



**REGULAR MEETING OF THE COMMON COUNCIL
MIDDLETOWN CONNECTICUT
JANUARY 4, 2016**

The Regular meeting of the Common Council of the City of Middletown was held in the Council Chamber of the Municipal Building on Monday, January 4, 2016 at 7 p.m.

Present

Mayor Daniel T. Drew, Councilman Eugene P. Nocera, Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilman Gerald E. Daley, Councilman Robert P. Santangelo, Councilman Carl R. Chisem, Councilman Robert Blanchard, Councilman Grady L. Faulkner, Jr., Councilman Sebastian N. Giuliano, Councilman Philip J. Pessina, Councilwoman Deborah A. Kleckowski, Councilwoman Linda Salafia; Corporation Council Daniel B. Ryan; Sargent-at-arms John Haddad; and Common Council Clerk Marie O. Norwood.

Also Present

Twenty-five members of the public

1. Mayor calls meeting to order.

A. (Pledge of Allegiance)

The Chair asks all the Veterans at the meeting to lead the public in the Pledge of Allegiance. The Chair welcomes everyone to the first meeting of 2016; he wishes everyone a happy new year and before the call is read, recognizes one person who is an unsung hero who frequently puts himself in harm's way and is out in all kinds of conditions and is a shining example of what community policing is all about and that is John Haddad who is our Sargent-at-arms tonight and who is frequently here at Council meetings. Officer Haddad is a true public servant and you have seen him walking the beat and yes he was out there tonight and he wanted to recognize the work he does.

B. (Council Clerk Reads the Call of the Meeting and Mayor declares call a legal call and meeting a legal meeting.)

The call of the meeting is read and the Mayor declares the call a legal call and the meeting a legal meeting.

2. Accept/Amend the Agenda.

Councilman Thomas J. Serra reads and moves for approval amending the Agenda by adding the Transfer Report, agenda item 11B and substitute agenda item 14, Mayor's appointments. Councilman Philip J. Pessina seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Eugene P. Nocera, Councilman Thomas J. Serra, Councilman Gerald E. Daley, Councilman Robert P. Santangelo, Councilman Carl R. Chisem, Councilman Robert Blanchard, Councilman Grady L. Faulkner, Jr., Councilman Sebastian N. Giuliano, Councilman Philip J. Pessina, Councilwoman Deborah A. Kleckowski, Councilwoman Linda Salafia; 0 nay votes and 1 absent by Councilwoman Mary A. Bartolotta. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

3. Presentations

(None)

4. Mayor requests motion to approve minutes of:

(Approved)

The minutes having been deposited with the Mayor and Corporation Counsel and copies of the same having been served on each and every Council member, the reading of the same having been dispensed with, the Chair requests a motion to approve the minutes. Councilman Thomas moves for approval the minutes of the Regular Meeting of December 7, 2015 at 7 p.m. and Special Meeting of December 7, 2015 at 6 p.m. Councilman Philip J. Pessina seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Eugene P. Nocera, Councilman Thomas J. Serra, Councilman Gerald E. Daley, Councilman Robert P. Santangelo, Councilman Carl R. Chisem, Councilman Robert Blanchard, Councilman Grady L. Faulkner, Jr., Councilman Sebastian N. Giuliano, Councilman Philip J. Pessina, Councilwoman Deborah A.

Kleckowski, Councilwoman Linda Salafia; 0 nay votes and 1 absent by Councilwoman Mary A. Bartolotta. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

5. Public Hearing on Bond for Dingwall-Horan Joint Firearms Training Facility. AN ORDINANCE APPROPRIATING \$750,000 FOR THE DESIGN AND CONSTRUCTION OF IMPROVEMENTS AT THE DINGWALL-HORAN JOINT FIREARMS TRAINING FACILITY AND AUTHORIZING THE ISSUE OF \$750,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

The Chair opens the public hearing on the Bond Ordinance at 7:02 p.m. He asks anyone wishing to address the Bond issue only to come forward at this time. Barbara McAuliffe lives two streets to the east of the firing range and states she has lived in this area most of her life and held Girl Scout meetings near the reservoir.

Noted for the Record

Councilwoman Bartolotta takes her seat in the chamber at 7:04 p.m.

Ms. McAuliffe discusses that it is loud and goes from 10:30 in the morning to the evening. It is better now a little. She has videotaped the firing range and sitting on her patio, there is no way to get away from the noise. Her grandson asks what is happening. Her neighbor says it is like being on the battle field. They have been getting notifications from the City's Police Department when they would use the range and this fall it was almost every day. She has noticed other police departments using the range. She sees the police cars going in and out. The FBI can be quite loud and they use flash bombs. She understands the police department has to practice, if something could be done, it would be appreciated. With the new homes, the sound ricochets off the buildings and it is louder. If someone shoots toward the berm and if it doesn't hit the berm, it goes into the park. People walk in that area. Tom Goglia states he works at New Image Greenhouses and he has heard a lot of firing at the range for the last two years. Last year it got bad and being a Vietnam vet, it sounded like being in battle over there. I was not prepared to speak on this, but it is noisy. Susan Cherow states the only thing that is different is the emails from the Police Department. If you are out during the day, you don't hear it. For those of us who are retired and homemakers and have grandchildren at home, it does scare them. Something needs to be done to buffer that noise.

6. Public Hearing Closes.

The Chair, seeing no further members of the public wishing to speak on this item, closes the bond ordinance public hearing at 7:09 p.m.

