

BOARD OF ALDERMEN
TUESDAY, JANUARY 10, 2012
REGULAR MEETING AT 7:00 P.M.
ALDERMANIC CHAMBERS
235 GRAND STREET, WATERBURY CT

“AGENDA”

PUBLIC HEARINGS:

6:50 P.M.: For the purpose of soliciting public input with respect to the sale of surplus city property located at **17 BREWSTER STREET, WATERBURY, CT**, as submitted by Craig Schmidt, Surplus Property Manager.

6:55 P.M.: For the purpose of soliciting public input with respect to proposed ordinance changes regarding Part-time/Temporary/Seasonal Employees and “Nepotism: Employment of Relatives” as submitted by Aldermen Anne P. Phelan, Lawrence V. De Pillo, and Jerry P. Padula.

PRAYER:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

OFFICIALLY SCHEDULED PRESENTATION:

PUBLIC SPEAKING:

MAYOR’S REPORT:

EXECUTIVE SESSIONS:

APPROVAL OF MINUTES:

RECESS:

1. James A. Murray
Human Resources Assistant
Department of Education

- RE:** Submittal of the following job postings:
- A. ***Waterbury Adult Continuing Education***
Resource/Attendance Room Aide
\$21.50 per hour
 - B. Waterbury Public Schools
Elementary School Instructional Tutors
\$31.00 per hour ~ Part Time, Grant
Funded Position
 - C. Waterbury Public Schools
Enlightenment, State Street, Crosby, Wilby, Kennedy & WAMS
After School – OdysseyWare
Online Learning Lab Coordinator &
Instructional Tutor
\$31.00 per hour ~ Part Time, Grant
Funded Position
 - D. Waterbury Public Schools
Enlightenment Alternative Program
After School – OdysseyWare
Online Learning Lab Coordinator &
Instructional Tutor
\$31.00 per hour ~ Part Time, Grant
Funded Position
 - E. Waterbury Public Schools
Wilby High School
Substitute - After School –
OdysseyWare
Online Learning Lab Coordinator &
Instructional Tutor

- \$31.00 per hour ~ Part Time, Grant
Funded Position
- F. Waterbury Public Schools
State Street Alternative Program
After School – OdysseyWare
Online Learning Lab Coordinator &
Instructional Tutor
\$31.00 per hour ~ Part Time, Grant
Funded Position
- G. Waterbury Public Schools
Wilby High School
After School – OdysseyWare
Online Learning Lab Coordinator &
Instructional Tutor
\$31.00 per hour ~ Part Time, Grant
Funded Position
- H. Waterbury Public Schools
Crosby High School
After School – OdysseyWare
Online Learning Lab Coordinator &
Instructional Tutor
\$31.00 per hour ~ Part Time, Grant
Funded Position
- I. Waterbury Public Schools
Kennedy High School
After School – OdysseyWare
Online Learning Lab Coordinator &
Instructional Tutor
\$31.00 per hour ~ Part Time, Grant
Funded Position
- J. Waterbury Public Schools
Waterbury Arts Magnet School
After School – OdysseyWare
Online Learning Lab Coordinator &
Instructional Tutor
\$31.00 per hour ~ Part Time, Grant
Funded Position
- K. Waterbury Public Schools
Crosby High School
Substitute - After School –
OdysseyWare
Online Learning Lab Coordinator &
Instructional Tutor
\$31.00 per hour ~ Part Time, Grant
Funded Position
- L. Waterbury Public Schools
Kennedy High School
Substitute - After School –
OdysseyWare
Online Learning Lab Coordinator &
Instructional Tutor
\$31.00 per hour ~ Part Time, Grant
Funded Position
- M. Waterbury Public Schools
Waterbury Arts Magnet School
Substitute - After School –
OdysseyWare
Online Learning Lab Coordinator &
Instructional Tutor
\$31.00 per hour ~ Part Time, Grant
Funded Position

- N. Waterbury Public Schools
State Street Alternative Program
 Substitute - After School –
 OdysseyWare
 Online Learning Lab Coordinator &
 Instructional Tutor
 \$31.00 per hour ~ Part Time, Grant
 Funded Position
- O. Waterbury Public Schools
Enlightenment Alternative Program
 Substitute - After School –
 OdysseyWare
 Online Learning Lab Coordinator &
 Instructional Tutor
 \$31.00 per hour ~ Part Time, Grant
 Funded Position

