BOARD OF ALDERMEN

MONDAY, MAY 07, 2012
REGULAR MEETING AT 7:00 P.M.
ALDERMANIC CHAMBERS – CITY HALL
235 GRAND STREET, WATERBURY CT

"SUMMARY MINUTES"

PUBLIC HEARING:
CALL TO ORDER: @7:05 P.M.
PLEDGE OF ALLEGIANCE:
PRAYER:
ROLL CALL:

PRESENT:	PICCOCHI	BEGNAL, JR.	PHELAN	NAPOLI, JR.	BRUNELLI
	MULCAHY	HADLEY	LUEDKE	BURGIO, SR.	GIACOMI
	PADULA	PALLADINO	NOUJAIM	PERNEREWSKI, JR.	

ABSENT: NONE.

OFFICIALLY SCHEDULED PRESENTATION/S:
EXECUTIVE SESSION/S:
PUBLIC SPEAKING:

1]. Leroy O Perry ~ 82 - 100 Pearl Street
2]. Steven Schrag ~ 14 Quentin Street
3]. Emma Duffin ~ 423 Knollwood Circle
4]. Brenda Morisette ~ 129 Adelaide Avenue
5]. Blair F. Bertaccini ~ 104 Fiske Street
6]. Elizabeth Brown ~ 225 Alexander Avenue
7]. Mike Sawyer ~ 45 Savings Street
8]. Lawrence De Pillo ~ 11 Steuben Street
9]. Lisa Lessard ~ 905 Pearl Lake Road
10]. Robert G. Dorr ~ 9 Barnes Street
11]. Pamela Lassiter ~ 118 Byam Rd. #3
12]. Theresa Younger ~ 64 Robbins Street
13]. Richard Hupprich ~ 321 Congress Avenue
14]. Eliot Morrison ~ 8 Glenridge Street
15]. Barbara Simonetta ~ 64 Robbins Street
16]. Donna Anderson ~ 64 Robbins Street
17]. Kathleen Chipolo ~ 64 Robbins Street
18]. Thomas Pelletier ~ 112 Concord Street

APPROVAL OF MINUTES:

Summary Minutes - Monday, April 23, 2012/Regular Meeting

ON A MOTION OF ALDERMAN PICCOCHI, DULY SECONDED BY ALDERMAN NAPOLI, JR., THE BOARD OF ALDERMEN VOTED UNANIMOUSLY TO APPROVE THE AFOREMENTIONED MINUTES.

MAYOR'S REPORT:
RECESS:

TO BE ADDED ITEMS:

On a Motion of Alderman Piccochi, Followed by a Second from Alderman Padula, the Board of Alderman Voted by Unanimous Voice Vote to **ADD** the Bridge to Success 0-21 Youth Initiative (community collaborative – United Way of Greater Waterbury is fiduciary) Grant from Lori Hart, Director, Waterbury Bridge to Success as Item #20 and Refer Said Item to the Intergovernmental Committee.

On a Motion of Alderman Piccochi, Followed by a Second from Alderman Begnal, Jr., the Board of Alderman Voted by Unanimous Voice Vote to **ADD** Correspondence with respect to property located at 8 Glenridge Street as Item #21 and Refer Said Item to the Finance Committee.

RECESSED INTO COMMITTEES AT 8:06 P.M.
RETURNED TO THE REGULAR ORDER OF BUSINESS AT 9:10 P.M.

CONSENT CALENDAR: #3 – 15, 17 - 21.
NON-CONSENT: #11.
HELD: #4.

ON A MOTION MADE BY ALDERMAN PICCOCHI, DULY SECONDED BY ALDERMAN NAPOLI, JR., THE BOARD OF ALDERMEN VOTED BY UNANIMOUS ROLL CALL VOTE [15--0] TO APPROVE THE AFOREMENTIONED CONSENT CALENDAR.

1. Civil Service Commission

RE: Notification of a job opening/open competitive job examination for the position of **HEAVY EQUIPMENT OPERATOR**.

