



**REGULAR COMMON COUNCIL MEETING  
SEPTEMBER 7, 2010  
7:00 P.M.**

**Regular Meeting** The Regular meeting of the Common Council of the City of Middletown was held in the Council Chamber of the Municipal Building on Tuesday, September 7, 2010 at 7 p.m.

**Present** Mayor Sebastian N. Giuliano; Council Members: Thomas J. Serra, Vincent J. Loffredo, Ronald P. Klattenberg, Philip J. Pessina, Gerald E. Daley, Joseph E. Bibisi, Robert P. Santangelo, Hope P. Kasper James B. Streeto, Grady L. Faulkner, Jr., Deborah A. Kleckowski; Corporation Counsel William Howard, Sergeant-at-arms Acting Chief of Police Patrick McMahon; and Common Council Clerk Marie O. Norwood.

**Absent** Councilman David Bauer.

**Also Present** Sixty members of the public

**Meeting Called to Order** The Chair calls the meeting to order at 7:04 p.m. and leads the public in the Pledge of Allegiance.

**Call of Meeting Read** The Call of the meeting is read and accepted. The Mayor declares this call a legal call and the meeting a legal meeting.

**Motion to Accept Agenda** The Chair states he will entertain a motion to accept or amend the agenda. Councilman Serra moves to amend the agenda to remove agenda item 11-12, sale of City-owned property at 172 Johnson Street; Councilman Pessina seconds the motion. There is no discussion; the vote is called. It is unanimous to approve with eleven aye votes. Councilman Bauer is absent from the meeting. The Chair states the agenda is adopted as amended.

**Agenda Item** **3-1**

The Chair recognizes councilman Serra for agenda item 3-1. Councilman Serra moves to the podium and asks that Officer Parker come forward. Councilman Serra reads the resolution and moves it for approval. The Council gives a standing ovation to Officer Parker. The Chair states it is approved by acclamation. Councilman Serra states James Parker is a former student of his, Class of 1979. He is not surprised on the accolades you have received. Great job for Middletown. Officer Parker states it is nice to see everyone here; he thinks about his twenty years and there were some tough times. It is quite a day; he thanks the Council for the run and appreciates the honor.

**Resolution No.**  
**File Name**  
**Description**  
**(Approved)**

**107-10**  
**ccparker2010.doc**  
**Honoring Officer James Parker on his retirement.**

**WHEREAS**, James J. Parker, Middletown Police Department retired from active service on May 5, 2010; and

**WHEREAS**, Officer Parker joined the Police Department in July, 1989 after active service in the Marine Corps and United States Army receiving honorable discharges; and

**WHEREAS**, Officer Parker was a member of the Marine Dive Unit and he received an Outstanding Service to the Community Award for his actions in the recovery of a drowning victim from the Connecticut River; and in 1997, he received a letter of Appreciation from First Selectman of Portland, Edward Kalinowski for his assistance in a tragic incident for which he retrieved a weapon associated with the it; and

**WHEREAS**, Officer Parker received a Citation for Bravery where his diligence and judgment led to securing a hand gun without injury and preserving a life; he also received a meritorious citation for his actions on June 8, 2008 when arriving on the scene he found the second floor porch engulfed in flames and entered the building with the Fire Marshal to help evacuate the residents before the building was destroyed; and

**WHEREAS**, he has received many letters of appreciation from thankful citizens regarding his actions and service as a Middletown Police Officer; and

**WHEREAS**, Captain Sneed sent a letter of appreciation to Officer Parker for his response and teamwork resulting in the apprehension of assailants at a shooting incident on Flower Street.

**NOW, THEREFORE, BE IT RESOLVED, BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** That we congratulate Officer James J. Parker upon his retirement after twenty-one years of professional service to the Police Department and Middletown; and

**BEIT FURTHER RESOLVED:** That on behalf of the Citizens of Middletown, we thank James J. Parker for his dedication, compassion, and valor to our citizens he has so ably protected as a Middletown Police Officer.

**Agenda Item** 3-2

The Chair recognizes Councilman Santangelo for agenda item 3-2; Councilman Santangelo asks Sgt. Elkin to come forward.

Councilman Santangelo reads and moves for approval agenda item 3-2 honoring Craig Elkin. The Council rises to give Sgt. Elkin a standing ovation. The Chair states it is approved by accolade. Councilman Santangelo comments that he doesn't have the same history as Councilman Serra with Officer Parker. However, he trained Craig at the Police Academy and it was a long time ago. He knows as a traffic specialist the work you do and he has admired the work you have done for Middletown. Sgt. Elkin states my mother always said to do the right thing and that is what I always tried to do.

**Resolution No.**  
**File Name**  
**Description**  
**(Approved)**

**108-10**  
**ccelkin2010.doc**  
**Honoring Sergeant Craig Elkin on his retirement.**

**WHEREAS**, Craig Elkin, Middletown Police Department has retired from active service on August 15, 2010; and

**WHEREAS**, Sergeant Elkin joined the Police Department in October, 1983, with his first assignment to the Street Crime Unit as an undercover Officer; and

**Whereas**, he became a member of the Traffic Division in 1988 and was promoted to Sergeant on October 10, 2008; and

**WHEREAS**, Sergeant Elkin, to better serve the citizens of Middletown was awarded his Bacheloris Degree April 1, 2000 and received the Departmentis Continuing Education Award; and

**WHEREAS**, he has received Letters of Commendation throughout his career for his response, in some instances, to shooting incidents resulting in a secure area and apprehension of the suspect; for his exceptional work during the flooding in 1984 where he helped ensure that businesses and residents felt safe and secure; and as part of the Traffic Unitis work for Team Planning the 350<sup>th</sup> Anniversary Parade and Celebration; and

**WHEREAS**, Sergeant Elkin has received Meritorious Citation awards for his actions as a member of the S.W.A.T. Team and for his professionalism, experience and dedication as a member of the Traffic Unit; and

**WHEREAS**, he received the Exceptional Service Award for his work with the Secret Service as Traffic Liaison for the Wesleyan Commencement in 2008 when then Senator Obama visited Middletown without incident; and

**WHEREAS**, he has received numerous letters from grateful Middletown residents for his assistance to them and in 2009 he was named the Elkin Lodge Officer of the Year ; he was honored because of his expertise in traffic enforcement and accident investigation; for training new officers in Accident Investigation and Motor Vehicle Law; for his service to the City for the events that occur with planning for vehicular and pedestrian traffic routes and security posts; he is well-respected for his integrity as a Police Officer.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** That we congratulate Sergeant Craig Elkin for twenty-seven years of diligence and dedication to a better Middletown; his peers in the Police Department will miss his tips from his iMy Two-Centsi e-mails; and

**BEIT FURTHER RESOLVED:** That on behalf of the Middletown residents, we thank Craig Elkin for his experience, wisdom and courteous service to our residents and visitors alike; he will be missed by his Department and by the City he has served so honorably.

**Minutes Approved**

The Chair entertains a motion to approve the minutes of the regular meeting of August 2, 2010, and special meetings of August 2, 2010 at 6 p.m., and August 12, 2010 at 7 p.m. Councilman Loffredo so moves and is seconded by Councilman Pessina. The Chair asks if there are any corrections, additions, deletions. Hearing none, he calls for the vote. Councilwoman Kasper abstains from the vote on the meetings of August 2; Councilman Faulkner and Councilman Serra abstain from the vote on August 12. The Chair states the minutes are adopted with the noted abstentions.

**Public Hearing Opens**

The Chair opens public comment on agenda items at 7:16 p.m.

David Sauer addresses the proposal to change the parking garage site and he was surprised to hear about the change and he is more confused why this is being done. He looked at the analysis that was done and it looks solely at square footage and doesn't tell you anything. The report doesn't mention the Courthouse or restaurants and according to this report we need more parking at Melilli. It doesn't make sense to me. The demand is not generated the way this report suggests. He has had problems finding spaces at the arcade and he has always found paring at Melilli. A multifloor garage is not the way to go. People want surface parking that is safe and convenient. If you want them to park in a garage and walk to shopping, the only time they use the garage is after surface lots are full. The City needs to address surface parking.

The Chair asks if there are other members of the public who wish to address the Council.

Lennie Liebenhaut speaks on behalf of Tall Properties, agenda item 11-11 for a written request for a tax abatement and building permit waiver. He is here because his attorney is out of town. He has been working on this project for over two years and he has been before many parts of City government and has had strong support for the process for the abatement and the assignability for the abatements to small business members. He has had a small business in Middletown for over 20 years; in 1985 he purchased a place near Jerry's Pizza and had the Hallmark store and they had a publishing company brought into Middletown on Industrial Park Road from Meriden. That business closed in 2004 and it was turned into an office building and it has been a solid tax payer and property taxes are in excess of \$60,000. Three years ago, he purchased land next to Centerpoint and without a tax contribution from the City. Most recently, our project is an office condominium, seven office buildings for the small business owner. They will do it themselves and will construct it. To this end he is proud to bring in his son-in-law as the architect. We are expecting the next generation to carry on in Middletown. The application was submitted and based on the cost of the project for \$1.5 million. It is designed for Leed's silver. It is environmentally friendly and it is what America is supposed to be doing. It is an incredible project against all odds. This Council can bring it out of the ground in the next month. The alternative is to fight winter conditions. They want to bring one building out and if they don't make it, they will have to wait until late spring. We have been in the market for over a year and the brokers are excited and hesitant and looking for commissions and can't believe we can do this. They have several potential buyers; they want to see what it looks like. They have worked over a year on financing and have Farmington Bank, who is a great community lender. In this process the bank hired an appraisal company and it came in below our needs and to that end we have been forced to cut our budget. The opportunities are good for construction and they are short. They have a commitment letter and they need to see the budget is a good one and he would like the abatement to go forward. The long term gain is \$200,000 property tax contributions and unlike corporate giants, these taxpayers will remain. He asks for the Council's support. It is an incredible opportunity. He asks for the Council's support for the building permit waiver and the abatement.