7. Public Hearing opens on Agenda items.

The Chair opens public comment on all agenda items at 7:09 p.m. Krishna Winston is here to address 9A on the agenda, the appropriation to purchase recycling carts. She is here as chair of the Recycling Commission. The State mandates recycling and has added items to the original 9. We are generating 1400 lbs. per waste per person per year and are not doing well. In 2006, the State goal was 58% of recycling by 2024. In Middletown, we are supplying the sanitation department the blue bins and the number of items that can be recycled the bins are not remotely adequate. We can recycle 1-7 in plastics and they add a lot to the volume. Private companies are given large carts and they do more recycling. We are making progress with our stewardship of collection mattresses and electronic equipment. We are promoting composting. This appropriation will help with single stream recycling. During their pilot project providing the larger bins to them, they reduced by 26% the amount of waste going to Lisbon. A 10% reduction of waste from the district would result in a savings of \$67,000 of tipping fees in one year. This will pay for itself in two years. The other advantages, the carts can be picked up by an automated truck. This reduces injury and staffing needs; another advantage is to have residents view waste differently and brings us closer to 0% waste

John Hall states he is here to represent the Jonah Center for the Arts; he is here as a member of Complete Streets Committee and comments on B, the grant for the Meriden Middletown Bikeway. It is an important project and opportunity for Middletown. We have a bike trail that is 5 miles long and a part of our master plan to connect the loop with downtown Middletown. Another goal is to connect the bikeway to Downtown Meriden. Meriden is a stop on the New Haven/New York rail and it is a short bike ride to get the rail station in Meriden. We are going for our own \$2 million as is Meriden and it would be used for right of way acquisition, design, acquisition, and planning of the bike route that ends at Tuttle Trail to bring it downtown. It will also get into the right of way going from Westfield to Downtown Meriden. It will make it attractive for the East coast greenway through Middletown. It is from Key West FL to Calais Me. If we can get our section built, it will be incentive to build the route with an alternate route through Middletown. I recommend this and will help make Middletown Bike friendly.

John DiMauro represents DAV Chapter 7 in Middletown; Tom Goglia, DAV Treasurer. We are here to represent DAV Chapter 7 to get your approval to place a Disabled American Veterans

Memorial at the memorial green. They will take questions if you have them on the Memorial. The Chair suggests that Mr. DiMauro explain about what it is and why they want to do it. Mr. DiMauro states it represents all military branches; it represents all wars past present and future. It will be the first of its kind in Connecticut. We have gotten approval from Chapter 7, Middletown Council of Veterans, Park and Rec, Design Review, Commission of the Arts and State Depart DAV. They would like Middletown to install the base and water there and electricity. We plan to fund raise to get the money for the Memorial.

Councilman Chisem states Public Works and Facilities Commission agreed to fund the foundation of this project. The Chair asks if Public Works will send an appropriation. He thanks the veterans for their service.

8. Public Hearing Closes.

The Chair, seeing no members of the public coming forward to address agenda items, closes public comment at 7:22 p.m.

9. Mayor requests Council Clerk to read appropriation and bond ordinance requests and the Certificate of Director of Finance.

Notice of Appropriations



CITY OF MIDDLETOWN

MAYOR'S OFFICE
MUNICIPAL BUILDING

NOTICE OF PUBLIC HEARING

Notice is hereby given that a regular meeting of the Common Council of the City of Middletown will be held in the Council Chamber of the Municipal Building on **MONDAY, JANUARY 4, 2016 at 7 p.m.** to consider and act upon the following:

- A. Sanitation \$125,000, Account No. 2150-40000-53275, Waste Removal Containers/Supplies, Sanitation Fund.
- B. Mayor's Office \$49,500, Account No. 1000-26500-59200-0724, Matching Grant, Health and Human Services.
- C. Public Works \$15,000, Account No. 1000-22000-53380-0227-50001, Repairs/Maintenance to Buildings, General Fund.
- D. Registrars of Voters \$49,880, Account No. 1000-09000-51215, 52110, 55500, Various Accounts, General Fund.
- E. Board of Education \$137,947.50, Account No. 2080-33000-79716-x-x-2016, 15/16 CNR, School CNR Fund.

Any and all persons interested may appear and be heard.

ATTEST:


MAYOR DANIEL T. DREW
Mayor

Dated at Middletown, Connecticut, 21st day of December, 2015.

The Council Chamber is wheelchair accessible. If you require special accommodations for any meeting, please call the (860) 638-4812 (TDD/TTY) or the Town Clerk's Office at (860) 638-4910 at least ten days prior to the scheduled meeting.

Certificate of Director of Finance

MEMORANDUM

TO: His Honor, Mayor Daniel T. Drew and
Members of the Common Council

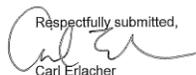
FROM: Finance Department

DATE: December 31, 2015

RE: Certification of Funds

This is to certify that funds sufficient to meet the appropriations requested at your meeting on January 4, 2016 are available as follows:

General Fund	\$114,380.00
School CNR Fund	\$137,947.50
Sanitation Fund	\$125,000.00

Respectfully submitted,

Carl Erlacher
Director of Finance &
Revenue Services


12/31/15

A. Sanitation \$125,000, Account No. 2150-40000-53275, Waste Removal Containers/Supplies, Sanitation Fund.

(Approved)

Funds from the Sanitation budget must be transferred from the operating budget to the Sanitation Depreciation (CNR) budget for the purchase of waste removal containers to roll out single-stream recycling throughout the entire District.

Councilman Eugene P. Nocera reads and moves for approval Sanitation \$125,000, Account No. 2150-40000-53275, Waste Removal Containers/Supplies, Sanitation Fund. Councilman Thomas J. Serra seconds the motion. The chair calls for the vote. It is unanimous to approve with 13 aye votes. The chair states the matter passes unanimously with 13 affirmative votes.