RECEIVE & PLACE ON FILE.

2. James A. Murray
Human Resources Assistant
Board of Education

RE: Submission of various job openings within the WTBY Public Schools' Dept. of Education, to wit:

- After School OdysseyWare Instructional - HS English Tutor – 6 Positions {Crosby, Enlightenment, Kennedy, State Street, Wtby Arts Magnet, and Wilby}
- Substitute - OdysseyWare Summer School – Online Learning Lab Coordinator & Instructional Tutor – {Enlightenment}
- After School OdysseyWare Instructional Tutor – HS Math {Crosby, Enlightenment, Kennedy, State Street, Wtby Arts Magnet, and Wilby}
- Substitute Administrator – Summer School

OdysseyWare Online Learning Lab {Enlightenment}

- Administrator – Summer School OdysseyWare Online Learning Lab {Enlightenment}
- Administrative After-School Facilitator OdysseyWare Online Learning Lab {Crosby, Kennedy, Wilby, Wtby Arts Magnet, Enlightenment, and State Street}
- Summer Program Teacher (4 vacancies) Stepping Stone Summer Program – 64 Prospect Street}

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3. Craig Schmidt **PROPERTY MANAGER** **RE:** Recommendation to award **751 NORTH MAIN STREET** to its successful bidder.

REFERRED TO THE ~~INTERGOVERNMENTAL COMMITTEE~~. CHANGED TO FINANCE COMMITTEE.

ON A MOTION OF ALDERMAN PICCOCHI, DULY SECONDED BY ALDERMAN PADULA, THE BOARD OF ALDERMEN VOTED BY UNANIMOUS ROLL CALL CONSENT CALENDAR VOTE TO HOLD ITEM #3. INVITE MR. SCHMIDT TO NEXT MEETING – MAY 21, 2012.

4. Craig Schmidt **PROPERTY MANAGER** **RE:** Seeking a Public Hearing for the sale of Surplus City Property located at **615 NORTH STREET.**

REFERRED TO THE FINANCE COMMITTEE.

ON A MOTION OF ALDERMAN PICCOCHI, DULY SECONDED BY ALDERMAN PADULA, THE BOARD OF ALDERMEN VOTED BY UNANIMOUS ROLL CALL CONSENT CALENDAR VOTE TO SET A PUBLIC HEARING FOR JUNE 11, 2012 AT 6:55 P.M. WITH RESPECT TO ITEM #4.

5. Ernest M. Brunelli **ALDERMAN** **RE:** Requesting a Public Hearing for the purpose of soliciting public input with respect to proposed changes to the current city ordinances regarding dogs. The proposed changes that are subject to revision are **"Legal Definitions," "Enclosures," "Leash law,"** and **"Penalties."**

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE.

ON A MOTION OF ALDERMAN PICCOCHI, DULY SECONDED BY ALDERMAN PADULA, THE BOARD OF ALDERMEN VOTED BY UNANIMOUS ROLL CALL CONSENT CALENDAR VOTE TO SET A PUBLIC

HEARING FOR JUNE 11, 2012 AT 6:30 P.M. WITH RESPECT TO ITEM #5; AND FURTHER TO ADD THE FOLLOWING TOPICS TO THE LIST OF SUBJECTS TO BE REVIEWED, TO WIT: Dog Licensing and License Fees.

The Public Hearing is set for 2 meetings away to give the BOA time to receive further documentation with respect to the aforementioned. The BOA should have the proposed changes by its next meeting.

6. Mark J. Pronovost
DEPT. OF PUBLIC WORKS

RE: Seeking approval of Amendment No. 1 Engineering Services Agreement between the City and Cardinal Engineering Associates, Inc. for Great Brook Culvert Replacement on Brown and Water Streets - in the amount of **$59,500** which increases the contract amount to **$140,000**.

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE.

ON A MOTION OF ALDERMAN PICCOCHI, DULY SECONDED BY ALDERMAN NAPOLI, JR., THE BOARD OF ALDERMEN VOTED BY UNANIMOUS ROLL CALL CONSENT CALENDAR VOTE TO APPROVE ITEM #6.