Priscilla Harnesk, owner of Coldstone Creamery addresses the transfer of funds to Melilli. She was excited when she opened the Creamery and was glad to see the changes to the Arcade. She has suffered through the lowest sales in the area but suffered through because of the Arcade parking solution and now she hears it is a 5-story garage at Melilli. She doesn't understand that there could be additional retail when you have retail that has not been filled. She doesn't know what she can do if the Arcade improvements don't go through.

Michael Tyre speaking to the abatement and permit waiver for the Centerpoint construction. They are trying to launch the project and build a family business. It has been an uphill battle and they continued with the project because we believe in what the project stands for. They are promoting small business. We are launching a small business. They are using green construction; they will put people to work today. These keep us going but ultimately any kind of development project comes down to numbers and they are under stress to make the numbers work. They had a budget squeeze and we are trying to get financing at the final stages and it is difficult. There is pessimism out there. He asks the Council's help. They want approval; the Economic Development Commission has given approval for this abatement and asks for the Council's continued support. We are two guys trying to make this work. They are giving the project every chance we can and he asks for the Council's support.

#### Public Hearing Closed

The Chair, seeing no further members of the public wishing to address the Council on agenda items, closes the public hearing at 7:31 p.m.

Council Clerk Norwood reads the appropriation requests and the Certificate of the Director of Finance:

#### Appropriation Requests

MAYOR'S OFFICE  
MUNICIPAL BUILDING

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 **Tuesday, September 7, 2010 at 7:00 p.m.** to conduct a public hearing, consider and act upon the following:

Police Department                      \$1,880., Account No. 1000-18000-55185-0180-18435, Traffic  
Signal Maintenance, General Fund.

Finance Department \$40,000, Account No. 1000-18000-51358-0180, Police Private Duty overtime, General Fund.

Any and all persons interested may appear and be heard.

ATTEST: SEBASTIAN N. GIULIANO Mayor

Certification of Funds

To: His Honor Mayor Sebastian N. Giuliano and Members of the Common Council
From: Finance
Date: September 3 2010
RE: Certification of Funds

This is to certify that funds for the appropriations requested at your meeting of September 7, 2010 are available as follows:

General Fund \$41,880.

Respectfully submitted, Carl Erlacher Director of Finance

Agenda Item 7 Description Appropriation Requests

Councilman Serra reads the appropriation request for \$1,880 for approval and his motion is seconded by Councilman Pessina. Councilman Klattenberg states that at the Finance and Government meeting, they looked at this issue and discussed the Police Department budget of \$11 million and our discussion was the \$1,880 could be found in the \$11 million and the Chief recognized that and wanted to go on record that this was a need and he would try to find the money and if it turns out there is an additional need it be recognized early in the budget year for later down the road. There was a general understanding of the recognition that it was needed but could be found in the budget.

The Chair, hearing no further discussion, calls for the vote. It is two aye votes by Council Members Bibisi and Kleckowski; and nine nay votes by Council Members Serra, Loffredo, Klattenberg, Pessina, Daley, Santangelo, Kasper, Streeto, and Faulkner. The Chair states the appropriation is not approved.

Police Department \$1,880., Account No. 1000-18000-55185-0180-18435, Traffic Signal Maintenance, General Fund. (DEFEATED)

Councilman Serra reads and moves for approval \$40,000 for Finance and his motion is seconded by Councilman Pessina. The Chair states the matter has been moved and seconded and calls for the vote. It is unanimous to approve with eleven aye votes. The Chair states the matter passes with none in opposition.

Finance Department \$40,000, Account No. 1000-18000-51358-0180, Police Private Duty overtime, General Fund. (APPROVED)

Agenda Item 8 Description Old Business

Councilman Serra is recognized by the Chair. He states they move to leave it on the table. The Chair states if you don't move it, it stays on the table. The Chair waits a minute and then states since it has not been moved or seconded, he will move to item 9 on the agenda.

Resolution No. 101-10 (Remained on the table)

Whereas, the City of Middletown, like other municipalities in CT, is experiencing serious financial strain; and

Whereas, the City must take reasonable steps to reduce costs as we manage the City's finances.

Now, therefore, be it resolved by the Middletown Common Council: That for FY 2011 the Common Council shall suspend Article I, Section 188-2C Rental of Showmobile Unit of the Middletown Code of Ordinances and shall not waive any costs or fees for the use of the showmobile; and

Be it further resolved: That the Clerk of the Common Council shall mail a copy of this resolution to those individuals and organizations that have received a showmobile waiver during the past two years.

**Agenda Item Description** **9**  
**Department, Committee, Commission Reports and Grant Approvals**

Councilman Serra reads and moves for approval 9A, 9B, 9C, 9D, 9E, 9F, 9G, 9H, 9I, 9J, and 9K; Councilman Bibisi seconds the motion. The Chair calls for the vote. Councilwoman Kleckowski asks if they can vote on 9C separately; she does not approve of the various grants to the Board of Education. The Chair states yes and notes there are ten aye votes and one nay vote for item 9C; He states all are adopted with one vote in opposition for item 9C.

The Chair asks if a date has been set for the Traffic Authority Appeal and asks if the Council Clerk will set the Date. Councilman Serra asks to amend Item 9J to include the date of October 14 at 6 p.m. The Chair asks if it is in the Council Chamber. Councilman Serra responds it will be at Moody School. The Chair states without objection, that will be the date.

**Agenda Item Description (Approved)** **9A**  
**Town Clerk Certification**  
 September 2, 2010

I, Sandra Russo Driska, 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 August 2, 2010 at 7:00 p.m. and specials meeting on August 2, 2010 at 6 p.m., and August 12, 2010 at 7 p.m., have been advertised in the local newspaper.

Attest:  
 Sandra Russo Driska  
 City & Town Clerk

**Agenda Item Description (Accepted)** **9B**  
**Monthly Reports**  
**Finance Department – Transfer Report August 18, 2010**  
**Public Works Monthly Report with summary Bldg Permits for June, 2010 and July 2010**

**Agenda Item Description (Approved)** **9C**  
**Grant Confirmation and Approval – Board of Education, Various Grants**

**Name of Grant:** As Listed Below  
**Amount Requested:** \$975,464.28  
**Code:** 2450-33000-59405  
**Grant Period:** From: 7/1/2010 To: 6/30/2011

**Type of**  
**Amount Loaned from General Fund:** \$0.00  
**Department Administering Grant:** Middletown Board of Education  
 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 for which they were granted.

**Description of services to be provided by this Grant:**  
 769 - Middletown Teen Theater \$21,172; 794 - EASTCONN-CT Coordinated School Health Leadership \$3,000; 826 - Interdistrict Cooperative \$56,365; 837 - School Readiness-Snow School \$270,000; 842 - Family Resource Center-Macdonough \$97,000; 850 - Family Resource Center-Farm Hill \$97,000; 855 - United Way-Healthy Youth \$10,000; 889 - Youth Service Bureau-Enhancement \$7,550; 700 - Food Services Receipts \$226,472.38; 801 - Cigna Certified & Paras \$55,244.57; 803 - Workers' Compensation \$4,252.74; 804 - Preschool Program Receipts \$296.70; 807 - Aetna Classified \$90.85; 809 - Maintenance/Rentals \$114,147.37; 833 - Adult Education Receipts \$12,008.67; 888 - Summer Enrichment Fees \$517.50; 893 - Fingerprinting Receipts \$346.50. Total Special Programs Through 7/19/2010 \$1,716,764.44 ADDITIONS \$975,464.28; Total Special Programs Through 8/16/2010 \$2,692,228.72  
**Requested by:** Michael J. Frechette, Ph.D.

**Agenda Item Description (Approved)** **9D**  
**Grant Confirmation and Approval – Police Dept., JAG Program**

**Name of Grant:** FY 10 Edward Byrne Memorial JAG Program Local Solicitation  
**Amount Requested:** \$11,912.00  
**Code:** 3580-18000-59200  
**Grant Period:** From: 10/1/2009 To: 9/30/2013  
**Type of** Federal

**Amount Loaned from General Fund:** \$11,912.00

**Department Administering Grant:** Police Department

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 for which they were granted.

