMENTIONED, NAMELY ITEM #9*

10. Salvatore D. Porzio
Project Manager; PWD
- Re:** Construction Contract ~ Chase Mechanical Contractors, Inc. in the amt. of **\$2,107,855.00** for the Silas Bronson Library's Mechanical HVAC Renovations (C029)

REFERRED TO INTERGOVERNMENTAL COMMITTEE

*On a Motion made by Alderman Misset, Duly Seconded by Alderman Pernerewski,
The Board of Aldermen voted by unanimous voice vote to **APPROVE**
THE AFOREMENTIONED, NAMELY ITEM #10*

11. Craig Schmidt
Property Manager
- Re:** Update of Insurance Status ~ Talmudic Institute

REFERRED TO INTERGOVERNMENTAL COMMITTEE

*On a Motion made by Alderman Misset, Duly Seconded by Alderman Pernerewski,
The Board of Aldermen voted by unanimous voice vote to **REFER TO CORPORATION COUNSEL FOR COMPLIANCE WITH THE LEASE AGREEMENT FOR IMMEDIATE ACTION , WITHIN 2 WEEKS, BY THE NEXT BOARD OF ALDERMEN REGULAR MEETING ON NOVEMBER 24, 2008 REGARDING**
THE AFOREMENTIONED, NAMELY ITEM #11*

12. Mayor Michael J. Jarjura

Re: Recommendation from the Mayor's Economic Development Task Force relative to the proposed reconstruction of Interstate 84 & Route 8

REFERRED TO INTERGOVERNMENTAL COMMITTEE

HOLD

13. Lisa Lessard
538 Sylvan Avenue

Re: Correspondence relative to the Federal Government's Special Education Funds placed into the General Fund

REFERRED TO THE FINANCE COMMITTEE

On a Motion made by Alderman Misset, Duly Seconded, The Board of Aldermen voted
By unanimous voice vote to **RECEIVE AND PLACE ON FILE**
THE AFOREMENTIONED, NAMELY ITEM #13

14. Ofelia F. Matos
Budget Director

Re: Monthly Financial Report ~ September 2008

RECEIVE AND PLACE ON FILE

15. Leo J. Frank; CEO
Waterbury Development Corp.

Re: Confidentiality & Due Diligence Agreement
Relative to the Wachovia Building

REFERRED TO INTERGOVERNMENTAL COMMITTEE

On a Motion made by Alderman Misset, Duly Seconded by Alderman Pernerewski,
The Board of Aldermen voted by a **11 YEA ~ 1 NAY (Alderman Burgio)**
Voice Vote to **APPROVE** THE AFOREMENTIONED, NAMELY ITEM #15

(Under Discussion: Alderman J. Paul Vance requested the names of the Bidders and their submitted bids for The Board of Aldermen's next Regular Meeting-November 24, 2008)

16. Victor M. Diaz
Assist. City Clerk

Re: Individuals appointed to various Boards and Commissions to wit ~
Mary Gretchen Iorio (D) ~ F.A.R.C.
100 Avalon Circle
Expiration: 12/31/08

Rafael Vinicio Ortiz (D) ~ Public Works
222 Pullen Avenue
Expiration: 12/31/09

REFERRED TO THE PERSONAL COMMITTEE

On a Motion made by Alderman Phelan, Duly Seconded by Alderman Nogueira,
The Board of Aldermen voted by unanimous voice vote **NOT TO DISAPPROVE (APPROVED)**
THE AFOREMENTIONED, NAMELY ITEM #16

17. Adam S. Rinko
Chief Administrative Officer

Re: Contract with Colony Roofing ~ Replacement Roof for Station 1; 1979 No. Main St. (This is a Community Development Block Grant Funded Project)

REFERRED TO INTERGOVERNMENTAL COMMITTEE

REMOVED FROM AGENDA

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| 18. | Teresa A. Caldarone
Counsel to Mayor Jarjura | Re: | Grant Application for 2009 Farmer’s Market |
| 19. | Teresa A. Caldarone
Counsel to Mayor Jarjura | Re: | Grant Application ~ 2008 Agriculture
Viability Grants Program (Fulton Farm &
Community Gardens) |

REFERRED TO INTERGOVERNMENTAL COMMITTEE

ITEMS #18 & #19 TAKEN AS ONE ITEM

*On a Motion made by Alderman Misset, Duly Seconded by Alderman Pernerewski,
The Board of Aldermen voted by unanimous voice vote to **APPROVE**
THE AFOREMENTIONED, NAMELY ITEMS #18 & #19*

STANDING COMMITTEES:

OLD BUSINESS:

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| 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] |
| 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. | 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
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. | 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 9-22-08 and referred to the Finance Committee] |
| 7. | J. Paul Vance, Jr.
President of the Board
of Aldermen | Re: | Seeking approval of a formal request to transfer \$400,000.00 of surplus funds from the recently ended fiscal year to the Park Dept., in order to facilitate the development & construction of a Dog Park. [Received on 9-22-08 and referred to the Finance Committee] |

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| 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] |
| 9. | John Jedrzejczyk
Director of Finance | Re: Bond Authorization for Acquisition of Land for Open Space Purposes in the amount of \$1.65 million. [Received on 10-05-08 and referred to the Finance Committee] |

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| 10. | J. Paul Vance Jr., President
Board of Aldermen | Re: City of Waterbury Conservation Commission Initiating Resolution. [Received on 10-05-08 and referred to the Intergovernmental Committee] |
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- On a Motion made by Alderman Misset, Duly Seconded by Alderman Pernerewski,
The Board of Aldermen voted by unanimous voice vote to **APPROVE**
THE AFOREMENTIONED, NAMELY OLD BUSINESS ITEM #10*

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| 11. | Lee Kennedy Tiernan, Attorney
Office of the Corporation Counsel | Re: Proposed Ordinance Change ~ Food Pantries [Received on 10-06-08 and referred to the Charter Revision ~ Ordinance Committee] |
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| 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] |
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- On a Motion made by Alderman Misset, Duly Seconded by Alderman Pernerewski,
The Board of Aldermen voted by unanimous voice vote to **RECEIVE AND PLACE ON FILE**
THE AFOREMENTIONED, NAMELY OLD BUSINESS ITEM #12*

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| 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 as part of its subdivision approval. [Received on 09-22-08 and referred to the Land Committee] |
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| 14. | 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] |
| 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 02-22-08; NEVER REFERRED TO COMMITTEE.] |
- On a Motion made by Alderman Nogueira, Duly Seconded by Alderman Misset,
The Board of Aldermen voted by unanimous voice vote to **RECEIVE AND PLACE ON FILE**
THE AFOREMENTIONED, NAMELY OLD BUSINESS ITEMS #14 & #15*

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| 16. | John Jedrzejczyk
Director of Finance | Re: Bond Authorization for acquisition of the Wachovia Building on South Main Street in the amount of \$ 5,000,000. [Received on 10-06-08 and referred to the Finance Committee] |
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17. John Jedrzejczyk
Director of Finance

Re: Bond Authorization for: Water Department Office
Expansion and Renovation, **\$750,000.**
**[Received on 9-08-08 and referred to the
Finance Committee]**

NEW BUSINESS ~ None

ADJOURNMENT ~ 9:27 p.m.

*On a Motion made by Alderman Pernerewski, Duly Seconded by Alderman Burgio,
The Board of Aldermen voted by unanimous voice vote to adjourn.*

MJD/pmd