7. Salvatore D. Porzio
Project Manager
DEPT. OF PUBLIC WORKS

RE: Seeking approval of a contract between between the City and F & G Recycling, LLC for bulky waste disposal in the amount of **$951,500**.

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE.

ON A MOTION OF ALDERMAN PICCOCHI, DULY SECONDED BY ALDERMAN NAPOLI, JR., THE BOARD OF ALDERMEN VOTED BY UNANIMOUS ROLL CALL CONSENT CALENDAR VOTE TO APPROVE ITEM #7.

8. Paul M. Bellagamba, P.E.
DEPT. OF PUBLIC WORKS

RE: Seeking approval of Amendment No. 2 for between the City and J. Iapauccio, Inc. the construction contract for Cooke Street Sidewalk Reconstruction - in the amount of **$420,000** which increases the contract amount to **$2,335,186.**

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE.

ON A MOTION OF ALDERMAN PICCOCHI, DULY SECONDED BY ALDERMAN NAPOLI, JR., THE BOARD OF ALDERMEN VOTED BY UNANIMOUS ROLL CALL CONSENT CALENDAR VOTE TO <u>APPROVE</u> ITEM #8.

9.	Paul M. Bellagamba, P.E. **DEPT. OF PUBLIC WORKS**	**RE:**	Seeking approval of a construction contract by and between the City and WDC {Waterbury Development Corporation} and GEG Construction, Inc. for West Porter Street and North Main Street Sidewalk Replacement - in the amount of **<u>$209,420.20</u>**.

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE.

ON A MOTION OF ALDERMAN PICCOCHI, DULY SECONDED BY ALDERMAN NAPOLI, JR., THE BOARD OF ALDERMEN VOTED BY UNANIMOUS ROLL CALL CONSENT CALENDAR VOTE TO <u>APPROVE</u> ITEM #9.

10.	Diane C. Toolan Housing and Community Planning Director **WDC** (WTBY Development Corp.}	**RE:**	Seeking approval of the City's Substantial Amendment to its FY2011 (CD YR 37) Annual Action Plan for the Second Allocation of Emergency Solutions Grant funds in the amount of **<u>$56,555</u>** and authorize Mayor Neil M. O'Leary to submit and execute any and all documentation related to this Substantial Amendment.

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE.

ON A MOTION OF ALDERMAN PICCOCHI, DULY SECONDED BY ALDERMAN NAPOLI, JR., THE BOARD OF ALDERMEN VOTED BY UNANIMOUS ROLL CALL CONSENT CALENDAR VOTE TO <u>APPROVE</u> ITEM #10.

11. ***NC**	Peter Abare-Brown **DIRECTOR OF HUMAN RESOURCES**	**RE:**	Requesting a salary range adjustment for the **<u>AUDIT DIRECTOR</u>** position. Current salary range $65,000 to $85,000. Recommended increase is **<u>$70,000</u>** to **<u>$90,000</u>**.

***DENOTES NON CONSENT CALENDAR VOTE.**

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE.

MOTION WAS MADE BY ALDERMAN PHELAN AS CHAIRMAN OF THE INTERGOVERNMENTAL COMMITTEE AND REPRESENTING THE MAJORITY OF SAID COMMITTEE AND DULY SECONDED BY ALDERMAN NAPOLI, JR., TO <u>RECOMMEND APPROVAL</u> OF ITEM #11.

A MOTION MADE BY ALDERMAN MULCAHY AND DULY SECONDED BY ALDERMAN BRUNELLI TO AMEND THE RECOMMENDATION FOR APPROVAL BY THE INTERGOVERNMENTAL COMMITTEE TO A RECOMMENDATION TO DENY THE INCREASE AND RECOMMEND A RANGE OF $68,000 TO $87,000, FAILED BY AN 11 Yea – 4 Nay ROLL CALL VOTE.