B. Mayor's Office \$49,500, Account No. 1000-26500-59200-0724, Matching Grant, Health and Human Services.

(Approved)

Funds for the Educational Incentive Grants were not encumbered at the end of the 14-15 fiscal year and reverted back to the General Fund. Providers have delivered the services and have been reimbursed by the BOE. These funds are needed to reimburse the BOE for the funds they expended.

Councilman Grady L. Faulkner, Jr. reads and moves for approval Mayor's Office \$49,500, Account No. 1000-26500-59200-0724, Matching Grant, Health and Human Services. Councilman Thomas J. Serra seconds the motion. The chair calls for the vote. It is unanimous to approve with 13 aye votes. The chair states the matter passes unanimously with 13 affirmative votes.

C. Public Works \$15,000, Account No. 1000-22000-53380-0227-50001, Repairs/Maintenance to Buildings, General Fund.

(Approved)

When the elevator was tested for the five-year full load test, it failed the pull through test. The elevator governor part requires replacement. The funds from this appropriation request will pay for the part and labor. There is a 4-5 week lead time for this replacement piece.

Councilman Carl R. Chisem reads and moves for approval Public Works \$15,000, Account No. 1000-22000-53380-0227-50001, Repairs/Maintenance to Buildings, General Fund. Councilman Thomas J. Serra seconds the motion. The chair calls for the vote. It is unanimous to approve with 13 aye votes. The chair states the matter passes unanimously with 13 affirmative votes.

D. Registrars of Voters \$49,880, Account No. 1000-09000-51215, 52110, 55500, Various Accounts, General Fund.

(Approved)

Above appropriation needed to cover the following items: \$ 35,000.- Primary Payroll, \$ 3,500.-. Ballot Printing, \$2,600.- Memory Card Programming, \$ 990.- Batteries for Optical Scan Machine, \$ 3,000.- Trucking Election Equipment to Poll Places and pick-up, \$ 1,500.- Food for Pollworkers, \$1,000.- Custodial Fees/Use of So. Dist. Fire House, \$1,000.- Conference Fees for April 2017, 1,400.- Moderator Training Fees (Recertification).

Councilman Robert Blanchard reads and moves for approval Registrars of Voters \$49,880, Account No. 1000-09000-51215, 52110, 55500, Various Accounts, General Fund.. Councilman Robert P. Santangelo seconds the motion. The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

E. Board of Education \$137,947.50, Account No. 2080-33000-79716-x-x-2016, 15/16 CNR, School CNR Fund.

(Approved)

BOE - Request appropriation of \$137,947.50 unexpended 14-15 General Fund balance to purchase air conditioning units (for the schools) as approved at the October Finance and Government meeting in October.

Councilman Robert Blanchard reads and moves for approval Board of Education \$137,947.50, Account No. 2080-33000-79716-x-x-2016, 15/16 CNR, School CNR Fund. Councilman Robert P. Santangelo seconds the motion. The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

10. Old Business.

(None)

11. Department, Committee, Commission Reports and Grant Confirmation Approval.

**A. City Clerk's Certificate
(Approved)**



City of Middletown
City & Town Clerk's Office
245 deKoven Drive
Middletown, CT 06457

CERTIFICATION

I, Linda Bettencourt, City and Town Clerk of the City of Middletown, and custodian of the records and seal thereof, hereby certify that all ordinances and appropriations passed and adopted at the regular meeting of the Common Council on December 7, 2015 at 7:00 p.m. and the special meeting on December 7, 2015 at 6:00 p.m., have been advertised in the local newspaper.

Attest:

Linda Bettencourt
Linda Bettencourt
City & Town Clerk

Dated at Middletown, Connecticut, this 29th day of December, 2015.



❖Phone (860) 638-4910 ❖Fax (860) 638-1910 ❖TDD (860) 638-4812

**B. Monthly Reports:
Finance Department - Transfer Report to December 21, 2015
(Approved)**

Transfers of Funds - Operating Budget Accounts					
From 11/20/15			To 12/21/15		
FY 2015-2016					
Date	Department	Budget Item	From Account No.	To Account No.	Amount
12/01/15	Town Clerk	Contractual Services	1000-04000-55185		(800.00)
		Elections		1000-04000-52195	800.00
12/01/15	Senior	Building Materials	1000-32000-53235-0130		(1,300.00)
		Repair/Maintenance to Buildings	1000-32000-53380-0130		(1,500.00)
		General Specialized Equipment		1000-32000-53100-0130	2,800.00
12/07/15	Mayor/Special	Contingency Fund	1000-27000-57020		(200.00)
	Mayor/Community	Misc Expense		1000-27000-57030-0708	200.00
12/18/15	Fire	Salaries & Wages, FT Perm	2010-50000-51110-0500		(60,000.00)
		Overtime		2010-50000-51340-0500	60,000.00
12/18/15	PW/Highway	General Specialized Equipment	1000-22000-53100-0226		(3,000.00)
	PW/Garage	Tires		1000-22000-53530-0225	3,000.00
12/18/15	Registrar	General Administrative	1000-09000-52110		(1,234.00)
		Voting Machine Expenses		1000-09000-55500	1,234.00
12/18/15	PW/Recycling	Contractual Services	1000-22000-55185-0222		(2,000.00)
	PW/Bldg & Grnds	Repairs/Maintenance to Building		1000-22000-53380-0229	2,000.00
					0.00

C. Grant Confirmation and Approval - Board of Education, Various Grants (Approved)

CITY OF MIDDLETOWN
MUNICIPAL BUILDING
MIDDLETOWN, CONNECTICUT 06457

REQUEST FOR COMMON COUNCIL CONFIRMATION AND APPROVAL OF THE FOLLOWING GRANT

Grant Number: Date of Request:

Name of Grant:

Amount Requested: Code: *AK*

Grant Period: From: To: Rev Code:

Type of Grant: Amount Loaned from General Fund:

Department Administering Grant:

When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes or which they were granted.