RECEIVE AND PLACE ON FILE

- 2. Cherrie L. Lamb
Department of Human Resources
- RE: Submittal of the following Civil Service Open Competitive Exam postings:
 - A. #1978 - Tree Trimmer Foreperson
 - B. #1980 - WPC Maintenance Manager
 - C. #1983 - Benefits Analyst

RECEIVE AND PLACE ON FILE

- 3. John P. Lawlor
Director of Public Works
- RE: Submitting for consideration and approval, Hamilton Park Performing Arts Pavilion Lease Agreement with 7-Angels Theater, Inc.

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE

- 4. **Board of Park Commissioners**
- RE: Recommendation that the Board of Aldermen APPROVE the Hamilton Park Performing Arts Pavilion Lease Agreement with 7-Angels Theater, Inc as submitted by John Lawlor, Director of Public Works

RECEIVE AND PLACE ON FILE

- 5. Roseann Wright
Director of Public Health
- RE: Submitting for review and approval, Subordination Agreement for 280 Meriden Road

REFERRED TO THE FINANCE COMMITTEE

- 6. Dawn E. DeSantis, Attorney
Office of the Corporation Counsel
- RE: Park Road Appraisals as requested by the Board of Aldermen on October 11, 2011

REFERRED TO THE FINANCE COMMITTEE

7. John P. Lawlor
Director of Public Works RE: Submitting for review and approval, Lease Agreement of the East Mountain Golf Course Concession between The 19th Hole Café Ltd., and the City of Waterbury in the (initial term) amount of \$27,600.00.

REFERRED TO THE FINANCE COMMITTEE

8. Attorney Jean Perry Phillips
Of Counsel
Pullman & Comley RE: Requesting the Board's Approval on the Resolution regarding the acquisition of *six additional property interests required for Pearl Lake Road Project (*501, 521, 531 and 541 Pearl Lake Road and 565 and 572 Piedmont Street)

REFERRED TO THE FINANCE COMMITTEE

9. E. Gil Graveline
Building Official
Department of Inspection RE: Request for a refund to Alil Alili, Aya Masonry in the amount of \$292.50 for Building Permit PR20110003384 for 136 Griggs Street ~ No work was done regarding this permit and the permit has been cancelled.

REFERRED TO THE FINANCE COMMITTEE

10. Carrie A. Swain
Clerk
Waterbury Board of Education RE: Requesting review and approval of an Agreement between The City of Waterbury and Waterbury Youth Service System, Inc.

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE

11. Carrie A. Swain
Clerk
Waterbury Board of Education RE: Requesting reconsideration and approval of a Maintenance Services Agreement with AFB Construction Management for School Facilities Management Services.

RECEIVE AND PLACE ON FILE

12. Craig Schmidt
Property Manager
Finance Department RE: Recommendation to Award 17 Brewster Street to successful bidder, Neighborhood Housing Services

REFERRED TO THE FINANCE COMMITTEE

13. Peter Abare-Brown
Director of Human Resources RE: Requesting Approval of Salary Range Change for the School Inspector Position from \$68,755 ~ \$80,409 to \$93,000 ~ \$113,000

REFERRED TO THE FINANCE COMMITTEE

14. Peter Abare-Brown
Director of Human Resources RE: Requesting Approval of New Job Specification for Human Resources Assistant - Education

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE

15. Peter Abare-Brown
Director of Human Resources RE: Requesting Approval of New Job Specification for Senior Assessment Analyst

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE

16. Selma Alves
Health Program Assistant
Department of Public Health
Regulatory Services Branch
Administration
410 Capitol Ave MS#12 RSV
Hartford, CT 06134-0308
- RE: Requesting Approval of sub contract for Lead Poisoning Prevention and Control Program

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE

17. Sandra Rosa
Controller
Waterbury Development
Corporation
- RE: Requesting Approval of Memorandum of Understanding between the City of Waterbury and The Greater Waterbury Transit District

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE

18. Salvatore Porzio
Project Manager
Public Works Department
- RE: Requesting Approval of Agreement between the State of Connecticut and the City of Waterbury for the Development of Contract Plans, Specifications and Estimates for the Naugatuck River Greenway – Phase 1 Utilizing Federal Funds Under the High Priority Projects Program Component of the Surface Transportation Program *and* Approval of Resolution authorizing the Mayor to enter into the above-referenced agreement on behalf of the City of Waterbury.