**Description of services to be provided by this Grant:** This grant was awarded for the purposed of advancing technology within the police department. The department has applied for and been approved to purchase an awning for the marine mobile command vehicle, an educational/training video system, and three canine containment devices for the police cruisers with heat alert. These funds will be reimbursed 100% with no match required.

**Requested by:** Acting Chief Patrick T. McMahon

**Agenda Item Description (Approved)**

**9E**

**Grant Confirmation and Approval – Town Clerk, Historic Doc. Pres.**

**Name of Grant:** CT State Library Historic Document Grant

**Amount Requested:** \$6,000.00

**Code:** 3361-04000-59048

**Grant Period:** **From:** 7/1/2010 **To:** 6/30/2011

**Type of** local

**Amount Loaned from General Fund:** \$0.00

**Department Administering Grant:** Town Clerk's Office

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 for which they were granted.

**Description of services to be provided by this Grant:**

Target Grant from CT. State Library, Records Administration for historical document preservation projects

**Requested by:** Sandra Russo-Driska

**Agenda Item Description (Approved)**

**9F**

**Grant Confirmation and Approval – Mayor/School Readiness**

**Name of Grant:** School Readiness

**Amount Requested:** \$1,775,554.00

**Code:** 3730-33000-59200

**Grant Period:** **From:** 7/1/2010 **To:** 6/30/2011

**Type of** State

**Amount Loaned from General Fund:** \$0.00

**Department Administering Grant:** Mayor's Office/Superintendent of Schools/School Readiness Council

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 for which they were granted.

**Description of services to be provided by this Grant:**

Funds from this grant will be used to 1) significantly increase the number of accredited and/or approved slots for young children in order to provide access to high quality preschool; 2) significantly increase the number of slots for young children to receive full day, full year child care services to meet family needs and to enable parents to become employed; 3) establish a shared cost for such early care and education programs among the State, its various agencies,

**Requested by:** Mayor Sebastian N. Giuliano

**Agenda Item Description (Approved)**

**9G**

**Grant Confirmation and Approval – Mayor/School Readiness, Quality Enhancement**

**Name of Grant:** School Readiness - Quality Enhancement

**Amount Requested:** \$32,009.00 **Code:** 3730-33000-59200

**Grant Period:** **From:** 7/1/2010 **To:** 6/30/2011

**Type of** State

**Amount Loaned from General Fund:** \$0.00

**Department Administering Grant:** Mayor's Office/Superintendent of Schools/School Readiness Council

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 for which they were granted.

**Description of services to be provided by this Grant:**

The funds received through this grant will be utilized to provide assistance to the City's School Readiness Programs to improve or enhance the quality of education for preschoolers.

**Requested by:** Mayor Sebastian N. Giuliano

**Agenda Item Description (Approved)**

**9H**

**Grant Confirmation and Approval – Health Dept., DEMHS**

**Name of Grant:** DEMHS Region 3--CRI (Cities Readiness Initiative)  
**Amount Requested:** \$5,000.00  
**Code:** 3230-31000-59200  
**Grant Period:** **From:** 9/15/2009**To:** 8/9/2010  
**Type of** Federal  
**Amount Loaned from General Fund:** \$0.00  
**Department Administering Grant:** Health Department  
 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 for which they were granted.  
**Description of services to be provided by this Grant:** Additional funds for Public Health Response expenditures  
**Requested by:** Joseph A. Havlicek, MD

**Agenda Item Description**  
  
(Approved)

**9I**  
**Emergency Purchase – Water and Sewer, Energy Management & Control Group**

**Agenda Item Description**  
(Approved)

**9J**  
**Request to appeal the decision of the Traffic Authority – Long Hill Road Date Set for Appeal: October 14, 2010 at 6 p.m., Moody School**

**Agenda Item Description**  
  
(Accepted)

**9K**  
**Human Relations Report – 4<sup>th</sup> Quarter recruitment Hiring Report and Year End Summary 2009 – 2010**

**Agenda Item Description**  
(Approved)

**10**  
**Payment of City Bills**

Councilman Serra moves to pay all bills that have been properly approved. Councilman Pessina seconds the motion. The Chair calls for the vote. It is unanimous to approve with eleven aye votes. The Chair states the matter passes with eleven aye votes and one absent and not voting.

**Motion to Recess**

Councilman Daley moves for a five minute recess; Councilwoman Kasper seconds his motion. The Chair calls for the vote and it is unanimous to approve with eleven aye votes. The recess is declared at 7:39 p.m. and the Chair states we will reconvene at 7:45 p.m.

**Meeting Reconvenes**

The Chair calls the meeting to order at 7:46. He states we will proceed to 11-1 and recognizes Councilman Santangelo.

**Agenda Item**

**11-1**

Councilman Santangelo reads and moves for approval agenda item 11-1, an ordinance amending Section 262-38; his motion is seconded by Councilwoman Kasper. Seeing no discussion, the Chair calls for the vote. It is unanimous to approve with eleven aye votes. The Chair states the matter passes with one absent and not voting.

**Ordinance No.**  
**File Name**  
**Description**

**78-10**  
**sec262-38 9-2010.doc**  
**Approving amending Section 262-38, Special Permit Required When Travel Endangered of Chapter 262 of the Middletown Code of Ordinances.**

**(APPROVED)**

Be it ordained by the Common Council of the City of Middletown: That Sec. 262-38, Special Permit Required When Travel Endangered, of Chapter 262 of the Middletown Code of Ordinances, be amended to read as follows:

©262-38. Special permit required when travel endangered. [Added 11-2-1987]

A. All permits issued by the Director of Public Works or the Chief of Police, in consequence of which public travel may be incommoded or endangered, shall authorize the party permitted to do such acts to do so in no other than a reasonable and prudent manner. No City Street or any portion thereof shall be closed without a permit. **These permits shall not be required for work being conducted on private property.**

B. Whenever a private contractor or business needs to close any city street, street lane, or any portion of a lane, or perform work in any manner that would require any vehicles to have to stop, slow down, or deviate from the vehicle lane in any manner, such contractor shall hire a police officer, if available, to direct traffic and ensure safety, [if] **unless** deemed **unnecessary** by the Chief of Police (Local Traffic Authority), **or his/her designee.** City of Middletown employees conducting official City work or Connecticut Department of Transportation

employees conducting official state work on a state route or highway are [excepted] **exempt** from the requirements of this ordinance. In the event that a contractor or business attempts to hire a police officer and a private duty officer is unavailable, a supervisory officer shall conduct a job site assessment and will recommend to the construction foreman/employee proper traffic flow patterns and control around the construction site.

C. A bond shall be required in an amount as determined by the Director of Public Works with the condition that the permit holder shall be liable to any person who shall receive injury as a result of the negligence of the permit holder and/or his/her/its officers, agents, servants and/or employees in doing said acts or failing to do said acts. The permit shall also have the condition that the permit holder shall hold harmless and indemnify the City of Middletown, its officers, agents, servants and employees against loss or penalty arising from injuries (including death) and/or damages resulting from the action or inaction of the permit holder, his/her/its officers, agents, servants and employees.

D. The permit holder shall further provide a certificate of insurance evidencing those insurances required pursuant to @ 262-29 and naming the City of Middletown, its officers, agents, servants and employees as additional insureds.

E. Any person violating any provision of this ordinance shall be subject to a fine of \$100.

**Agenda Item** 11-2

Councilwoman Kasper reads and moves for approval agenda item 11-2, an ordinance regarding Sections 188-1 and 188-2; Councilman Bibisi seconds the motion.

**Motion to Call Question**

The Chair recognizes Councilman Streeto who moves to call the question. The Chair states there is no discussion indicated; Councilman Streeto withdraws his motion.

The Chair states there is no discussion indicated and calls for the vote. It is ten aye votes by Council Members Serra, Loffredo, Klattenberg, Pessina, Daley, Bibisi, Santangelo, Kasper, Streeto, and Kleckowski; and one nay vote by Councilman Faulkner. The Chair states the matter passes with ten in favor; one in opposition; and one absent and not voting.

**Ordinance No.**  
**File Name**  
**Description**  
  
**(APPROVED)**

**79-10**  
**sec188-1shomobile2010.doc**  
**Approving amending Sections 188-1 and 188-2 of Chapter 188 of the Middletown Code of Ordinances regarding the showmobile.**

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN that sections 188-1 and 188-2 of Article I of Chapter 188 of the Middletown Code of Ordinances be amended to read as follows:

Sec. 188-1. Schedule of fees.

[The following schedule of fees shall be charged for the rental of the City's Showmobile unit:

	In Middletown				
	4 Hours	6 Hours	8 Hours	12 Hours	Every Add hour
By Nonprofit Organizations	\$75.00	\$100.00	\$150.00	\$200.00	\$25
By Commercial/ Private Organizations	\$150.00	\$200.00	\$300.00	\$400.00	\$25

	OUTSIDE		MIDDLETOWN	
	0 to 6 Hours	6 Plus to 12 Hours	Every Add Hour	
By Nonprofit Middletown Organizations	\$150.00	\$250.00	\$25	
By Other Nonprofit Organizations	\$250.00	\$350.00	\$25	
By Commercial/ Private Organizations	\$350.00	\$700.00	\$25]	

**Fees for rental of the Showmobile shall be reviewed on a yearly basis by the Common Council and set by Resolution.**

Sec. 188-2. Conditions.