Description of services to be provided by this Grant:

2048 - MacDonough Fresh Fruits (\$6.92); 2738 - Safe Schools/Healthy Students \$95,968.00; 2741 - Bielefield Family School Connection (\$3,768.75); 2763 - Tri -Town Coll Out of Schl Youth \$40,916.29; 2799 - Food Services \$254,285.19; 2721 - SPED MEDICAID \$10,246.76; 2724 - United Way YSD \$21.12; 2732 - Swaim Strings Pgm - \$3,020.00; 8001 - Retirees/COBRA Ins \$259,844.47; 8004 - Preschool Pgm Fees - \$9,466.00; 8005 - Summer School Receipts \$310.00; 8009 - Maintenance/Rentals \$5,767.50; 8023 - Central Office Receipts \$111,674.47 (includes \$109,615 erroneous grant money that was expended back to the State of CT); 8033 - ADED Receipts \$701.25; 8034 ADED - Enrichment \$7,050.85; 8035 - ADED Other Receipts \$13.00; 8036 - Even Start Fam Learn Pgm Receipts \$833.00; 8037 - Even Start Receipts \$80.00; 8095 - SPED Tuition Reimbursement \$7,459.76; 9010 - Kelwin Parent Fees - \$750.00; 9151 - Student Act WWMS - \$300.00. Total Special Programs through 11/18/15 \$10,844,061.16 ADDITIONS \$804,931.99 Total Special Programs through 12/17/15 \$11,648,993.15.

Signature: *Patricia Charles*
Requested by:
Status:
Status Date:

D. Emergency Purchase - Boiler Replacement Randolph Road, Emergency Management (Approved)

DATE: December 10, 2015
 TO: Common Council Members
 FROM: George Dunn, Emergency Management Director 
 RE: Emergency Purchase – Boiler Replacement, Emergency Management Building on Randolph Road

The boiler at the Emergency Management building on Randolph Road is no longer operational. Converting the building from an oil boiler to natural gas service was investigated for efficiency and cost savings, but Yankee Gas advised that gas service would not be extended to the building. This was the delay in moving forward immediately with the replacement. However, with a three-week turnaround timeframe, and with winter approaching, the matter must be handled as an emergency so that the purchase order can be issued to the vendor prior to the order being placed. Furthermore, B&G is the standardized vendor for all maintenance issues and is familiar with the boiler problem at this location and will expedite installation as quickly as possible.

cc: Carl Erlacher, Finance Director
 Donna Imme, Purchasing Agent

**E. Emergency Purchase - Elevator Municipal Building, Public Works
 (Approved)**

MEMORANDUM

DATE: December 14, 2015
 TO: Common Council Members
 FROM: William Russo, Public Works Director 
 RE: Emergency Repair of Municipal Building Elevator

During the five-year full load test of the Municipal Building elevator, it failed the pull through test. It was determined by the repairman that the governor, the tension sheave and the rope be replaced immediately for safety. The elevator was shut down pending the repair; however, there is a 4-5 week lead time for the parts/materials to arrive. The cost for repairs has been estimated to be \$14,628. Kone Elevator was given the authorization to proceed with the repair work as an emergency in order to expedite the ordering of the part and limiting the amount of time the building will be without elevator service.

Councilman Thomas J. Serra reads and moves for approval Department, Committee, Commission Reports and Grant Confirmation Approval for items 11A, 11B, 11C, 11D, and 11E. Councilman Philip J. Pessina seconds the motion. The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

**12. Payment of all City bills when properly approved.
 (Approved)**

Councilman Thomas J. Serra reads and moves for approval Payment of all City bills when properly approved. Councilman Gerald E. Daley seconds the motion. The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

13. Resolutions, Ordinances, etc.

**A. Approving BG Mechanical agreements for parts and labor for the HVAC system
 excluded from the preventative maintenance contracts.
 (Approved)**

Resolution No. 01-16**File Name PwBG Mechanical standardization amended**

Whereas, on July 6, 2015, the Common Council approved Resolution #75-15, standardizing the preventative maintenance contracts for hvac systems and equipment with BG Mechanical; and

Whereas, the resolution did not address the handling of additional parts and labor excluded from the maintenance agreements, prompting this resolution to be revisited.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:

That any additional parts and labor excluded from the BG Mechanical maintenance agreements be charged according to service rates predetermined and agreed upon by both parties in executed agreements.

Councilman Carl R. Chisem reads and moves for approval BG Mechanical agreements for parts and labor for the HVAC system excluded from the preventative maintenance contracts.. Councilman Thomas J. Serra seconds the motion. The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

- B. Approving authorizing submitting the Meriden-Middletown Bike Way with the Responsible Growth and Transit Oriented Development Grant request for applications and authorizing the Mayor to sign the application and any documents necessary with the grant and any amendments if the grant is awarded.**

(Approved)

Resolution No. 02-16**File Name pcdMiddletownMeridenBikewayGrantapplication authorization**

WHEREAS, pursuant to **2013-2018 Plan for Connecticut**, the Connecticut Office of Policy and Management is authorized to extend financial assistance to municipalities plan or construct projects that demonstrate responsible growth;

WHEREAS, this program called the Responsible Growth and Transit-Oriented Development (TOD) Grant Program will make grants available up to \$2 million;

WHEREAS, it is desirable and in the public interest that the City of Middletown to partner with Meriden to make an application to the State for \$2 million in order to plan and construct the Meriden- Middletown Bike Way;

WHEREAS, this new bikeway has the opportunity to be connected to the 2,900 mile East Coast Greenway that stretches from Maine to Florida.

