

BOARD OF ALDERMEN
Regular Meeting
Monday, July 23, 2012 at 7:00 P.M.
PUBLIC HEARINGS AT 6:45, 6:50 P.M. and 6:55 P.M.
REGULAR MEETING AT 7:00 P.M.
ALDERMANIC CHAMBERS
235 GRAND STREET, WATERBURY CT

Summary Minutes

PUBLIC HEARINGS:

First Public Hearing called to Order 6:45 p.m.

6:45 P.M.: For the purpose of soliciting public input relative to the sale of Surplus City Property located at 751 NORTH MAIN STREET, as submitted by Craig Schmidt, Property Manager.

Speaker:

1. Lawrence DePillo: 11 Steuben Street

President Pernerewski closed the first public hearing at 6:51 p.m.

Second Public Hearing called to Order 6:51 p.m.

6:50 P.M.: For the purpose of soliciting public input relative to a proposed amendment to Chapter 36, entitled "Risk Management Provision," of the Code of Waterbury, in particular § 36.55 on "Settlement of Claims", as submitted by Linda T. Wihbey, Corporation Counsel.

No Speakers

President Pernerewski closed the second public hearing at 6:51 p.m.

Third Public Hearing called to Order 6:55 p.m.

6:55 P.M.: For the purpose of soliciting public input relative to the repeal of § 112.02 of the City's Ordinance regarding the hours of the sale of alcoholic beverages, as submitted by Linda T. Wihbey, Corporation Counsel.

No Speakers

President Pernerewski closed the third public hearing at 6:55 p.m.

President Paul Pernerewski called the regular meeting of the Board of Aldermen for July 23, 2012 to order at 7:00 p.m.

PRAYER:

PLEDGE OF ALLEGIANCE:

ROLL CALL: by Michael J. Dalton, City Clerk

<u>PRESENT:</u>	Aldermen	Piccochi	Napoli, Jr.	Begnal, Jr	Phelan
		Brunelli	Hadley	Luedke	Palladino
		Burgio, Sr.	Giacomi	Margiotta	Noujaim
		Pernerewski, Jr.			

ABSENT: Aldermen Mulcahy Padula

OFFICIALLY SCHEDULED PRESENTATION: None

PUBLIC SPEAKING:

- 1. Richard Hupprich: 321 Congress Avenue
- 2. Ivette Jessup: 330 Piedmont Street
- 3. Lawrence DePillo: 11 Steuben Street
- 4. Lisa Lessard: 905 Pearl Lake Road
- 5. James M. Callahan: 114 Benedict Street
- 6. Blair Bertaccini: 104 Fiske Street
- 7. Kimberly Wigglesworth: 26 East Dover
- 8. Thomas Pelletier: 112 Concord Street
- 9. Ralph L. D’Angelo: 87 Highland Drive
- 10. Ruth Barry: 109 Longmeadow Drive
- 11. William Phelan: 34 Aron Avenue
- 12. Brenda Morissette: 129 Adelaide Avenue
- 13. David Therault: 206 Charlotte Street
- 14. Shelia Lee Divinney: 359 Tudor Street
- 15. Steven Schrag: 14 Quentin Street
- 16. Arthur J. Denze Sr.: 56 Phyllis Avenue
- 17. James Monroe: 250 Wood Street
- 18. Nick Coscia: 46 Gayfield Road

MAYOR’S REPORT: None

EXECUTIVE SESSION: None

APPROVAL OF MINUTES: Summary Minutes – Monday, June 25, 2012 / Regular Meeting

On a motion by Alderman Piccochi, followed by a second by Alderman Begnal, the Board of Aldermen voted via Unanimous voice vote to APPROVE the aforementioned minutes.

On a motion by Alderman Piccochi, followed by a second by Alderman Napoli, Jr., the Board of Aldermen voted unanimously to ADD a request for a Public Hearing on a proposed amendment to §32.16 of the Watebury Code of Ordinances regarding Tax Abatement, submitted by Linda T. Wihbey, Corporation Counsel as item number 13.

RECESS: 8:18 p.m. – 9:13 p.m.
Finance Committee: 8:18 – 8:27 p.m.
Intergovernmental Committee: 8:29 p.m. – 9:09 p.m.

CONSENT CALENDAR: New Business: 2, 4, 5, 8, 9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 & 23
Old Business: 1, 3 & 11
HELD: 22

NON-CONSENT: 1, 3, 6, 7 & 10

On a Motion of Alderman Piccochi, followed by a second by Alderman Napoli, Jr., the Board of Aldermen voted unanimously to APPROVE the “Consent Calendar” as Read and Modified at 9:30 p.m.