A. All fees are based on portal to portal usage.

B. All fees are exclusive of additional charges to be billed for personnel and subsidiary expenses as outlined by the Showmobile Policies and Procedures of the Middletown

Commission on the Arts. 1

[C. In the sole discretion of the Common Council any costs or fees may be waived if it will help to promote an event which has been recognized and approved by the Common Council as being beneficial to the entire community. In exercising its discretion, the Common Council shall consider such factors as the cultural, educational, artistic, humanistic, charitable, scientific, literary, historic and other benefits to the community of the event.]

**Agenda Item** 11-3

Councilman Pessina reads and moves for approval agenda item 11-3; Councilwoman Kleckowski seconds the motion.

**Motion to Amend**

The Chair recognizes Councilman Streeto who moves to amend the resolution; specifically, to eliminate the fourth paragraph and change the Now Therefore to read that the Council amends its rules of procedures to eliminate this special meeting, Questions to Directors; if there is a second, he would like to speak to it. The Chair waits for a second; he states he does not hear a second.

The Chair recognizes Councilman Klattenberg. He states he will not support the resolution because as an example, this evening's questions to directors lasted 30 minutes and it can be done. We are trying to avoid running over the 7 p.m. start of the Council meeting but it is limiting the time to ten minutes and with 12 people and ten minutes, that is over the time for the meeting. It is setting a rule that is not achievable. As the Chair you can provide a sense of urgency to move the questions expeditiously and if each of the members of the Council took note of the repetitious questioning, we would be fine. That is his thought and he will not support it.

Councilwoman Kleckowski states as the writer she takes exception to the comments; it means there is a ten minute limit so that if another Councilperson has a question, we can get through it. Today was the exception. Sometimes we don't self monitor and we go to 7:30 and people come here to see the meeting start at 7 p.m. and it needs to start at that time. The purpose is to ensure the meeting starts at 7 p.m. To your point, the Mayor can monitor us; we haven't been doing it and we need this. Everyone will get a chance to speak and we won't have a director monopolized by one Council member. It is the issue to start on time. Councilman Pessina states he hears what has been said and we should discipline ourselves and just as this meeting we did well, but at the last meeting, there were Council people who wanted to question other directors and didn't get that opportunity. He knows it says ten minutes, but at least it is a guideline if we get emotionally involved in a situation and he will support this on behalf of Councilwoman Kleckowski; he believes she is on the right track.

Councilman Daley states he certainly supports the intent of the resolution, but I don't think it is necessary and I think we already addressed this in our rules and the underlying foundation of rules is Robert's Rules and I maybe mistaken, but Robert's Rules sets a duration and a number of times speaking limit for the members of the body and I would support wholeheartedly holding us to those rules. We have an obligation to start our meetings at 7 p.m. The public has a right to speak at the public hearing and hear our actions at a reasonable hour and not at one in the morning. I think we have an obligation to keep our meetings to a reasonable limit. I won't support this resolution, but will support efforts by the Mayor and any member of the body to hold ourselves to those limits. Councilman Santangelo states Robert's Rules does say we are allowed to speak no more than 10 minutes and only two times. There is a rule in place; we don't need this. The second part of this, you don't know what you can come on to and this body can vote to extend those rules. We should exercise the rules we have. Councilman Streeto states he will support this partially because it is better than the current situation and he thinks that this section should be eliminated all together. It is a holdover before cell phones and e-mails. That time is over. Everyone on the Council owns a cell phone and has e-mail access as do the directors. He got an e-mail response from a director on Sunday afternoon. That gives a paper trail and this does not. I don't see the utility to call the directors up and recite. We should let them answer the questions from their documents.

Councilman Faulkner states I think it is important for the citizens to see the directors and their skill set and he appreciates the time with the directors and he appreciates the thought of the resolution.

**Move the Question**

Councilman Pessina moves the question; Councilman Klattenberg seconds the motion. The Chair calls for the vote and it is nine aye votes by Council Members Serra, Loffredo, Klattenberg, Pessina, Bibisi, Santangelo, Kasper, Streeto, and Kleckowski; and two nay votes by Council Members Daley and

Faulkner. The Chair states the motion to call the question passes nine in favor, two against, and one absent and not voting.

The Chair calls for the vote on the resolution. It is four aye votes by Council Members Pessina, Bibisi, Streeto, and Kleckowski and seven nay votes by Council Members Serra, Loffredo, Klattenberg, Daley, Santangelo, Kasper, and Faulkner. The Chair states the motion fails with four aye votes; seven nay votes; and one absent and not voting.

**Resolution No.**  
**File Name**  
**Description**

**103-10**

**cc2010amendrulesofproced.doc**

**Approving amending the rules of the Common Council regarding the special meeting entitled Questions to Directors to limit each Council member to ten minutes for each Director to ensure all questions from members of the Council are responded to and to ensure the start of the regular meeting at 7 p.m.**

**(DEFEATED)**

Whereas, the Common Council adopted rules of procedure on November 17, 2009; and

Whereas, the rules of the Common Council may be amended and changed as the need arises to effect a greater efficiency in the operation of the Council; and

Whereas, the current rules include a special meeting at 6 p.m., one hour before the regular meeting entitled Questions to Directors Workshop to afford members of the Council the opportunity to have their inquiries on agenda items resolved before the regular meeting at 7 p.m. ; and

Whereas, to ensure that all Common Council members are afforded the opportunity to have their questions answered within the allotted time prior to the commencement of the regular meeting at 7 p.m. and to ensure the regular meeting begins on time.

Now, Therefore, Be it Resolved by the Common Council of the City of Middletown: That the Council amend its Rules of Procedure by limiting the amount of time to ten minutes that each member has with each Director so that every Common Council Member may have a chance to have their questions answered; and

Be It Further Resolved: That if a Council Member uses their allotted ten minutes with a Director, that member will yield the floor until all Council Members have had a chance to ask their questions of all Directors and once every Council Member has had their questions resolved with each Director, then members may recall Directors for follow-up questions if there is time remaining.

**Agenda Item**

**11-4**

Councilman Santangelo reads and moves for approval agenda item 11-4; his motion is seconded by Councilman Pessina. There is no discussion. The Chair calls for the vote and it is unanimous to approve with eleven aye votes. The Chair states the matter passes unanimously with one absent and not voting.

**Resolution No.**  
**File Name**  
**Description**  
**(Approved)**

**110-10**

**cchocr2010.doc**

**Approving sponsoring the Head of the Connecticut Regatta.**

**WHEREAS**, the City of Middletown has been the sponsor of the Head of the Connecticut Regatta since its inception in 1975; and

**WHEREAS**, this event has greatly encouraged the development of amateur rowing in Middletown and has focused community, regional, State and northeastern United States attention on the City's revitalization of its riverfront; and

**WHEREAS**, the Middletown Lions Club, Inc. a non-profit corporation, will organize and administer to the annual Head of the Connecticut Regatta and will conduct the Regatta on October 10, 2010, its thirty-third year of rowing competition; and

**WHEREAS**, the Common Council of the City of Middletown finds it to be in the economic and recreational interest of the City of Middletown and neighboring towns, their residents and taxpayers to ensure the future success of this event; and

**WHEREAS**, the use of certain City-owned facilities, City personnel and City equipment is absolutely vital to the conduct of the Regatta.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** That, together with the Mayor, the Common Council of the City of Middletown thanks and congratulates all Regatta volunteers and participants on the City's 35<sup>TH</sup> annual Regatta, an event which brings distinction to the City of Middletown and its rowing community; and

**BE IT FURTHER RESOLVED:** That, the City of Middletown proudly continues to sponsor the Head of the Connecticut Regatta to be held on October 10, 2010; and

**BE IT FURTHER RESOLVED:** That, the Common Council of the City of Middletown does designate and authorize the Middletown Lions Club, Inc., and its officers and directors, as agents of the City of Middletown, in all matters relating to the conduct of the Regatta and the use of City-owned facilities for the undertaking, as well as its agent in seeking cooperation, permits, etc. from neighboring communities; and

**BE IT FURTHER RESOLVED:** That, the Common Council of the City of Middletown offers priority use of Harborpark for the Regatta on Sunday, October 10, 2010; and

**BE IT FURTHER RESOLVED:** That, the Common Council of the City of Middletown acknowledges the necessity to secure authorization from the U.S. Coast Guard to restrict river traffic on October 10, 2010; and to discourage non-Regatta traffic on that day; and

**BE IT FURTHER RESOLVED:** That, the Common Council of the City of Middletown authorizes both the Middletown Police Department and the Middletown Lions Club to restrict non-essential vehicular traffic on Harbor Drive as deemed necessary in order to accommodate the functioning of the Regatta; and

**BE IT FURTHER RESOLVED:** That all City vending licenses are suspended on Harbor Drive on October 10, 2010; and

**BE IT FURTHER RESOLVED:** That, the Common Council of the City of Middletown does request that the Departments of Public Works, Park & Recreation, Police, Fire, Health, Water and Sewer, and the Harbor Improvement Agency and City Harbor Master to render all such assistance and support as may be required to ensure the public health and safety of the many participants and visitors of the Regatta.