NOW, THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL:

1. That the Common Council authorizes the submission of the Meriden-Middletown Bike Way, in accordance with the Responsible Growth and Transit Oriented Development (TOD) Grant Request for Applications;
2. That the Common Council authorizes Mayor Daniel T. Drew or their successor(s), to sign the grant application and to sign any other documents associated with administering the grant, if awarded, including any amendments thereto. Such grant application is attached to and made a part of this record.

FINANCIAL IMPACT – This resolution is a required component for a grant application to the State of Connecticut Office of Policy and Management for the Responsible Growth and Transit-Oriented Development (TOD) Grant Program. These planning and construction funds can be utilized for studies, designs, acquisition and construction of a bikeway. If successful, awards of up to \$2 million would be shared between Middletown and Meriden. The grant does not require a match, but the application awards extra points for any match of 10% or more. The recently approve Park's bond is a potential source of matching funds. If Middletown share of the grant 50%, Middletown's match could be \$100,000.

Councilman Gerald E. Daley reads and moves for approval authorizing submitting the Meriden-Middletown Bike Way with the Responsible Growth and Transit Oriented Development Grant request for applications and authorizing the Mayor to sign the application and any documents necessary with the grant and any amendments if the grant is awarded. Councilman Thomas J. Serra seconds the motion. The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

The chair states congratulations to everyone; this is going to be very exciting if we become a part of it. This is going to be like I-95 for walking and bicycling. This is a big deal.

- C. Approving the Amended and Restated Trust Agreement between the City of Middletown and the Retirement board and authorizing the Mayor and Retirement Board Representative to sign the document.**

(Approved)

Resolution No. 03-16**File Name gcretirementresoltuionamendedandrestatedtrust**

File Name Middletown—Retirement Plan Trust (2) (This is the plan itself)

WHEREAS, the Retirement Board hired counsel to review the pension ordinances, its bylaws, and other relevant documents to confirm that the retirement fund is set up as a trust. Upon reviewing the relevant documents, counsel confirmed that the City's retirement fund is a trust.

WHEREAS, for purposes of ensuring that the terms and conditions of that trust are clearly set forth so that employees, retirees, board members, and officials may review and access same, the Retirement Board retained counsel to draft an Amended and Restated Trust Agreement incorporating all relevant rules related to the trust's administration.

WHEREAS, the Amended and Restated Trust Agreement will ensure that the City's retirement fund is legally protected from creditors as well as creditors of the Plan members and their beneficiaries.

WHEREAS, the Retirement Board has reviewed and approved said Amended and Restated Trust and is now asking the Common Council to do the same.

NOW, THEREFORE, BE IT RESOLVED that the Common Council approves the Amended and Restated Trust Agreement and authorizes the Mayor and a Representative of the Retirement Board to sign the Agreement.

Councilman Giuliano asks a question of maker of motion; has this been before General Counsel or Finance and Government. Should it be referred to one or both of these committees. Councilwoman Bartolotta states there is no need for Finance and Government and it is clearly stating what is practiced by the Board and this clarifies it is a trust and we follow going through the appropriation process for funding and it has been tightened up. Councilman Giuliano asks if it has the full endorsement of the Pension Board; Councilwoman Bartolotta responds completely.

Councilwoman Mary A. Bartolotta reads and moves for approval the Amended and Restated Trust Agreement between the City of Middletown and the Retirement board and authorizing the Mayor and Retirement Board Representative to sign the document. Councilman Robert P. Santangelo seconds the motion. The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

D. Approving authorizing the Mayor to sign an application to participate in the State Elections Enforcement Commission's Municipal Filing Pilot Program for the 2017 election cycle.

(Approved)

Resolution No. 04-16

File Name tcseecmunicipalcampaign financefilings

WHEREAS, on June 30, 2015, the Governor signed into law Special Act NO. 2015-14, *An Act establishing A Pilot Program for Municipal Campaign Finance Filings*; and

WHEREAS, the Special Act establishes a pilot program for the State Elections Enforcement Commission to provide assistance to Town Clerks of up to twenty municipalities with the completion of some or all of their filing repository duties for the 2017 election cycle; and

WHEREAS, the application to participate in the pilot program requires the approval of the municipality's legislative body.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That the Town/City Clerk of the City of Middletown may apply to participate in the State Elections Enforcement Commission's Municipal Filing Pilot Program for the 2017 election cycle; and

BE IT FURTHER RESOLVED: That a copy of this signed resolution be forwarded to the State Elections Enforcement Commission as part of the City of Middletown's application.

Councilman Grady L. Faulkner, Jr. reads and moves for approval authorizing the Mayor to sign an application to participate in the State Elections Enforcement Commission's Municipal Filing Pilot Program for the 2017 election cycle. Councilman Philip J. Pessina seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Eugene P. Nocera, Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilman Gerald E. Daley, Councilman Robert P. Santangelo, Councilman Carl R. Chisem, Councilman Robert Blanchard, Councilman Grady L. Faulkner, Jr., Councilman Sebastian N. Giuliano, Councilman Philip J. Pessina, Councilwoman Deborah A. Kleckowski; 0 nay votes by no one and 0 absent by no one. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 0 absent.

E. Approving the building permit refund to Musco Propone for property located at 440 Middlefield Street in the amount of \$15.26.