NAYS: PICCOCHI, BEGNAL, JR., NAPOLI, JR., PHELAN, BRUNELLI, HADLEY, LUEDKE, BURGIO, SR, MARGIOTTA, PADULA AND PERNEREWSKI, JR. – 11.

YEAS: MULCAHY, GIACOMI, PALLADINO AND NOUJAIM – 4.

ON A MOTION OF ALDERMAN PHELAN, DULY SECONDED BY ALDERMAN NAPOLI, JR., THE BOARD OF ALDERMEN VOTED BY A 14 Yea – 1 Nay VOICE VOTE TO RECOMMEND APPROVAL OF ITEM #11.

NAYS: PICCOCHI, BEGNAL, JR., NAPOLI, JR., PHELAN, BRUNELLI, MULCAHY, HADLEY, LUEDKE, BURGIO, SR, GIACOMI, MARGIOTTA, PADULA, PALLADINO, NOUJAIM, AND PERNEREWSKI, JR. – 14.

YEAS: MULCAHY – 1.

12. Peter Abare-Brown **DIRECTOR OF HUMAN RESOURCES**

RE: Requesting a salary range adjustment for the **DEPUTY TAX COLLECTOR** position. Current salary range $52,440 to $64,094. Recommended increase is **$55,000** to **$75,000**.

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE.

ON A MOTION OF ALDERMAN PICCOCHI, DULY SECONDED BY ALDERMAN NAPOLI, JR., THE BOARD OF ALDERMEN VOTED BY UNANIMOUS ROLL CALL CONSENT CALENDAR VOTE TO NOT TO APPROVE ITEM #12 WITH RECOMMENDATION TO THE CIVIL SERVICE COMMISSION THAT THEY CONSIDER SETTING THE RANGE AT $55,000 TO $68,000.

13. Ofelia F. Matos **BUDGET DIRECTOR**

RE: Seeking approval of a budget transfer within City's General Fund operations for the Fiscal Year ending June 30, 2012 in the amount of **$180,000**.

REFERRED TO THE FINANCE COMMITTEE.

ON A MOTION OF ALDERMAN PICCOCHI, DULY SECONDED BY ALDERMAN NAPOLI, JR., THE BOARD OF ALDERMEN VOTED BY UNANIMOUS ROLL CALL CONSENT CALENDAR VOTE TO APPROVE ITEM #13.

14. Ofelia F. Matos
BUDGET DIRECTOR

RE: Seeking approval of a budget transfer within City's General Fund operations for the Fiscal Year ending June 30, 2012 in the amount of **$300,000**.

REFERRED TO THE FINANCE COMMITTEE.

ON A MOTION OF ALDERMAN PICCOCHI, DULY SECONDED BY ALDERMAN NAPOLI, JR., THE BOARD OF ALDERMEN VOTED BY UNANIMOUS ROLL CALL CONSENT CALENDAR VOTE TO APPROVE ITEM #14.

15. Ofelia F. Matos
BUDGET DIRECTOR

RE: Seeking approval of a budget transfer within the City's Sewer Enterprise Fund for the Fiscal Year ending June 30, 2011 in the amount of **$50,000**.

REFERRED TO THE FINANCE COMMITTEE.

ON A MOTION OF ALDERMAN PICCOCHI, DULY SECONDED BY ALDERMAN NAPOLI, JR., THE BOARD OF ALDERMEN VOTED BY UNANIMOUS ROLL CALL CONSENT CALENDAR VOTE TO APPROVE ITEM #15.

16. Ofelia F. Matos
BUDGET DIRECTOR

RE: Submittal of the City of Waterbury's monthly Financial Status Report for March 2012.

RECEIVE & PLACE ON FILE.

17. Carrie A. Swain, Clerk
BOARD OF EDUCATION

RE: Requesting approval of a Maintenance Services Agreement with Trane U.S. Inc., in the not to exceed amount of **$98,426** for chiller compressor overhaul and repair at WTBY Arts Magnet School.

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE.

