



SPECIAL COMMON COUNCIL MEETING
APRIL 4, 2011
6:00 P.M.

- Regular Meeting** The Special meeting of the Common Council of the City of Middletown was held in the Council Chamber of the Municipal Building on Monday, March 7, 2011 at 6 p.m.
- Present** Deputy Mayor Joseph E. Bibisi Council Members: Thomas J. Serra, Philip J. Pessina, Robert P. Santangelo, Hope P. Kasper, James B. Streeto David Bauer, and Daniel T. Drew; Sergeant-at-arms Acting Deputy Chief of Police Gregory Sneed; and Common Council Clerk Marie O. Norwood.
- Absent** Mayor Sebastian N. Giuliano, Council Member Ronald P. Klattenberg, Gerald E. Daley, Grady L. Faulkner, Jr., Deborah A. Kleckowski, and Corporation Counsel William Howard.
- Also Present** Tom Hartley, Director of Parking, Michel Wackers, Deputy Director of Planning Conservation and Development, Raymond Santostefano, Director of Parks and Recreation, Philip Cacciola, Director of Consumer Protection, Dr. Joseph Havlicek, Director of Health, Timothy Lynch, Acting City Attorney, Gary Ouellette, Fire Chief, Carl Erlacher, Director of Finance, Debra Milardo Director of Personnel, William Russo, Director of Public Works, Wayne Bartolotta, Director of Central Communications and ten members of the public
- Meeting Called to Order** The Acting Chair calls the meeting to order at 6:04 p.m. and asks Acting Deputy Chief of Police Gregory Sneed to lead the public in the Pledge of Allegiance.
- Call of Meeting Read** The Call of the meeting is read and accepted. The Deputy Mayor declares this call a legal call and the meeting a legal meeting.
- Workshop Opens** The Acting Chair opens Questions to Directors workshop at 6:06 p.m.
- Acting Chair Bibisi asks for Wayne Bartolotta to come forward for information about the Deputy Communication Director; can you explain that. Mr. Bartolotta states David Boyce submitted his request to go back to the position of civilian dispatcher; he was Deputy Communications Officer and since then, there was a change in title and Union representation. David returned to civilian dispatcher and the City went through the process for a Deputy Director and people applied. Acting Chair Bibisi asks how many applied. Mr. Bartolotta responded three and one did not meet the supervisory requirement. The Acting Chair asks if there are questions for this director.
- Councilwoman Kasper asks for Michel Wackers and asks about the change in the plan. She states they should be designated more evenly; Mr. Wackers responds they have it in areas. Councilwoman Kasper states banking and real estate and insurance was taken out. Mr. Wackers states that expertise is not as valuable as when they were established in the 1970;s. it is low and moderate income and they want space for them or for neighborhood revitalization to make sure there is input from those areas. Councilwoman Kasper states we need to adjust that. Mr. Wackers replies they had only one LRC and they have increased it to 3. Councilwoman Kasper states Westfield has as large populated area and should be represented. Mr. Wackers replies that is the difficult with a 15 person commission. They have had three vacancies for a number of years and when they are so specific and tied to a particular profession, like social services if they sit on this Board, their nonprofit is disqualified from receiving funds. Councilwoman Kasper states they did two appointments what designation are they. Mr. Wackers states it is under the proposed new. Councilwoman Kasper asks on page 4; Mr. Wackers responds HUD was interested in doing this; most have an open solicitation. The City does a plan for 5 years and then implements it. If it is on the 5-year plan, this is a way to get pots of money for that 5-year plan and they want to formally include it in the participation plan. It is not a requirement but HUD wanted it clarified. Councilwoman Kasper asks where the federal changes are. Mr. Wackers replies the minor amendments did not meet the federal definitions for comment and they felt it should be lengthened to 30 days. The 5-year plan and action plan public comment period were not met. Councilwoman Kasper states they want us to have a 30 day notice of the public hearing. Mr.

Wackers responds that is the largest one. There is access for disabilities and non-English requirements. HUD wanted a clarification on the request for proposal and the membership with less focus on expertise.

Noted for the Record

Councilman Serra takes his seat at 6:10 p.m.

Councilman Bauer asks Mr. Wackers questions on the Millane lease. He went through the first two rounds of that and it was written for five years; he thought it was centered on a shorter term. Mr. Wackers states the original discussion was a shorter term and related to the Arriwani golf course and the City's hands were not tied. The golf course developer was involved and at the meeting; he was amenable for the 5 years as long as it did not tie him up. The 365 days gave him enough time to continue his proposal and gave Millane's time to get their stock out. Councilman Bauer asks what is the position of the Department; the longer the lease the better you like it. Mr. Wackers replies they don't have a position; they want the land used and productive for the City. If there was no one on the land, it would be reclaimed by the forest. They want what is best for the City. The interests of the City is to have the golf course move forward. Councilman Bauer states your department is staff to the Conservation Commission and as a City aren't we developing a policy for all open space.

Noted for the Record

Council Members Pessina and Streeto take their seats at 6:15 p.m.

He continues if we walk away, it turns back to forest, but is there a policy on open space. Mr. Wackers replies the overarching is the plan of conservation and development and the open space plan is more for acquisition and has some land managements but those components need to be better developed and implemented. We have some in place, but no resources to carry them out. Councilman Bauer thanks him for shedding light on that. His concern is he is not sure that someone is looking out for the City. I appreciate you accelerating getting the policies in place.