**Fiscal Impact:** The Police Department budgets \$4,800 for this event; the Fire Department budgets marine rescue service at overtime costs of approximately \$1,500; Park and Recreation provide an estimated cost of \$4,885 and the Health Department does food inspection at a cost of \$90.78, neither are budgeted. Public Works has not provided services.

**Agenda Item** 11-5

Councilman Klattenberg reads and moves for approval agenda item 11-5; his motion is seconded by Councilman Santangelo. Councilman Klattenberg acknowledges the hard work of Tina Gomes and Diana Doyle to work out nuances to this fee structure that is really a very fair way of dealing with the use of the show mobile for the out-of-town use and not-for-profits; he doesn't want to go into the details and the research done by Tina regarding showmobiles throughout the State and it puts the fees still quite competitive; they are still lower than other cities and we won't deal with showmobile fee waivers moving forward.

The Chair asks for a moment and confers with the Corporation Counsel. The Chair states the ordinance you passed that grants the authority, doesn't take effect until 15 days after it is published and Corporation Counsel Howard suggests you put an amendment in the resolution for an effective date of the ordinance passage. Councilman Serra moves that for approval; Councilman Klattenberg states he takes it as a friendly amendment. The Chair states without objection, the amendment is approved. He calls for the vote on this matter as amended. It is nine aye votes by Council Members Serra, Loffredo, Klattenberg, Pessina, Daley, Bibisi, Santangelo, Kasper, and Streeto; two nay votes by Council Members Faulkner and Kleckowski. The Chair states the matter passes with nine aye votes, two opposed and one absent and not voting.

**Resolution No.** 111-10  
**File Name** cc2010showmobilereqsersion3.doc  
**Description** **Approving the new fees and policy for the use of the showmobile to include no waiving of the fees and labor costs as well as providing fee structure that is more cost neutral for the City with said regulations to take effect when the amendment to Section 188 takes effect.**

**(Amended and Approved)**

Whereas, the City of Middletown acquired a Showmobile in 1986 to be used as a mobile stage by not-for-profit and commercial organizations for community performances and events, and

Whereas, the Showmobile fees were established in the City of Middletown Ordinance Chapter 188 (Licenses and Fees), Article I Rental of Showmobile Unit (adopted 3-3-1986; amended 12-5-1988) and this Ordinance was amended and repealed by the Common Council on September 7, 2010; and

Whereas, in fiscal year 2009 - 2010 seven (7) fee waivers were approved by the Common Council for use of the Showmobile representing an estimated loss of over \$7,300, and

Whereas, in the 2010 ó 2011 fiscal year budget the Common Council projected revenue to the General Fund of \$5,000 for showmobile rentals; to-date revenue is \$0, and

Whereas, the Showmobile requires regular and routine maintenance and upkeep to ensure that it can be operated without incident and transported safely; recent maintenance estimates required expenses of approximately \$4,500 to address safety concerns and \$2,000 was expended for the repair and replacement of sound equipment this year, and

Whereas, fee waivers continue to be granted by the Common Council in the 2010 ó 2011 fiscal year with several other waiver requests anticipated, and

Whereas, it is now the purpose and goal of the Common Council to implement a cost-effective Showmobile rental fee structure that will support its use by organizations inside and outside Middletown for events benefiting the community while ensuring resources needed to defray labor costs and expenses for equipment, maintenance and routine upkeep.

**Now Therefore Be It Resolved by the Common Council of the City of Middletown:** That The City of Middletown hereby adopts a new Showmobile Fee Structure, Rules and Policy as presented in Attachment A, and

Be It Further Resolved: That the management and oversight of all Showmobile community events including fees, usage policies and management will be the responsibility of the Office of the Mayor and/or his/her appointed designee(s).; and

Be it Further Resolved: That the regulations take effect upon the effective date of the changes to Section 188 of the Middletown Code of Ordinances.

**ATTACHMENT A**  
**City of Middletown: Showmobile Fees, Rules and Policy**

A. The administration, scheduling, transportation, maintenance, setup and billing of the City's Showmobile shall be the responsibility of the Office of the Mayor and/or his/her designee.

B. Any applicant seeking to rent or use the Showmobile shall complete a Showmobile Rental Agreement Form as presented in Attachment 1 and presented to the Office of the Mayor and/or his/her designee.

C. Based on information provided to the City on the Rental Agreement Form all fees shall be determined and provided to the applicant. The total fee must be paid **no later than one week prior to the event**, in addition to a Certificate of Insurance (see Item G below).

D. While in use the Showmobile shall be under the supervision of two (2) qualified personnel provided through the Department of Public Works. Fees begin to accrue when the Showmobile departs the City Yard and continue until such time as the Showmobile returns to City Yard or another comparable location. Usage includes transportation of the Showmobile to and from the event; setting up the stage, sound system (if requested), chairs, generator (if requested) and other items as may be needed. The Director of Public Works has the final authority and responsibility for the safe and proper usage of the Showmobile for any and all community event.

E. Following the community performance or event the individuals or organizations renting the Showmobile will be notified if additional fees are due to the City based on the Public Works inspection of the Showmobile and the actual event schedule. If an applicant does not pay the additional fees, the organization will not be permitted use of the Showmobile in the future until full payment is made.

F. Fees - The following fees will be applied to all rentals. It is the policy of the City not to grant waivers or discounts to these fees. Other services needed such as police, fire, health, public works, ambulance, etc. may receive a waiver or discount for services rendered upon approval by the Common Council as a city sponsored event.

**In Middletown:**

A. Not-for-profit 501(c)3 organizations:

\$75 per hour: includes the showmobile fee, generator, sound system, transportation and labor. Billing begins when the showmobile leaves city yard to when it returns. The City requires two (2) hours to mobilize, transport, and set up the showmobile for all local events and two (2) hours to return it to the City Yard.

B. For - Profit / Commercial organizations and events:

\$100 per hour: includes the showmobile fee, generator, sound system, transportation and labor. Billing begins when the showmobile leaves city yard to when it returns. The City requires two (2) hours to mobilize, transport, and set up the showmobile for all local events and two (2) hours to return it to the City Yard.

Out of Town:

C. All organizations:

\$140 per hour plus transportation billed at 0.50 cents per mile which is subject to annual adjustments based on IRS guidelines: includes showmobile fee, generator, sound system, transportation and labor. Billing begins when the showmobile leaves City Yard to when it returns. The City requires a minimum of two (2) hours to mobilize, transport, and set up the showmobile for all events and a minimum of two (2) hours to return it to the City Yard depending on the transport location.

G. Certificate of Insurance - Applicants must carry a General Liability Policy, at their own cost and expense, in the amount of \$1,000,000 endorsed to include the City of Middletown, its officers, agents, servants, and employees as an additional insured with respect to the Applicant's use of the showmobile. Said coverage shall be evidenced on a Certificate of Liability Insurance form issued by the Applicant's authorized insurance representative and submitted to the City of Middletown as required. The City of Middletown maintains the right to request a copy of the endorsement showing proof of the City's additional insured status. No waiver shall be made for this requirement.

H. There shall be NO waiver(s) of the Showmobile Fee(s).

I. The City of Middletown encourages all event planners to notify the Office of the Mayor and/or his/her designee of their need for the Showmobile and other city services no less than 2 months before the event to ensure good communications between the City and event planners and a safe and a successful event.

FINANCIAL STATEMENT: Enactment of this resolution will clarify the fees for rental of the city's showmobile and eliminate fee waivers. The revenues generated will limit taxpayer subsidies for the showmobile and allow unit equipment to be maintained or upgraded as needed that will be more cash-flow neutral than presently exists.

**Agenda Item** 11-6

Councilman Loffredo reads and moves for approval agenda item 11-6, the job description for preschool nurse; his motion is seconded by Councilman Pessina. The Chair, seeing no discussion, calls the vote. It is unanimous to approve with eleven aye votes. The Chair states the matter passes with 11 affirmative votes and one absent and not voting.

**Resolution No.**  
**File Name**  
**Description**

**112-10**  
**pepreschoolnurse.doc**  
**Approving the new position of Preschool Nurse, Local #466, Grade 10, Maximus (\$20.45 - \$30.26) and approving its inclusion into the City's Classification plan upon Council approval.**

**(Approved)**

Be it resolved by the Common Council of the City of Middletown: That the new position of Pre School Nurse, Local #466 Salary Grade 10 Maximus (\$20.45 - \$30.26) and corresponding job description be established for inclusion into the City's Classification Plan effective upon Council approval.

No Fiscal Impact

**Position Description**

**Title:** Pre School Nurse  
**Department:** Board of Education  
**Date:** August 2010 **Grade 10A**

**Purpose of Position**

The purpose of this position is to provide health care services for students in the school setting including transportation; maintain student health records according to state regulations; perform health screenings; maintain health and welfare of student, attend Birth-To-Three Transition and community based meetings. The work is performed under the direction of the Director of Pupil Personnel and Special Education.