1. Cherrie L. Lamb
DEPARTMENT OF HUMAN RESOURCES

RE: Submitting notice of open competitive exam #1994 for Audit Director.

The Board of Aldermen voted unanimously to RECEIVE AND PLACE ON FILE the aforementioned item number 1.

2. BOARD OF PUBLIC WORKS

RE: Requesting approval of the following refunds from the Bureau of Water to wit:~
Country Club of Wtby. One Oronoke Rd. \$1,145.25
Patrick Bennett, 213 Ardsley Road. \$ 192.28
TOTAL \$1,337.53

On a motion by Alderman Piccochi, followed by a second by Alderman Napoli, Jr., the Board of Aldermen voted unanimously to APPROVE the aforementioned item number 2.

3. James A. Murray
DEPARTMENT OF HUMAN RESOURCES

RE: Submitting Job Posting for Compliance Review Specialist/Tech. Support Personnel.
- The Board of Aldermen voted unanimously to **RECEIVE AND PLACE ON FILE** the aforementioned item number 3.*
4. Paul M. Bellagamba, P.E,
PUBLIC WORKS DEPARTMENT

RE: Submitting for review and approval a Construction Contract for City Mills Park Site Improvements by and between the City of Waterbury and Waterbury Development Corporation and EDI Landscape, LLC in the amount of **\$237,432.00**.

*On a motion by Alderman Piccochi, followed by a second by Alderman Napoli, Jr., the Board of Aldermen voted unanimously to **APPROVE** the aforementioned item number 4.*

5. E. Gil Graveline
BUILDING OFFICIAL
DEPARTMENT OF INSPECTION

RE: Submitting a request for refund of building permit PR201220000664 for 27 Gaylord Glen, Waterbury in the amount of \$3,060.00 to Michele Vance, 41 Anna Avenue. No work was done regarding this permit and the permit has been cancelled.

*On a motion by Alderman Piccochi, followed by a second by Alderman Napoli, Jr., the Board of Aldermen voted unanimously to **APPROVE** the aforementioned item number 5.*

6. Elizabeth S. Wesson (Bettejane)
79 CRESCENT STREET

RE: Submitting a letter of resignation from the Silas Bronson Library Board of Agents.

*The Board of Aldermen voted unanimously to **RECEIVE AND PLACE ON FILE** the aforementioned item number 6.*

7. Paul M. Bellagamba, P.E.
PUBLIC WORKS DEPARTMENT

RE: Submitting for review and approval a Construction Contract for Fulton Park Playscape Improvements between the City of Waterbury and Glen Terrace Landscaping, Inc. in the amount of **\$227,490.00**.

*On a motion by Alderman Phelan, followed by a second by Alderman Napoli, Jr., the Board of Aldermen voted via roll call vote 8 yes, 5 no to **APPROVE** the aforementioned item number 7.*

- Yeas: Aldermen Piccochi, Begnal, Jr., Napoli, Jr., Phelan, Brunelli, Hadley, Palladino., and Pernerewski, Jr. ~ 8

Nays: Aldermen Luedke, Burgio, Sr., Giacomini, Margiotta and Noujaim ~ 5

8. Michael LeBlanc
DIRECTOR OF FINANCE

RE: Submitting for review Capital Project & NC Special Programs Quarterly Budget Status Report

*On a motion by Alderman Piccochi, followed by a second by Alderman Napoli, Jr., the Board of Aldermen voted unanimously to **RECEIVE AND PLACE ON FILE** the aforementioned item number 8.*

9. Salvatore D. Porzio
PROJECT MANAGER
PUBLIC WORKS DEPARTMENT

RE: Submitting for review and approval an Engineering Services Agreement for On Call Services – Harper Avenue Drainage between the City of Waterbury and Roald Haestad, Inc. in the amount of \$58,524.00.

On a motion by Alderman Piccochi, followed by a second by Alderman Napoli, Jr., the Board of Aldermen voted unanimously to APPROVE the aforementioned item number 9.