(Approved)

Resolution No. 05-16

File Name pw440Middlefieldstreet

BE IT RESOLVED BY THE COMMON COUNCIL, OF THE CITY OF MIDDLETOWN:

That a Building Permit Refund be issued to Musco Propane, LLP, for a property located at 440 Middlefield Street, Middletown, CT in the amount of \$15.26 due to cancellation of work.

Councilman Eugene P. Nocera reads and moves for approval the building permit refund to Musco Propane for property located at 440 Middlefield Street in the amount of \$15.26. Councilwoman Deborah A. Kleckowski seconds the motion. The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

F. Approving the building permit refund to Trinity Solar for property at 228 Timber Ridge Road in the amount of \$514.36.

(Approved)

Resolution No. 06-16

File Name pw228TimberRidgeRoad

BE IT RESOLVED BY THE COMMON COUNCIL, OF THE CITY OF MIDDLETOWN:

That a Building Permit Refund be issued to Trinity Solar, for a property located at 228 Timber Ridge Road, Middletown, CT in the amount of \$514.36 due to cancellation of work.

Councilman Eugene P. Nocera reads and moves for approval the building permit refund to Trinity Solar for property at 228 Timber Ridge Road in the amount of \$514.36. Councilman Robert P. Santangelo seconds the motion. The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

G. Approving the building permit refund to THD AT-Home Services for property located at 1495 Randolph Road in the amount of \$43.78.

(Approved)

Resolution No. 07-16

File Name pw1495Randolph Road

BE IT RESOLVED BY THE COMMON COUNCIL, OF THE CITY OF MIDDLETOWN:

That a Building Permit Refund be issued to THD At-Home Services, for a property located at 1495 Randolph Road, Middletown, CT in the amount of \$43.78 due to cancellation of work.

Councilwoman Mary A. Bartolotta reads and moves for approval the building permit refund to THD AT-Home Services for property located at 1495 Randolph Road in the amount of \$43.78. Councilman Robert P. Santangelo seconds the motion. The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

H. Approving a loan from the General Fund in an amount not to exceed \$2,000 for the Adult Education Enrichment Program to pay for the general interest catalog and said loan to be repaid from revenue receipts from registrations during the 2015-2016 fiscal year.

(Approved)

Resolution No. 08-16

File Name boeloanof2000

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That a loan from the general fund to the Board of Education Department Grant account for the Adult Education Enrichment Program in the amount of \$2,000 for the 2015 – 2016 fiscal year is hereby approved, pending receipt of revenue from registrations with said loan to be paid back upon receipt of these funds for the 2015-2016 fiscal year.

Fiscal Impact: There is none; any money loaned will be repaid upon receipt of these funds.

Councilman Robert P. Santangelo reads and moves for approval a loan from the General Fund in an amount not to exceed \$2,000 for the Adult Education Enrichment Program to pay for the general interest catalog and said loan to be repaid from revenue receipts from registrations during the 2015-2016 fiscal year. Councilwoman Deborah A. Kleckowski seconds the motion. The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

- I. **Approving authorizing the Mayor to sign the documents necessary to implement a Community Supported Agriculture program and assistance by City Departments through in-kind services at the River Road and Brooks Road open space parcels whereby the farmer will donate fresh fruits and/or vegetables in the amount equal to the value of rent at \$200 per acre per year for River Road parcels and \$50 an acre per year for the Brooks Road parcel; the farmer will lease the property for five years with an option to extend for ten if benchmarks are met.**

(Approved)

Resolution No. 09-16

File Name pcdpropertyleaseforCSAresolution12-15

WHEREAS the City of Middletown owns and is responsible for a multitude of designated open space properties; and

WHEREAS it has been a long sought goal of the city to properly maintain and utilize open space properties for their highest and best use; and

WHEREAS, the properties located off River Road and Brooks Roads in the City have been used and managed for hay harvesting; and

WHEREAS, the City has the opportunity to implement a Community Supported Agriculture program which will be used to grow and provide local residents with fresh, locally grown fruits and vegetables, and

WHEREAS, the community farmer was selected through a review committee of citizens selected by the Mayor; and

WHEREAS, this was presented to the Conservation Commission and a member of the Conservation Commission was a contributing member of the review committee for selection of the farmer; and

WHEREAS, in lieu of revenue from rent generated at the properties, the community farmer will donate fresh fruits and/or vegetables in the amount equal to the value of rent at \$200/acre/year for the River Road parcels and \$50/acre/year for the Brooks Road parcel;

WHEREAS, the farmer will lease the property five years with the option for extension to 10 years provided that certain benchmarks are met; and

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE

CITY OF MIDDLETOWN: That the Mayor is hereby authorized to sign all documents necessary to effectuate the implementation of this program and the authority to instruct City Departments to assist through in-kind services; and

FISCAL IMPACT: The work will be done through in-kind services and will have no impact on the City budget.

Councilman Faulkner states he read somewhere that elements of the program came from the program that runs through the Middletown United Fathers are here. The Chair states it is a similar structure here; it is a community based farm. Larry Owens who organizes Middletown United Fathers and is the lead farmer there was one of the panelists there states to review the applications and recommended this proposed structure that we have. It is not the exact same organization, but that organization did have input into this program or at least participants in that organization.