**Essential Duties and Responsibilities**

The following duties are normal for this position. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- ~~Provides health care services to school students and staff; administers medications and first aid; assesses illnesses and evaluates trauma and medical emergencies; controls communicable disease. Maintains universal precautions.~~
- ~~Provides nursing procedures; including catheterization and glucose testing; conducts hearing, vision, scoliosis, and lice screenings and provides referrals for follow-up; weighs and measures students; and conducts specific gravity tests. Measures blood pressure, temperature and pulse.~~
- ~~Maintains and reviews records; maintains records for all school students; reviews immunization records and physical examination for school entry; initiates and maintains documentation of health records. Copies, mails and faxes health records according to requests.~~
- ~~Formulates nursing care plans and emergency care plans.~~
- ~~Conducts pre-sport sixth and eleventh grade physicals.~~
- ~~Maintains compliance with CIAC requirements.~~
- ~~Prepares a variety of reports, documents and correspondence; prepares annual immunization surveys for incoming students; prepares sports and school accident insurance claim forms; documents care and conferencing.~~
- ~~Coordinates health care with part-time nurse, occupational and physical therapists. Conferences with teachers and paraprofessionals regarding student needs; attends PPT interdisciplinary meetings; participates in crisis team.~~
- ~~Contacts physicians and parents regarding medications, immunizations and other concerns; receives and responds to calls from parents, physicians and others.~~
- ~~Travels between schools to respond to accidents, illnesses or emergencies.~~
- ~~Teaches growth, development and hygiene; conducts inservices for teachers on individual student needs, medications and treatments.~~
- ~~Performs other related functions as assigned or required.~~
- **Provide professional development**
- **Collect, prioritize documents and evaluate student health information during student visits to the health office and in emergency situations, according to established policy, guidelines and protocols.**
  - **Use an established data collection system in an organized manner.**
  - **Provide health care services for the students to manage illness, injury and health conditions/problems whether acute, chronic, episodic or emergent.**
  - **Recognize the educational implications of health concerns or problems for the students.**
  - **Conduct appropriate health screenings (i.e. vision, hearing) and make referrals to health care professionals as needed.**
  - **Serve as case manager for students with health needs.**
  - **Develop and implement individualized health care and emergency care plans within the appropriate educational program (regular education, Section 504 and special education.)**
  - **Document nursing interventions in the appropriate health records according to school district policies and procedures.**
  - **Act as a member of the Early Childhood Assessment Team, a health resource for teacher, administrators and relevant others.**
  - **Provide consultation to school personnel and family members regarding the health and safety of preschool students and relevant health problems.**
  - **Use technology (assistive, informational and medical) to effectively manage school health programs.**

- **Communicate and collaborate with the interdisciplinary team regarding the health and safety of the students.**
- **Participate in student PPT and 504 meetings**
- **Ride the bus to and from school if required.**
- **Maintain classroom standards and collaborate with the school/family team.**
- **Maintain NAEYC standards and participate as required to maintain accreditation**
- **Other responsibilities as determined by the Director of Pupil Personnel and Special Education.**

**Minimum Training and Experience Required to Perform Essential Job Functions**

Bacheloris degree in Nursing with three years of **current pediatric (within the past two years) nursing in a health care or educational setting.** Experience **dealing with complex medical needs, very young children and Birth-to-Six.** ~~or any combination of education and experience that provides equivalent knowledge, skills and abilities.~~ Position requires **current Connecticut Registered Nurse License, CPR and the possession of a valid Connecticut driveris license.**

**Physical and Mental Abilities Required to Perform Essential Job Functions  
Language Ability and Interpersonal Communication**

- Requires the ability to perform mid-level data analysis including the ability to audit, deduce, assess, conclude and appraise. Requires discretion in determining and referencing such to established criteria to define consequences and develop alternatives.
- Requires the ability to provide first line supervision. Ability to persuade, convince, and train others. Ability to advise and provide interpretation regarding the application of policies, procedures and standards to specific situations.
- Requires the ability to utilize a variety of reference, descriptive and/or advisory data and information such as student health records, supply requisitions, medication forms, accident forms, surveys, screening referrals, eligibility lists, drug handbooks, medical dictionary, OSHA manuals, procedures, guidelines and non-routine correspondence.
- Requires the ability to communicate orally and in writing with the Director of Pupil Personnel and Special Education, students, parents, teachers, principals, administrators, physicians, paraprofessionals, social workers, psychologists, therapists, guidance counselors, pharmacists, speech pathologists, caf and custodial personnel, psychiatrists and the public and to collaborate effectively with trans and inter disciplinary teams.
- Requires the ability to comply with National Association for the Education of Young Children (NAEYC) standards.
- Requires the ability to create and implement regular and emergency health care plans.

**Mathematical Ability**

- Requires the ability to perform addition, subtraction, multiplication and division; calculate percentages and decimals; may require the ability to perform mathematical operations with fractions and algebra.

**Physical Requirements**

- Requires the ability to operate, calibrate, tune and synchronize, and perform complex rapid adjustment on equipment, machinery and tools such as a computer and other office machines, nursing/medical equipment, screening equipment, medical supplies and/or related materials used in performing essential functions.
- Requires the ability to coordinate eyes, hands, feet and limbs in performing coordinated movements such as providing nursing care.
- Tasks involve the ability to exert light physical effort in sedentary to light work, but which may involve some lifting, carrying, pushing and pulling of objects weighing five to ten pounds.
- Requires the ability to recognize and identify similarities or differences between characteristics of colors, shapes and sounds associated with job-related objects, materials and tasks.

**Environmental Adaptability**

- Ability to work under generally safe and comfortable conditions where exposure to environmental factors poses a limited risk of injury. May be exposed to illnesses or disease.

The City of Middletown is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the City will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective and current employees to discuss potential accommodations with the employer.

**Agenda Item 11-7**

Councilman Loffredo reads and moves for approval agenda item 11-7, the job description for school nurse; his motion is seconded by Councilman Pessina. The Chair, seeing no discussion, calls the vote. It is unanimous to approve with eleven aye votes. The Chair states the matter passes with 11 affirmative votes and one absent and not voting.

**Resolution No.  
File Name  
Description  
  
(APPROVED)**

**113-10  
peschoolnurse.doc  
Approving the amending of the job description for School Nurse, Local #466, Salary Grade 10, Maximus (\$20.45 - \$30.26), no change in salary.**

Be it resolved by the Common Council of the City of Middletown: That the job description of School Nurse, Local #466 Salary Grade 10 Maximus (\$20.45 - \$30.26) be amended as recommended with no change in salary.

No Fiscal Impact

### Position Description

**Title:** School Nurse  
**Department:** Board of Education  
**Date:** Revised August 2010 **Grade 10A**

### **Purpose of Position**

The purpose of this position is to provide health care services **for students in the school setting including transportation; maintain student health records according to state regulations; perform health screenings; maintain health and welfare of student.** for the students and staff in district schools, to maintain health records for each student according to state regulations, to perform screening tests and to assist a physician with examinations. The work is performed under the direction of the Director of Pupil Personnel and Special Education.

### **Essential Duties and Responsibilities**

The following duties are normal for this position. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- ~~Provides health care services to school students and staff; administers medications and first aid; assesses illnesses and evaluates trauma and medical emergencies; controls communicable disease. Maintains universal precautions.~~
- ~~Provides nursing procedures; including catheterization and glucose testing; conducts hearing, vision, scoliosis, and lice screenings and provides referrals for follow-up; weighs and measures students; and conducts specific gravity tests. Measures blood pressure, temperature and pulse.~~
- ~~Maintains and reviews records; maintains records for all school students; reviews immunization records and physical examination for school entry; initiates and maintains documentation of health records. Copies, mails and faxes health records according to requests.~~
- ~~Formulates nursing care plans and emergency care plans.~~
- ~~Conducts pre sport sixth and eleventh grade physicals.~~
- ~~Maintains compliance with CIAC requirements.~~
- ~~Prepares a variety of reports, documents and correspondence; prepares annual immunization surveys for incoming students; prepares sports and school accident insurance claim forms; documents care and conferencing.~~
- ~~Coordinates health care with part time nurse, occupational and physical therapists. Conferences with teachers and paraprofessionals regarding student needs; attends PPT interdisciplinary meetings; participates in crisis team.~~
- ~~Contacts physicians and parents regarding medications, immunizations and other concerns; receives and responds to calls from parents, physicians and others.~~
- ~~Travels between schools to respond to accidents, illnesses or emergencies.~~
- ~~Teaches growth, development and hygiene; conducts inservices for teachers on individual student needs, medications and treatments.~~
- ~~Performs other related functions as assigned or required.~~
- **Provide professional development**
- **Collect, prioritize documents and evaluate student health information during student visits to the health office and in emergency situations, according to established policy, guidelines and protocols.**
- **Use an established data collection system in an organized manner.**
- **Provide health care services for the students to manage illness, injury and health conditions/problems whether acute, chronic, episodic or emergent.**
- **Recognize the educational implications of health concerns or problems for the students.**
- **Conduct appropriate health screenings (i.e. vision, hearing) and make referrals to health care professionals as needed.**
- **Serve as case manager for students with health needs.**
- **Develop and implement individualized health care and emergency care plans within the appropriate educational program (regular education, Section 504 and special education.)**
- **Document nursing interventions in the appropriate health records according to school district policies and procedures.**
- **Act as a health resource for teacher, administrators and relevant others.**
- **Provide consultation to school personnel and family members regarding the health and safety of students and relevant health problems.**
- **Use technology (assistive, informational and medical) to effectively manage school health programs.**
- **Communicate and collaborate with the interdisciplinary team regarding the health and safety of the students.**
- **Participate in student PPT and 504 meetings**
- **Ride the bus to and from school if required.**
- **Maintain classroom standards and collaborate with the school/family team.**
- **Other responsibilities as determined by the Director of Pupil Personnel and Special Education.**