10. MAYOR Neil M. O’Leary

RE: Appointment of the following individual to the Civil Service Commission:
FRANCIS FORD (D) – Expiration: 12-31-15

On a motion by Alderman Phelan, followed by a second by Alderman Napoli, Jr., the Board of Aldermen voted via Roll Call vote, NOT TO DISAPPROVE the aforementioned item number 10. 8 yeas, 5 nays

Yeas: Aldermen Piccochi, Begnal, Jr., Napoli, Jr., Phelan, Brunelli, Hadley, Palladino., and Pernerewski, Jr. ~ 8

Nays: Aldermen Luedke, Burgio, Sr., Giacomi, Margiotta and Noujaim ~ 5

11. MAYOR Neil M. O’Leary

RE: Appointment of the following individual to the Finance and Audit Review Commission (FARC):
RYAN LaFLEUR (R) – Expiration: 12-31-13

On a motion by Alderman Piccochi, followed by a second by Alderman Napoli, Jr., the Board of Aldermen voted unanimously NOT TO DISAPPROVE the aforementioned item number 11.

12. Carrie A. Swain
CLERK
WATERBURY BOARD OF EDUCATION

RE: Requesting approval of a Professional Services Agreement between the City of Waterbury and Advanced Physical Therapy, LLC. With the first year cost of \$0 and the second year option not to exceed \$6,800.00 and the third year option not to exceed \$7,400.00.

On a motion by Alderman Piccochi, followed by a second by Alderman Napoli, Jr., the Board of Aldermen voted unanimously to APPROVE the aforementioned item number 12.

13. Ofelia Matos
BUDGET DIRECTOR

RE: Submitting for review Financial Status Report, May 2012.

On a motion by Alderman Piccochi, followed by a second by Alderman Napoli, Jr., the Board of Aldermen voted unanimously to RECEIVE AND PLACE ON FILE the aforementioned item number 13.

14. Gregory T. Nolan
STAFF ATTORNEY
OFFICE OF THE CORPORATION
COUNSEL

RE: To set a public hearing for the purpose of receiving public input regarding a proposed amendment to the Code of Waterbury in order to amend Title XI by adding a chapter regarding weights and measures.

On a motion by Alderman Piccochi, followed by a second by Alderman Napoli, Jr., the Board of Aldermen voted unanimously to SET A PUBLIC HEARING FOR 6:55 P.M. AUGUST 20, 2012 for the purpose of receiving public input regarding a proposed amendment to the Code of Waterbury in order to amend Title XI by adding a chapter regarding weights and measures, as submitted by Gregory T. Nolan, Staff Attorney, Office of the Corporation Counsel.

15. Salvatore D. Porzio
PROJECT MANAGER
PUBLIC WORKS DEPARTMENT
- RE: Submitting for review and approval a Construction Contract for 2012 Pavement Milling Services between the City of Waterbury and Black & Boucher, LLC, in the amount of \$140,610.00.

On a motion by Alderman Piccochi, followed by a second by Alderman Napoli, Jr., the Board of Aldermen voted unanimously to APPROVE the aforementioned item number 15.

16. Salvatore D. Porzio
PROJECT MANAGER
PUBLIC WORKS DEPARTMENT
- RE: Submitting for review and approval a Contract for 2012 Bituminous Concrete Paving Services between the City of Waterbury and Tilcon Connecticut, Inc. in the amount of \$1,281,508.75.

On a motion by Alderman Piccochi, followed by a second by Alderman Napoli, Jr., the Board of Aldermen voted unanimously to APPROVE the aforementioned item number 16.

17. MAYOR Neil M. O’Leary
- RE: Appointment of the following individual to the Silas Bronson Library Board of Agents:
TIMOTHY DeCARLO (R) – Expiration: 07-03-18

On a motion by Alderman Piccochi, followed by a second by Alderman Napoli, Jr., the Board of Aldermen voted unanimously NOT TO DISAPPROVE the aforementioned item number 17.

18. Gary S. Roosa
LEGAL ADVISOR
DEPARTMENT OF POLICE SERVICE
- RE: Submitting for review and approval a Maintenance Agreement between the E.F. Johnson Company and the City of Waterbury in the amount of \$500,464.00 for four years.

On a motion by Alderman Piccochi, followed by a second by Alderman Napoli, Jr., the Board of Aldermen voted unanimously to APPROVE the aforementioned item number 18.

19. Gary S. Roosa
LEGAL ADVISOR
DEPARTMENT OF POLICE SERVICE
- RE: Submitting for review and approval a Public System Upgrade Contract between the E.F. Johnson Company and the City of Waterbury in the amount of \$3,999,667.16.

On a motion by Alderman Piccochi, followed by a second by Alderman Napoli, Jr., the Board of Aldermen voted unanimously to APPROVE the aforementioned item number 19.

20. Michael LeBlanc
DIRECTOR OF FINANCE
- RE: SCRF Bond Refunding & Capital Bond Issuance Notification

On a motion by Alderman Piccochi, followed by a second by Alderman Napoli, Jr., the Board of Aldermen voted unanimously to RECEIVE AND PLACE ON FILE the aforementioned item number 20.