Councilman Robert P. Santangelo reads and moves for approval authorizing the Mayor to sign the documents necessary to implement a Community Supported Agriculture program and assistance by City Departments through in-kind services at the River Road and Brooks Road open space parcels whereby the farmer will donate fresh fruits and/or vegetables in the amount equal to the value of rent at \$200 per acre per year for River Road parcels and \$50 an acre per year for the Brooks Road parcel; the farmer will lease the property for five years with an option to extend for ten if benchmarks are met. Councilman Thomas J. Serra seconds the motion. The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

- J. **Approving authorizing the Mayor to execute a Master Assistance Agreement and Tax Abatement for housing for Low or moderate-income persons; the annual application is filed for State financial assistance as reimbursement for tax abatement for affordable Senior Housing at the Old Middletown High School; if awarded, the Mayor is authorized to execute any amendments, decisions, and revisions to the agreement.**

(Approved)

Resolution No. 10-16

File Name pcdoldmiddletownHStaxabatementagreementstate

WHEREAS, pursuant to Conn. Gen. Stat. Section 8-216, State reimbursement for tax abatements, the State of Connecticut Department of Economic and Community Development is authorized to extend financial assistance to a municipality for housing solely for low or moderate-income families; and

WHEREAS, it is desirable and in the public interest that the City/Town of Middletown make an application to the State for reimbursement of real property taxes abated pursuant to CGS §8-215, Tax abatement for housing for low or moderate-income persons and to execute a Master Assistance Agreement for such purpose.

NOW, THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:

1. That it is cognizant of the conditions and prerequisites for the state financial assistance imposed by the Connecticut General Statutes, particularly CGS §§ 8-215 & 8-216; and
2. That the filing of annual applications for State financial assistance as reimbursement for tax abatements by The City/Town of Middletown is hereby approved and that Mayor Daniel T. Drew is directed to execute a Master Assistance Agreement for State financial assistance if such an agreement is offered, to execute any amendments, decisions and revisions thereto, and to act as the authorized representative of the City/Town of Middletown.

Financial Impact: There is no impact on the budget; this agreement is for reimbursement of real property taxes.

Councilman Gerald E. Daley reads and moves for approval authorizing the Mayor to execute a Master Assistance Agreement and Tax Abatement for housing for Low or moderate-income persons; the annual application is filed for State financial assistance as reimbursement for tax abatement for affordable Senior Housing at the Old Middletown High School; if awarded, the Mayor is authorized to execute any amendments, decisions, and revisions to the agreement. Councilman Grady L. Faulkner, Jr. seconds the motion. The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

- K. Approving authorizing the Mayor to sign and submit an application with the State of Connecticut for a Local Capital Projects Improvement grant in the amount of \$30,000 for a boiler at the Russell Library and approving a new Capital Improvement Plan line item entitled Russell Library Capital Funds in the amount of \$30,000.**

(Approved)

Resolution No. 11-16

File Name rboilerloCIPfundsrequest12 21 15

Whereas, Russell Library is equipped with two low-pressure, gas-fired hot water boilers, which work in tandem, but on 1/10/14, the State Building Inspector shut down boiler # 2 because: "The Boiler/Pressure Vessel was leaking", and

Whereas, if the sole functioning boiler were to fail, the entire building would be without heat and the Library would have to close, and

Whereas, this need meets the guidelines for projects eligible for Local Capital Projects Improvement Program funds, costing \$30,000 in the following detail:

TOTAL COST: \$30,000

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:

That Mayor Daniel T. Drew be authorized to sign and submit an application to the State of Connecticut for a grant in the amount of \$ 30,000 in Local Capital Projects Improvement Program funds, for the cost of the work; and

BE IT FURTHER RESOLVED: That a new line item be created in the Capital Improvement Plan entitled Russell Library Capital Funds in the amount of \$ 30,000.

FISCAL IMPACT

Funds for these needs are available through the Local Capital Projects Improvement Program (LoCIP).

Councilman Thomas J. Serra reads and moves for approval authorizing the Mayor to sign and submit an application with the State of Connecticut for a Local Capital Projects Improvement grant in the amount of \$30,000 for a boiler at the Russell Library and approving a new Capital Improvement Plan line item entitled Russell Library Capital Funds in the amount of \$30,000. Councilman Sebastian N. Giuliano seconds the motion. The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

- L. Approving the construction of a Disabled American Veterans monument at the Veterans Memorial Green according to the plans as presented by Disabled American Veterans, Chapter 7.**

(Approved)

Resolution No. 12-16

File Name pwDAVmonumentonveteran'sgreen

Whereas, the Disabled American Veterans, Chapter 7, wish to construct a Disabled American Veteran for Life Memorial to recognize all disabled American Veterans who fought in all U.S. wars or conflicts; and

Whereas, the Disabled American Veterans, Chapter 7, will raise the funds for the memorial; and

Whereas, it is their intention to locate the memorial at the Veterans Memorial Green (Washington Terrace); and

Whereas, the Public Works Department will pursue funding sources for the installation of the base for the memorial, sidewalks, including curb cuts for accessibility to the Green, and electrical services to provide illumination of the memorial; and

Whereas, approvals have already been received from the Public Works and Facilities Commission, the Middletown Council of Veterans, the Middletown Commission on the Arts, and the Middletown Design Review and Preservation Board; and

Whereas, Section 214-41(c) of the Middletown Code of Ordinances states that the Common Council of the City of Middletown, after review of the boards and commissions listed above, shall approve any monument to be placed on the Veterans Memorial Green.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:

That permission to locate a Disabled American Veteran for Life Memorial at the Veterans Memorial Green is hereby granted.

Councilman Faulkner states the resolution last February regarding the Veterans of Color and I don't know how this process works or where the projects come from, but it would be nice for us to consider something for the Veterans of color at a future time. Councilwoman Bartolotta states this monument covers everyone, every walk of life, every line of service and to your point you might want to direct your comments to a separate memorial since this already does that.

Councilman Carl R. Chisem reads and moves for approval the construction of a Disabled American Veterans monument at the Veterans Memorial Green according to the plans as presented by Disabled American Veterans, Chapter 7. Councilman Philip J. Pessina seconds the motion. The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

The Chair congratulates the veterans and thanks them for their service. The veterans thank the Council for their vote on this matter.