### **Minimum Training and Experience Required to Perform Essential Job Functions**

Bachelor's degree in Nursing with three years of **current pediatric (within the past two years) nursing in a health care or educational setting.** Experience **dealing with complex medical needs, or any combination of education and experience that provides equivalent knowledge, skills and abilities.** Position requires **current Connecticut Registered Nurse License, CPR and the possession of a valid Connecticut driver's license.**

### **Physical and Mental Abilities Required to Perform Essential Job Functions**

#### **Language Ability and Interpersonal Communication**

- Requires the ability to perform mid-level data analysis including the ability to audit, deduce, assess, conclude and appraise. Requires discretion in determining and referencing such to established criteria to define consequences and develop alternatives.
- Requires the ability to provide first line supervision. Ability to persuade, convince, and train others. Ability to advise and provide interpretation regarding the application of policies, procedures and standards to specific situations.

- Requires the ability to utilize a variety of reference, descriptive and/or advisory data and information such as student health records, supply requisitions, medication forms, accident forms, surveys, screening referrals, eligibility lists, drug handbooks, medical dictionary, OSHA manuals, procedures, guidelines and non-routine correspondence.
- Requires the ability to communicate orally and in writing with the Director of Pupil Personnel and Special Education, students, parents, teachers, principals, administrators, physicians, paraprofessionals, social workers, psychologists, therapists, guidance counselors, pharmacists, speech pathologists, café and custodial personnel, psychiatrists and the public and to collaborate effectively with trans and inter disciplinary teams.
- Requires the ability to create and implement regular and emergency health care plans.

**Mathematical Ability**

- Requires the ability to perform addition, subtraction, multiplication and division; calculate percentages and decimals; may require the ability to perform mathematical operations with fractions and algebra.

**Physical Requirements**

- Requires the ability to operate, calibrate, tune and synchronize, and perform complex rapid adjustment on equipment, machinery and tools such as a computer and other office machines, nursing/medical equipment, screening equipment, medical supplies and/or related materials used in performing essential functions.
- Requires the ability to coordinate eyes, hands, feet and limbs in performing coordinated movements such as providing nursing care.
- Tasks involve the ability to exert light physical effort in sedentary to light work, but which may involve some lifting, carrying, pushing and pulling of objects weighing five to ten pounds.
- Requires the ability to recognize and identify similarities or differences between characteristics of colors, shapes and sounds associated with job-related objects, materials and tasks.

**Environmental Adaptability**

- Ability to work under generally safe and comfortable conditions where exposure to environmental factors poses a limited risk of injury. May be exposed to illnesses or disease.

The City of Middletown is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the City will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective and current employees to discuss potential accommodations with the employer.

**Agenda Item** 11-8

Councilman Serra reads and moves for approval agenda item 11-8; his motion is seconded by Councilman Faulkner. Councilman Serra states he is uncomfortable with this without the vetting from the community. My colleagues will ask for a workshop, not only for this issue but also for what will happen to the courthouse parking arcade and what will be done to improve that as well. We have the plans from the committee that Councilman Santangelo and Daley sat on and we were going to have it there. We need to do this as a whole. With that in mind I would like my colleagues to send it back.

**Motion to Table**

Councilman Daley states he is not sure it needs to go back to a committee since they all heard from Director Hartley on this. The most expedient way is to have a workshop with the community who have an interest on this to come out and be heard. We had a Parking Advisory Committee to study parking and in that committee there were two points of view. One is new in Melilli and the other to use the new garage at the Arcade site because it needed serious attention and that view prevailed and it was before the Parking Director. The other stake holders need to be involved. He moves to table it to afford the Council and the stakeholders to hear the status of the previous application and to hear the approach. Councilwoman Kleckowski seconds this motion. Councilman Daley asks the Council Clerk to set a date. He moves to postpone this resolution to after the workshop and asks the clerk to hold a workshop before the October Council meeting. Councilwoman Kleckowski seconds the motion.

The Chair states it is a motion to postpone indefinitely. Councilman Pessina states he agrees with Councilman Serra and Councilman Daley. What concerned him the most is he doesn't know where the Chamber and downtown businesses stand on this project. We have a great Main Street and a lot of businesses that people walk to and we should be cautious. I like the idea of a workshop. We have to know where everyone clearly stands before we vote for or against this. He will support the motion. Councilman Bibisi asks for a point of clarification; the public and businesses have been

involved since the beginning. They made recommendations that were here and he supports the workshop. They were involved in the decision from the beginning. The new parking authority has businessmen on it and they supported the Parking Director. It is for clarification; the business community was involved in this. Councilman Santangelo agrees that they have been involved from the beginning. We did a two-year study to look at this. Both sites were recommended and we chose the parking arcade. The workshop needs to be done because you heard a business owner speak to us; not everyone is on board. What we do at Melilli means another \$500,000 at the arcade. We have to be cautious about this. We need to hear from everyone and it is the fair way to go. Councilman Klattenberg points out to the Council it may have been that we could not act on this because there is no financial impact statement. It may seem that there is none, but with all the comments raised by the business community and what happens to one or the other, all have a long term impact on the City and Director Hartley needs to talk about the future financial impacts on the City.

The Chair states seeing no further discussion, I call for the vote on the motion to postpone indefinitely. It is unanimous to approve with eleven aye votes. The Chair states the matter passes unanimously with one Council member absent and not voting.

**Resolution No.**  
**File name**  
**Description**

**114-10**

**pkd amendinglocipappppkgstudymelillisite.doc**

**Authorizing Mayor Sebastian N. Giuliano to submit an amended application and resolution to the State Office of Policy and Management for \$120,000 LoCIP funds for the engineering design for a new parking garage on the Melilli Plaza site instead of the Arcade.**

**(POSTPONED INDEFINITELY)**

**WHEREAS**, in August 2008, Resolution #154-08 approved the Parking and Traffic Study for the Central Business District prepared by VHB, Inc.; authorized the preparation of a government reorganization study to understand the merits of creating a standalone Parking Department to manage Central Business District Parking; authorized the merger of the Melilli Plaza Parking lot and the City Hall Employee Parking lot; and authorized the Mayor to sign an application for LOCIP funds for an engineering design for a new parking garage and parking deck on the site of the Riverview Parking arcade; and

**WHEREAS**, the Parking and Traffic Study for the Central Business Bureau prepared by VHB was approved; and

**WHEREAS**, the stand alone Parking Department has been formed and a new Parking Director has been hired to manage Central Business Parking; and

**WHEREAS**, the new Parking Director has reviewed the parking study and based on the physical facts of the downtown business district, recommends the site for the new garage be reconsidered and changed from the Riverview Parking Arcade to the Melilli site; and

**WHEREAS**, at the August 9, 2010 meeting of the Economic Development Committee (EDC) the Committee voted to move this resolution to the September meeting of the Common Council.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** That Mayor Sebastian N. Giuliano is hereby authorized to submit an amended Resolution to the State Office of Policy & Management to redirect the \$120,000 LOCIP funds for the engineering design for a new parking garage on the Melilli site.

**Agenda Item**

**11-9**

Councilman Santangelo reads and moves for approval agenda item 11-9; his motion is seconded by Councilman Serra. There is no discussion. The Chair calls vote. The matter passes unanimously with eleven aye votes. The Chair states the matter passes unanimously with one member absent and not voting.

**Resolution No.**  
**File Name**  
**Description**

**115-10**

**fdcnrapproval2010carryover.doc**

**Approving carrying the Fire Department's previous CNR with a remaining balance of \$134,711.75 into the proposed CNR.**

**(APPROVED)**

**BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** That the Middletown Fireis previous three yearis CNR balance be carried over to Middletown Fireis current yearis CNR. The remaining balance is \$134,711.75.