21. Michael LeBlanc
DIRECTOR OF FINANCE
- RE: Requesting authorization to extend the City’s Electric Energy Supply Contract with Direct Energy

On a motion by Alderman Piccochi, followed by a second by Alderman Napoli, Jr., the Board of Aldermen voted unanimously to APPROVE the aforementioned item number 21.

22.

Steve Schrag
14 QUENTIN STREET
WATERBURY, CT 06706

RE:

Proposed resolution regarding hospitals in
Waterbury
- HOLD**
23.

Linda T. Wihbey
CORPORATION COUNSEL

RE:

Proposed amendment to Section 32.16 of the
Waterbury Code of Ordinances regarding Tax
Abatement.
- On a motion by Alderman Piccochi, followed by a second by Alderman Napoli, Jr., the Board of Aldermen voted unanimously to SET A PUBLIC HEARING FOR 6:50 P.M. AUGUST 20, 2012 to solicit public input with respect to a proposed amendment to § 32.16 of the Waterbury Code of Ordinances regarding Tax Abatement, as submitted by Linda T. Wihbey, Corporation Counsel.*

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 \$16,234.07.

On a motion by Alderman Begnal, followed by a second by Alderman Napoli, Jr., the Board of Aldermen voted unanimously to APPROVE vouchers representing Overpayments by the taxpayers for tax bills, in the amount of \$16,234.07 as submitted by Frank A. Caruso, CCMC, Deputy Tax Collector at 9:37 p.m.

OLD BUSINESS:

1.

Craig Schmidt
PROPERTY MANAGER

RE:

Sale of Surplus City Property at 751 NORTH
MAIN STREET. [Received on 06-25-12 and
referred to the Finance Committee.]
- On a motion by Alderman Piccochi, followed by a second by Alderman Napoli, Jr., the Board of Aldermen voted unanimously to APPROVE the aforementioned Old Business Item Number 1.*

2.

Eliot F. Morrison
FIVE FIELD ROAD
DANBURY, CT 06811

RE:

Correspondence with respect to property at 8
Glenridge Street. [Received on 05-07-12 and
referred to the Finance Committee.]

3.

Linda Wihbey
CORPORATION COUNSEL

RE:

Proposed amendment to Chapter 36, entitled
“Risk Management Provision,” of the Code of
Waterbury, in particular §36.55 on “Settlement of
Claims.”. [Received on 06-25-12 and referred to
the Intergovernmental Committee.]
- On a motion by Alderman Piccochi, followed by a second by Alderman Napoli, Jr., the Board of Aldermen voted unanimously to APPROVE the aforementioned Old Business Item Number 3.*

4. Linda Wihbey
CORPORATION COUNSEL

RE: Repeal of §112.02 of the City’s Code of Ordinances regarding the hours of the sale of Alcoholic Beverages. **[Received on 05-21-12 and referred to the Intergovernmental Committee.]**
5. Frederick L. Luedke
ALDERMAN

RE: Submitting for consideration proposed changes to Blight Ordinance **[Received on 01-10-12 and referred to the Ad Hoc Blight Committee.]**
6. 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 the Intergovernmental Committee]**
7. 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 the Intergovernmental Committee]**
8. Jerry P. Padula
ALDERMAN

RE: Submission to the Board seeking consideration to direct the Corporation Counsel to draft an ordinance adopting a standard of weights and measures for the City of Waterbury. **[Received on 06-25-12 and referred to the Intergovernmental Committee.]**
9. 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.]**

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

RE: 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.” **[Received on 01-10-12 and referred to the Intergovernmental Committee.]**

11. 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 01-10-2011 and referred to the Intergovernmental Committee.]**

On a motion by Alderman Piccochi, followed by a second by Alderman Napoli, Jr., the Board of Aldermen voted unanimously to RECEIVE AND PLACE ON FILE *the aforementioned Old Business Item Number 11.*

- 12 Ronald Napoli, Jr.
ALDERMAN

RE: Seeking approval of the following resolution:

BE IT RESOLVED That with respect to 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]**
13. Ernest M. Brunelli
ALDERMAN

RE: 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.” In addition, “Dog Licensing,” and “License Fees” were added for review. **[Received on 05-07-12 and referred to the Intergovernmental Committee.]**

NEW BUSINESS:

ADJOURNMENT:

On a motion by Alderman Burgio, Sr., followed by a second by Alderman Margiotta, the Board of Aldermen voted unanimously to adjourn at 9:38 p.m.

MJD/cjg