- M. Approving waiving Sections 232-4 through 232-14 Sale of Public Property of the Middletown Code of Ordinances as provided for in Article 232-13 and authorizing the Mayor to enter into long term access agreements with Greenskies, Inc. and its subsidiaries for the purpose of installing and maintaining solar systems on City property; approving waiving Section 78-8 Competitive Bidding of the Middletown Code of Ordinances with regard to the purchase of electricity produced by the solar panels; and Greenskies will incur any and all costs for engineering, implementing and installing the solar systems.**

(Referred to Clean Energy Task Force and To be reconsidered at the February Council Meeting)

Resolution No. 13-16

File Name wsresolutionGreenskiesresolution 2015

File Name wsGRE301 Middletown LLC (Higby) amended and restated (Agreement)

Whereas, the City has been approached by Greenskies, Inc. regarding the installation of a 254.1W solar system in an open field located at the Mount Higby Reservoir property; and

Whereas, Greenskies Inc. has offered the City a power purchase agreement, which would have a subsidiary company of Greenskies Inc. purchase, secure all necessary approvals, install, maintain and insure the solar system at their sole and exclusive cost; and

Whereas, the City would then agree to purchase 100% of the power produced by the solar system from the subsidiary company created by Greenskies Inc. for twenty (20) years; and

Whereas, it is estimated that this solar system will produce 254,000 kWh per year. This clean and green energy is the equivalent to the electric usage of 26 average homes/year or the carbon dioxide emissions from 20,090 gallons of gasoline or 153 passenger vehicles per year; and

Whereas, it has been determined that the financial and the environmental benefits of such solar system is in the best interest of the City to move in a more stable and sustainable direction with regard to its energy consumption at the Mount Higby Reservoir-Charles B. Bacon Water Treatment Plant.

Now Therefore Be It Resolved by the Common Council of the City of Middletown: That Mayor Daniel T. Drew, is hereby authorized to execute and deliver a power purchase agreement in the form of the agreement presented to this meeting with such changes, including payment of ZREC credits to the Water Department, and revisions as shall be negotiated and determined by the Mayor, after consultation with legal counsel, to be in the best interests of the City as evidenced by his signature on the final power purchase agreement(s).

Be It Further Resolved: That the WPCA Committee has recommended and the City of Middletown Common Council is therefore waiving, as was previously done at the Common Council meeting on December 21, 2011, the sale of Public Property Ordinance Number 25-07 in the Middletown Code of Ordinances 232-4 232-14 as provided for in Article 232-13 to authorize the Mayor to enter into long term access agreements with Greenskies Inc. or its subsidiaries for the purpose of installing and maintaining solar systems on City property; and

Be It Further Resolved: That the Common Council waives, as was previously done at the Common Council meeting December 21, 2011, the competitive bidding portion of the Middletown Code of Ordinances with regard to the purchase of electricity produced by solar panels situated on City property; and

Be It Further Resolved: That Greenskies incur any and all costs for engineering, implementing and installing the solar system.

Fiscal Impact: Economically neutral to positive, environmentally positive.

Councilman Serra states this went through the Finance Committee and they voted 5 - 0 it to the Clean Energy Committee because of concerns and clarifications of the numbers and various other things. I will make a motion to refer this back to the Clean Energy Committee. Councilwoman Kleckowski seconds the motion.

The Chair states his caveat he would add for everyone's information is the pricing structure is based on zero renewable energy credits that are available through an auction process in Washington and they have an expiration date on them. I suggest that a request from Clean Energy to get back to the Council within a month. Councilman Serra states that is the intent. Councilman Daley states Clean Energy Task Force meets on Jan. 20.

Councilman Thomas J. Serra moved, seconded by Councilwoman Deborah A. Kleckowski to refer this item back to the Clean Energy Commission, which I believe is Councilman Daley is a member.

The chair states the Council will take it up at the February meeting once it is reviewed by the Clean Energy Task Force. Councilman Giuliano states to ensure it gets on the February agenda, he is willing to make a motion to date certain, the February regular meeting. The Chair thanks him and states everyone's intention is clear. Councilman Serra states he will accept it as Feb. 1.

14. Mayor's Appointments. (Approved)

The chair reads the appointments and asks for a motion to approve.

Board of Ethics:

Reappointment of Richard Wrubel to December 31, 2020.
Appointment of Gregory Harris to fill a vacancy to December 31, 2018.

Conservation Commission, Alternate:

Appointment of Brian Gartner to February 15, 2021.
Appointment of Jay Tulin to February 15, 2019.

Resource Recycling Advisory Committee:

Appointment of Bessie Bianco to April 22, 2020.

Citizens Advisory Committee:

Appointment of Jammie Middleton to August 31, 2019

Zoning Board of Appeals:

Appointment of Gary Middleton to November 30, 2017.

Retirement Board:

Appointment of Carl Erlacher to April 30, 2020.

Standardization and Specification Committee:

Reappointment of Joseph Samolis to January 31, 2018.

Human Relations Commission:

Appointment of Brandie Doyle to January 31, 2019.

Councilman Thomas J. Serra reads and moves for approval the Mayor's Appointments. Councilman Sebastian N. Giuliano seconds the motion. The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

15. Meeting adjourned.

Councilman Thomas J. Serra reads and moves for approval 15. Meeting adjourned. Councilwoman Deborah A. Kleckowski seconds the motion. The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

The Chair declares the meeting adjourned at 7:44 p.m.

ATTEST:

MARIE O. NORWOOD
COMMON COUNCIL CLERK