ON A MOTION OF ALDERMAN PICCOCHI, DULY SECONDED BY ALDERMAN NAPOLI, JR., THE BOARD OF ALDERMEN VOTED BY UNANIMOUS ROLL CALL CONSENT CALENDAR VOTE TO APPROVE ITEM #17.

18. Tina Lubus
HOME Manager
WDC (WTBY Development Corp.}

RE: Requesting Subordination of a mortgage from Lawrence Crest Cooperative, Inc. to City of Waterbury, acting by and through the Waterbury Development. Lawrence Crest Cooperative, Inc. has been approved for a new mortgage in the principal amount of **$423,895** which will be used to pay off the balance of their current mortgage with the Dept. of Economic and Community Development and its outstanding obligations to the City of Waterbury.

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE.

ON A MOTION OF ALDERMAN PICCOCHI, DULY SECONDED BY ALDERMAN NAPOLI, JR., THE BOARD OF ALDERMEN VOTED BY UNANIMOUS ROLL CALL CONSENT CALENDAR VOTE TO APPROVE ITEM #18.

19. Board of Public Works

RE: Requesting approval of the following Refund as approved by the BOPW on 04.24.12 and submitted on behalf of Marc Levesque, Billing Supervisor, WPCF, to wit:~

WTBY Housing Fund Inc.	1,763.45
	$1,763.45

REFERRED TO THE FINANCE COMMITTEE.

ON A MOTION OF ALDERMAN PICCOCHI, DULY SECONDED BY ALDERMAN NAPOLI, JR., THE BOARD OF ALDERMEN VOTED BY UNANIMOUS ROLL CALL CONSENT CALENDAR VOTE TO APPROVE ITEM #19.

20. Lori Hart, Director
WTBY Bridge to Success

RE: Requesting approval of the Bridge to Success 0-21 Youth Initiative (community collaborative – United Way of Greater Waterbury is fiduciary) grant request (**$40,000 PER YEAR**) to the William Casper Graustein Memorial Fund. Requires documentation of matching funds in the amount of **$35,000** for the first of two (2) years of grant period (July 1, 2012 through June 30, 2014).

REFERRED TO THE INTERGOVERNMENTAL COMMITTEE.

ON A MOTION OF ALDERMAN PICCOCHI, DULY SECONDED BY ALDERMAN NAPOLI, JR., THE BOARD OF ALDERMEN VOTED BY UNANIMOUS ROLL CALL CONSENT CALENDAR VOTE TO REFER ITEM #20 TO CORPORATION COUNSEL.

21. Eliot F. Morrison
FIVE FIELD ROAD
DANBURY, CT 06811

RE: Correspondence with respect to property located at 8 Glenridge Street, Waterbury, CT.

REFERRED TO THE FINANCE COMMITTEE.

ON A MOTION OF ALDERMAN PICCOCHI, DULY SECONDED BY ALDERMAN NAPOLI, JR., THE BOARD OF ALDERMEN VOTED BY UNANIMOUS ROLL CALL CONSENT CALENDAR VOTE TO REFER ITEM #21 TO CORPORATION COUNSEL.

STANDING COMMITTEES:

ON A MOTION OF ALDERMAN BEGNAL, JR., FOLLOWED BY A SECOND BY ALDERMAN PICCOCHI, THE BOARD OF ALDERMEN VOTED UNANIMOUSLY TO APPROVE AND AUTHORIZE THE DIRECTOR OF FINANCE TO MAKE REFUNDS TO TAXPAYERS REPRESENTING OVERPAYMENTS OF TAX BILLS, IN THE AMOUNT OF **$9,934.66**.