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE

19. Salvatore Porzio
Project Manager
Public Works Department
- RE: Requesting Approval of Lease Agreement between the 19th Hole Café Ltd. and the City of Waterbury for the East Mountain Golf Course Concession.

REFERRED TO THE FINANCE COMMITTEE

20. Attorney Jean Perry Phillips
Of Counsel
Pullman & Comley
- RE: Requesting Approval of the following Resolution:

Resolution of the Board of Alderman (BOA)
Approving the Acquisition of Specific Properties
for the Waterbury Career Academy High School (WCA)

Whereas, at a meeting of the Board of Aldermen held June 9, 2008, the Board of Aldermen as part of the implementation of the Pre-K-12 Comprehensive School Facilities Plan (the "Plan"), by unanimous consent calendar roll call vote, authorized and approved: (i) the formation of a School Building Committee (SBC), (ii) the preparation of schematic drawings and outline specifications, and (iii) the filing of grant applications, all for the purpose of carrying out the New School Projects including WCA; and

Whereas, at a meeting of the Board of Aldermen held June 9, 2008, the Board of Aldermen voted to appropriate up to \$63,846,000.00 and authorize the City of Waterbury (the "City") to issue general obligation tax revenue intercept bonds to finance certain of the costs of the WCA; and

Whereas, Waterbury Development Corporation (WDC), on behalf of the City, conducted a comprehensive site evaluation in order to arrive at a fair, informative and complete analysis of possible parcels for acquisition related to the WCA; and

Whereas, WDC completed its evaluation and submitted a report to the BOE; and

Whereas, Enviromed Services, Inc. has completed Phase I Environmental Site Assessments of the subject parcels, (the "Assessments"), which Assessments were delivered to the BOE in March 2010; and

Whereas, at a meeting of the BOE held September 2010, the BOE voted to appropriate up to \$4,344,000.00 and authorize the City to issue general obligation tax revenue intercept bonds to finance certain acquisitions and site development of the costs of the WCA; and

Whereas, at a regular meeting of the Board of Aldermen held on March 8, 2011, the Board of Aldermen voted, by consent calendar roll call vote, to approve a contract amendment between the City and WDC, in an amount not to exceed \$83,200.00, in which WDC agreed to provide various services including, land acquisition and relocation activities relating to the WCA;

Whereas, the BOE recommended to the Board of Aldermen that the City acquire the following properties for the New Waterbury Career Academy High School Project Site:

Lillian St.: 5526; 0051; 5608; 5609; 0539; 5625; 0567

Lillian St. Area: Paper Street

Birch St.: 153; 205; 201; 193; 171; 161

Visconti Ave.: Lots 0423; 0411; 0042; 0421; 0422; 0041

Visconti Ave. Area: Paper Street

Whereas, the BOE recommended after consideration of the WDC selection report, the recommendations of the School Building Committee and its determination that the properties to be acquired are necessary and appropriate for the advancement of the WCA;

Whereas, the BOE recommended that the City, with the assistance of WDC, is authorized and directed to establish the amount believed to be just compensation for each property, based on the appraisals obtained;

Whereas, the BOE recommended that the City, with the assistance of WDC, is authorized and directed to conduct good faith negotiations with owners for the purchase of the properties; and

Whereas, in the event such negotiations with respect to the acquisition of any property fail to produce an agreement, the BOE recommends that the City, with the assistance of WDC, shall acquire such property through the exercise of eminent domain pursuant to Section 10-241a and Section 48-5 of the Connecticut General Statutes; and

Whereas, the City Plan Commission at a special meeting held May 20, 2011 approved: (i) the general location, character and extent of the School Project; (ii) the area behind Woodrow Wilson Elementary School as the site for the Waterbury Career Academy High School; (iii) the acquisition of all properties identified above as comprising the Waterbury Career Academy High School Site; and

Whereas, the Board of Aldermen at a meeting held on June 20, 2011 approved the acquisition of the above-mentioned properties for the Waterbury Career Academy High School; and

Whereas, inadvertently omitted from each of the resolutions (BOE, City Plan, and BOA) was the acquisition of property located at Lillian Street (Map 0278, Block 0585, Lot 0051); and

Whereas, the BOE, City Plan and BOA are each being asked to approve the acquisition of property located at Lillian Street (Map 0278, Block 0585, Lot 0051); and

Whereas, said property is necessary for the Waterbury Career Academy High School Site.