Councilman Serra asks the impetus behind the changes on CAC. It is not in the packet. Is something wrong. He would like to see the documentation as to why we have to change it. Mr. Wackers states he has a letter from HUD. Councilman Serra states he would like to see it. Mr. Wackers responds we have a number of vacancies; we have 11 dedicated members and should have 15; we have a minimum quorum and that postpones our ability to meet the HUD timelines. Councilman Serra states this is for attendance and not HUD. Mr. Wackers responds the proposed changes are from HUD. Councilman Serra states until he sees the documentation, he will not support this. He would like to see the request and what we are doing wrong. He is not sure why we are changing this. Mr. Wackers states he would be happy to share that and everything before you has been done by the CAC Commission. Councilman Serra states he is not sure what the rest of the Council feels and why this is being changed.

Point of privilege

Councilman Serra asks a point of privilege; we have an appointment on the agenda and normally we have a place to ask questions to the Deputy Director and it is not on the agenda and in Personnel Review we did this and I am satisfied, but to do it appropriately, we should ask the candidate questions at this time. Acting Chair Bibisi states he has been with communications for a number of years. The candidate states 15 years. Councilman Serra states we could do it here so you can be satisfied with his credentials; he is already satisfied.

Councilman Bauer asks for Ray Santostefano, Director of Parks and Recreation. He states we have another lease and where did the 25 years come from. Mr. Santostefano responds you should ask the Mayor's Office or the City Attorney. Councilman Bauer states the last 25 year lease was Harborpark. He is not a fan of a long lease. Mr. Santostefano responds I had no input on that. Councilman Bauer states there is a new heater, boiler. Mr. Santostefano replies furnace. Councilman Bauer states are we looking for a purchasing exemption; he found it strange on the bid you attached, they give a price of \$5,140 and then they say add 35%. What is the criteria for the purchase. Do we get it from State bid. Mr. Santostefano replies we are on State bid. Councilman Bauer states I am looking right at it and it states to add 35% and that seems odd that it would be a State Bid. Mr. Santostefano states it could be installation. Councilman Bauer responds that it is not installation. John Milardo states Donna Imme was going to contact Superior Heating to find out the 35% because it is not part of the State bid price. Councilman Bauer states it is part of the amount we are voting on. Is there anyone who could answer about the 25 year lease, he would appreciate them stepping forward. Mr. Santostefano states it was negotiated through the Mayor's office.

Point of Information

Councilman Serra states as a point of information we need to do this otherwise some of the improvements to the fields because the institution does not have lease ownership, they might lose a lot of grant money for planned improvements and if that doesn't happen we lose all the improvements to the field. It is a matter of jeopardy. Councilman Bauer states he is concerned about the 25 years and putting us in jeopardy. The purported golf course only asked for a ten year lease. I would be very happy with a contract or a lease that would run for five years with five year renewals. As far as stewardship, we need to keep our assets. Councilman Serra asks the City Attorney to shed light on this and is what Councilman Bauer offering appropriate. Acting City Attorney Lynch responds it was a 99 year lease and the organization asked the City to help them finish the fields on Long Hill Road and with the amount of improvements they are making, the 25 year lease is completely appropriate. Councilman Serra asks if a renewable 5 year lease, would that jeopardize the grants. Mr. Lynch responds I don't know; he would have to ask. Councilman Bauer states we kicked in 1/3 of a million to get rid of the multigeneration lease and this makes him uncomfortable. He asks if it is in order for the Council to change the term of the lease when we take it up. Acting City Attorney Lynch states he would hesitate to do that; he would recommend tabling and talking to the organization and he doesn't know their timetable for the grants. He suggests talking to the youth soccer individuals.

Councilman Pessina asks about the furnace; Mr. Santostefano responds it is from the State bid. Councilman Pessina asks about the 35%; Mr. Santostefano states Donna Imme is looking at that and if they don't use the money, they will return it to LoCIP. Councilman Pessina states he will support the fields and he doesn't want to jeopardize the grant.

Councilman Bauer asks to address questions to the Health Director. Dr. Joe Havlicek comes forward. Councilman Bauer states you have a health grant and he thought our procedure was to include the expenditure budget with the grant confirmation and he missed it. Dr. Havlicek asks which health grant. Councilman Bauer responds the H1N1 for \$47,000. He assumed that when you make the application, you have to give an intention on how you would spend it. Dr. Havlicek states they don't have to use it for H1N1; we can do it for any health initiative. We are holding it because we are the main town. Councilman Bauer states he thought it was a policy on how the money would be spent. Dr. Havlicek states he can get that. Councilman Bauer asks that it be included with the grant. Dr. Havlicek states yes he can.

Motion to Adjourn

The Acting Chair asks if there are any other questions. Seeing no response, he asks for a motion to adjourn. Councilman Pessina moves to adjourn and his motion is seconded by Councilman Bauer. There is no discussion and the vote is called. It is unanimous to adjourn and the Acting Chair declares the meeting adjourned at 6:33 p.m.

ATTEST:

MARIE O. NORWOOD
Common Council Clerk