OLD BUSINESS:

1.	Ofelia F. Matos **BUDGET DIRECTOR**	**RE:**	Correspondence to the Board outlining the timeline for FY13's Budget adoption & a schedule of various activities necessary in adoption the budget. **[Received on 03-19-12 and referred to the Budget Subcommittee.]**
2.	Attorney Craig A. Sullivan **FORMERLY OF THE OFFICE OF CORPORATION COUNSEL**	**RE:**	Requesting a Public Hearing relative to proposed amendment to Chapter 31, entitled "Departments, Board, Commissions and Other Entities," of the Code of Waterbury, in particular §31.265{A} thereof entitled "Board of Directors; members; composition; appointment and term," which is under the heading of "Waterbury Development Corporation. **[Received on April 23, 2012 and referred to the Intergovernmental Committee.]**
3.	Peter Abare-Brown **DIRECTOR OF HUMAN RESOURCES**	**RE:**	Requesting approval of a new job specification & classification for Human Resources Generalist ~ Education; salary range of **$50,110 - $61,763**. **[Received on 03-05-12 and referred to the Intergovernmental Committee.]**
4.	Frederick L. Luedke **ALDERMAN**	**RE:**	Submitting for consideration proposed changes to Blight Ordinance. **[Received on 01-10-12 and referred to the future Ad Hoc Blight Committee.]**

5.	**ALDERWOMAN** Anne P. Phelan **ALDERMEN** Lawrence V. De Pillo Jerry P. Padula	**RE:**	Proposed Ordinance change regarding Part-time/Temporary/Seasonal and 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.	Steven Schrag **14 QUENTIN STREET**	**RE:**	Submitting for consideration a draft of of the Corporate Ethics Ordinance. **[Received on 01-10-12 and referred to the Intergovernmental Committee.]**
8.	Paul K. Pernerewski, Jr., President **BOARD OF ALDERMEN**	**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 Environment Protection extend the **$650,000** grant related to the purchase of 134 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.	Craig A. Sullivan **STAFF ATTORNEY** **OFFICE OF CORPORATION COUNSEL**	**RE:**	To set a public hearing relative to a proposed amendment to the Code of Waterbury, entitled "Human Resources, Merit Selection and Civil Service" thereof, more specifically to add a new section, §37.103, entitled "Nepotism Policy, Hiring of Seasonal Employees." [Re**ceived on 01-10-12 and referred to the Intergovernmental Committee.]**

10. Attorney Charles E. Oman III
FORMERLY OF THE OFFICE OF CORPORATION COUNSEL

RE: Amend Section 32.16 of the Code of Ordinances so that it is no longer mandatory, but only discretionary, that Waterbury enter into a contract with the State for reimbursement of property tax abatements. This may be accomplished by substituting "may" for "shall." **[Received on 01-10-12 and referred to the Intergovernmental Committee.]**

11. Ronald Napoli, Jr.
ALDERMAN

RE: Seeking approval of the following resolution:

BE IT RESOLVED That with respect to the City of Waterbury's public-funded construction projects a consultant be hired to conduct a Disparity Study and upon completion forward said report to the Board. **[Received on 11-21-11 and referred to the Intergovernmental Committee.]**

12. Attorney Craig A. Sullivan
FORMERLY OF THE OFFICE OF CORPORATION COUNSEL

RE: Requesting a Public Hearing relative to adopting an ordinance requiring that violators of federal, state and local work-place health and safety and general environmental laws and regulations disclose all past violations when applying for or receiving public resources. **[Received on April 23, 2012 and referred to the Intergovernmental Committee.]**

13. Neil M. O'Leary
MAYOR

RE: The Proposed Budget for Fiscal Year ending June 30, 2013. **[Received on 04-09-12 and referred to the Budget Subcommittee.]**

14. Ofelia F. Matos
BUDGET DIRECTOR

RE: The Proposed City of Waterbury's 5-Year Capital Improvement Plan for Fiscal Years 2013 ~ 2017. **[Received on 04-09-12 and referred to the Budget Subcommittee.]**

NEW BUSINESS:

ADJOURNMENT:

ON A MOTION OF ALDERMAN BURGIO, SR., DULY SECONDED BY ALDERMAN PADULA, THE BOARD OF ALDERMEN VOTED UNANIMOUSLY TO ADJOURN AT 9:30 P.M.

MJD:Amb