Now, Therefore, Be It Resolved That:

1. Upon approval by the BOE, City Plan and BOA, the City is hereby directed and authorized, with the assistance of WDC, acquire the property located at Lillian Street (Map 0278, Block 0585, Lot 0051).
2. The School Project is necessary and appropriate to the City's mission of providing quality education to the students of the City of Waterbury.
3. The acquisition of the said property is necessary and appropriate for the completion of the School Project;
4. The City, with the assistance of WDC, is authorized and directed to establish the amount believed to be just compensation for said property, based on the appraisals obtained;
5. The City, with the assistance of WDC, is authorized and directed to conduct good faith

negotiations with owner for the purchase of the said property; and

6. In the event such negotiations with respect to the acquisition of said property fail to produce an agreement, the City, with the assistance of WDC, shall acquire such property through the exercise of eminent domain pursuant to Section 10-241a and Section 48-5 of the Connecticut General Statutes.

REFERRED TO THE FINANCE COMMITTEE

21. Michael LeBlanc
Director of Finance RE: Submitting for consideration and approval a request to authorize the City's Director of Finance to release housing assistance funder in the approximate amount of **\$110,680.97.**

REFERRED TO THE FINANCE COMMITTEE

22. Michael LeBlanc
Director of Finance RE: Submitting for consideration and approval a Bond Authorization in an amount not to exceed **\$4,000,000.00** for Municipal Stadium Renovation Phase III.

REFERRED TO THE FINANCE COMMITTEE

23. Michael LeBlanc
Director of Finance RE: Submitting for consideration and approval a Municipal Solid Waste Management Services Agreement between Connecticut Resources Recovery Authority and the City of Waterbury

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE

24. Ofelia Matos
Budget Director RE: Seeking approval of a budget transfer within the City's General Fund for the Fiscal Year ending June 30, 2012 in the amount of **\$100,000.00.**

REFERRED TO THE FINANCE COMMITTEE

25. Ofelia Matos
Budget Director RE: Seeking approval of a budget transfer within the City's Capital WPC Enterprise Fund for the Fiscal Year ending June 30, 2012 in the amount of **\$250,000.00.**

REFERRED TO THE FINANCE COMMITTEE

26. Paul Pernerewski
President
Board of Aldermen RE: Revised Rules of the Board of Aldermen

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE

27. James Sequin
City Planner RE: Requesting Acceptance of Public Improvements Associated with the Tanglewood Estates Subdivision

REFERRED TO THE FINANCE COMMITTEE

28. James Sequin
City Planner RE: Requesting Acceptance of the Arnold Street Sanitary Sewer Extension

REFERRED TO THE FINANCE COMMITTEE

29. James Sequin
City Planner RE: Requesting Authorization to Construct a Proposed North Main Street Storm Sewer Extension.

REFERRED TO THE FINANCE COMMITTEE

30. Ofelia Matos
Budget Director RE: Submitting City of Waterbury Financial Status Report November 2011

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31. Frank Caruso, Jr.
Deputy Tax Collector RE: Submitting 2011 – 2012 Delinquent Taxpayers
as of November 30th, 2011

REFERRED TO THE FINANCE COMMITTEE

32. Frederick L. Luedke
Alderman RE: Submitting for consideration proposed
changes to Blight Ordinance

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE

33. Steven Schrag
14 Quentin Street
Waterbury, CT 06706 RE: Submitting for consideration a draft Corporate
Ethics Ordinance.

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE

34. David Green
Managing Member
Phoenix Soil LLC.
130 Freight Street RE: Request for Extension of permit or authority to
operate a low temperature thermal desorption
unit at 130 Freight Street, for ten (10) years,
up to and including March 2, 2022.

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE

STANDING COMMITTEES:

- Frank A. Caruso, CCMC
Deputy Tax Collector RE: Seeking approval of vouchers representing
Overpayments by the taxpayers for tax bills, in
the amount of **\$42,054.99.**

OLD BUSINESS:

1. Michael LeBlanc
Director of Finance RE: Requesting approval of an appropriation of
\$1,850,000 and **\$1,200,000** Bond
Authorization for acquisition of a parcel of
approximately 133.68 acres of undeveloped
land located on Park Road to be preserved as
open space. **[Received on 08-22-11 and
referred to the Finance Committee.]**
2. Craig Schmidt
Surplus Property Manager RE: Seeking a Public Hearing for the sale of
surplus city property located at:
17 BREWSTER STREET. **[Received on 12-
05-11 and referred to the Finance
Committee]**
3. **ALDERMAN** Lawrence V. De Pillo RE: PROPOSAL ~ To refer said proposal to modify
the City of Waterbury Code of Ordinances,
specifically §38.049 Preference For Bidders
And Offerors located in the city to the City
Corporation Counsel for review and
engrossment of the ordinance **[Received on
01/11/11 and referred to the Finance
Committee further referred to the Good
Jobs Ad Hoc Committee on 06/20/11]**

4. Paul K. Pernerewski, Jr.
Board of Alderman President
****VERBAL SUBMISSION****
- RE: Discussion and possible action regarding the position of City Auditor **[Received on 11-21-11 and referred to the Intergovernmental Committee]**
5. **ALDERWOMAN** Anne P. Phelan
ALDERMEN Lawrence V. De Pillo and Jerry P. Padula
- RE: Proposed Ordinance Change regarding Part-time/Temporary/Seasonal Employees **[Received on 07-25-11 and referred to Intergovernmental Committee]**
6. **ALDERWOMAN** Anne P. Phelan
ALDERMEN Lawrence V. De Pillo and Jerry P. Padula
- RE: Proposed Ordinance Change regarding "Nepotism: Employment of Relatives" **[Received on 07-25-11 and referred to Intergovernmental Committee]**
7. Craig Schmidt
Surplus Manager
- RE: Requesting review and possible vote with respect to the disposition of City surplus property located at 787 North Main Street. **[Received on 08-22-11 and referred to the Finance Committee.]**
8. Paul K. Pernerewski, Jr.
Board of Aldermen President
- RE: Seeking approval of the following resolution:
- BE IT RESOLVED** That an ad hoc open space advisory committee appointed by the president to analyze and quantify the need for open space in Waterbury, to catalogue available land in Waterbury which may be suitable for acquisition for open space, including their opinion of the desirability of such land for open space, and to report their findings to the Board of Aldermen within _____ months (members to be appointed)
- BE IT FURTHER RESOLVED** that the president is authorized, on behalf of the Board, to request the Department of Energy and Environmental Protection extend the **\$650,000** grant related to the purchase of 133.68 acres known as Western Woods on Park Road, be extended until three months after the ad hoc space advisory committee makes its report to the Board. **[Received on 09-19-11 and referred to the Intergovernmental Committee.]**
9. Joshua M. Angelus, President
WTBY Neighborhood Council
67 Hillside Avenue
- RE: RE: Submittal of the following Resolution, to wit:
BE IT SO RESOLVED, should the Board of Aldermen vote favorably to approve **\$1,850,000** for Capital Authorization for the acquisition of the Western Woods Park Road property and a **\$1,200,000** Bond Authorization and should the owner of said property convey a letter of intent to sell said property to the City of Waterbury for **\$1,750,000** within 40 days of approval of said resolution, that the City of Waterbury shall enter into a purchase agreement with the seller of said property contingent on the availability of the DEEP

- open space grant of \$650,000. [Received on 10-11-11 and referred to the Finance Committee.]
- 10 Paul K. Pernerewski, Jr.
**President
Board of Aldermen**
- 11 Ron Napoli, Jr.
Alderman
- RE: Report of and possible action with respect to the property taken associated with the Career Academy construction. [Received on 10-24-2011 and referred to the Intergovernmental Committee]
- RE: Resolution granting approval by the Board that the City of Waterbury hire a consultant to conduct a Disparity Study relative to City residents being employed by contractors performing on public-funded construction projects in the City [Received on 11-21-11 and referred to the Intergovernmental Committee]

NEW BUSINESS:

ADJOURNMENT:

MJD:cjg