COMPUTER UPGRADES	\$10,000.00
TRENCH/RESCUE EQUIPMENT	\$30,000.00

**TOTAL** **\$142,000.00**

**PROPOSED CNR FOR 2011-12**

DEFIBULATOR REPLACEMENT	\$10,000.00
SCBA/SPARE BOTTLES	\$10,000.00
MAJOR FACILITY REPAIRS	\$25,000.00
STAFF VEHICLE	\$35,000.00
TRAINING EQUIPMENT	\$5,000.00
EMER. VEHICLE PREEMP. LIGHTS	\$7,500.00
MARINE/DIVE UPGRADES	\$25,000.00
OUTDOOR POWER EQUIPMENT	\$3,500.00
METERING EQUIPMENT	\$4,000.00

**TOTAL** **\$125,000.00**

**GRAND TOTAL FOR TWO YEAR CNR** **\$267,000.00**

**2010-2011 CNR PROPOSAL PLAN**

**ATV TRAILER** – This trailer will be an enclosed trailer to transport our ATV to various sites and carry equipment associated with the operation of the ATV. The ATV will be stored in the trailer, out of the elements.

**COPIER** – The Cross St. station is operating without a copier. The copier in the fire marshal's office is a "hand-me-down" and is very old and outdated and parts are unavailable.

**SCBA/SPARE BOTTLES** - To maintain the integrity of our SCBA equipment. Mandatory replacement of SCBA bottles that are on a 15-year replacement cycle.

**HURST RESCUE EQUIPMENT** – The motor for one of our Hurst tools is 20+ years old and needs replacement due to the age, is not operating at full capacity and parts are no longer available.

**RADIO IMPROVEMENTS** - We need to maintain and keep current our communications equipment, which is vital to emergency services. The majority of our portable radios were purchased in 2002. We have to start replacing them due to age and normal wear and tear.

**MAJOR APPLIANCES** - Appliances are at the end of their life expectancy and need to be replaced – refrigerators, stoves, and air conditioners. Appliances were replaced at HQ in 2008 and Cross St.'s appliances are in need of replacement since repairs are becoming more frequent.

**STATION FURNITURE** – Tables and chairs at Cross Street are falling apart. They were built over ten years ago. Also, the conference room at HQ has chairs from over ten years as well and they are beginning to show signs of aging – two have actually broken while someone was sitting in them.

**FIRE EQUIPMENT** - Hose must be tested annually and must be replaced accordingly. All hose accessories, including nozzles and nozzle appliances, etc., must work to utmost efficiency. Also, hose tester, gates and valves and wyes.

**COMPUTER UPGRADES** – To complete the mobile data terminals for the vehicles and related accessories which were started two years ago. This will culminate with the institution of the new CAD system.

**TRENCH/RESCUE EQUIPMENT** – To purchase specialized rescue equipment specific to trench rescue, such as struts, braces, panels, etc.

**2011-2012 CNR PROPOSAL PLAN**

**DEFIBRILLATOR REPLACEMENT** – Due to the increase in medical calls, the use of defibrillators has increased drastically. They have proven to be the difference in life or death and are necessary on all apparatus. Without a viable working spare, if one goes out of service, that apparatus would be without one.

**SCBA SPARE BOTTLES** - To maintain the integrity of our SCBA equipment. Mandatory replacement of SCBA bottles that are on a 15-year replacement cycle.

**MAJOR FACILITY REPAIRS** - Both stations are very old, with the last renovation to headquarters in 1983. The Cross St. station has not been renovated since its construction in 1972. Major repairs are needed at both stations. We need major exterior painting at the Cross St. station and also the façade at Headquarters is rotting and falling off the building and in dire need of repair.

**STAFF VEHICLES** – The Alarms division is currently operating 14-year old and 12-year old vehicles and the Fire Marshal's office is running an 11-year old vehicle and three nine year old vehicles. We have to maintain replacements as maintenance costs are starting to exceed the cost of the cars.

**TRAINING EQUIPMENT** - The importance of continuing training to keep up with current technology, etc. is vital to efficiency and safety.

**EMERGENCY VEHICLE PRE-EMPTION LIGHTS** - We have an agreement with the State of Connecticut to share in the cost of these emergency vehicle pre-emption lights. These traffic lights change to green for emergency vehicles due to a sensor strobe in each of these vehicles. We now have to incur the full cost of repairs and maintenance to these lights. All other traffic directions will turn red. This is a great safety feature for the fire department.

**MARINE/DIVE UPGRADES** - Equipment will need replacement due to normal life expectancy – the marine unit is nine years old. Dive team gear is also tested and certified, requiring replacement to meet certification.

**OUTDOOR POWER EQUIPMENT** – In 2008, we replaced the snow blower at fire headquarters. The snow blower at Station 2 is over ten years old and in need of replacement. Also, the lawn mower at Station 2 is the same vintage and in need of replacement.

METERING EQUIPMENT – In 2009, we replaced half of our metering equipment. The balance of the equipment needs to be replaced. It is vital for air monitoring at calls daily and hazardous materials operations. This is for the safety of the firefighters as well as the public.

**Agenda Item** 11-11

Councilman Daley moves to approve agenda item 11-11, the partial tax abatement; Councilman Santangelo seconds the motion. Councilman Daley states this is a very innovative and worthwhile project. It is an opportunity for Middletown to demonstrate leadership in green technology and building practices. It was unanimously approved by Economic Development and the resolution as drafted does not fully reflect what was voted at Economic Development. Director Warner was not present. We approved the application as submitted without the benefit of his input. The application was for the partial tax abatement but also for a waiver of building permit fees for the two buildings. Since that was voted on by Economic Development, that is what should be before us.

**Motion to Amend**

I would propose amending the resolution I just moved and it would be as follows. In the fourth paragraph after the words four year partial tax abatement, add “and waiver of building permit fees for Tall Properties Development Co., for the two buildings described above; and” in the last paragraph after the words That the tax abatement, add “and waiver of building permit fees for the two buildings” and continue with is approved pursuant to Section 272-9 of the Middletown code of Ordinances. Councilman Streeto states the fiscal impact should include a \$36,000 waiver for the building permit fees. Councilman Daley states that is the estimate, but could be added to the statement. The Chair asks if there is an objection. Councilman Loffredo states he would like to vote on the amendments.

The Chair states we will vote on the amendments they go together. He calls for the vote and it is six ayes by Council Members Pessina, Daley, Bibisi, Santangelo, Streeto, and Kleckowski and five nay votes by Council Members Serra, Loffredo, Klattenberg, Kasper, and Faulkner. The Chair states It is five nay votes. The amendments pass with six in favor, five against, and one absent and not voting. We will proceed to the resolution as amended.

Councilman Pessina states he got to know Lenny and he is a good business person and he brought good ideas to the Industrial Park and I think you will do well on the project. Councilman Loffredo states he served on EDC committee. It is his first term on this and we did not have a meeting to discuss this. The background information of a full report by the Director regarding building fees and what we anticipate and what we will be getting. He is not comfortable voting for this; the City goes too far. The City is giving him \$189,000 for a tax abatement. The City needs to do due diligence to oversee the construction from the building department. There has to be some favorable balance here to the taxpayers. That is my personal views. In these economic times and with all due respect, he will not support the resolution before us. Councilman Faulkner states he concurs with Councilman Loffredo. The abatement is sufficient for me and the project is good and it is good for the City. I didn't like the fact that we added the additional waivers. I don't know if it sets precedence.

Councilman Serra states this is uncomfortable; we do want to attract individuals to Middletown and looking what it will generate over ten years, the first five years is on us and then we will get our money back. With that in mind, we will get money later on, he believes he will support this.

Councilman Daley states this is awkward; we unfortunately we voted approval of the application and I understand it, there was only one other commercial venture for which we approved the waiver of building permit fees and it was a larger project. We have to look at the value of this development over time. We may be voting on a tax abatement, but taxes will be paid and more taxes will be generated. Each application stands on its own merits. I can tell you this project stands out for those I have seen over the last 18 years. It is unique because it will take advantage of Leed building incentives we adopted last year and it is passing the abatement on to the condominium tenants and not the developer. And finally, Lenny, I was a patron of some of his businesses. He is a part of the fabric of the community. This is not an out of town developer coming in. there are some challenges here. They are squeezing him on this project and maybe the granting of the waiver of building permit fees may make the project. I urge you to support it as amended. It is a matter of acting in good faith. In the committee we approved it this way. I felt an obligation to make people aware that this is what was approved at the Economic Development Committee meeting.

Councilman Streeto states we have eliminated showmobile fee waivers and building permit fee waivers might be a good substitution. It is cold in construction and it does set a precedence and we may see a big long line to develop in Middletown and it could be positive. It might encourage people to look at developments that they might pass by. I support the amendment because it is a good time to encourage development and construction. We want to encourage the rapid development of this project.

Councilwoman Kasper states she agrees with Councilman Loffredo and Councilman Faulkner in that we are giving a tax abatement for four years for \$189,000; that shows a good faith effort of the City and giving \$36,000 for building permit fees is not a good idea. We are hearing of families who are walking away from homes that they can't pay for. She will not support this.

Seeing no further discussion, the Chair calls for the vote for the resolution as amended. It is eight aye votes by Council Members Serra, Klattenberg, Pessina, Daley, Bibisi, Santangelo, Streeto, and Kleckowski; and three nay votes by Council Members Loffredo, Kasper, and Faulkner. The Chair states the matter passes as amended with eight in favor, three opposed and one absent and not voting.

**Resolution No. 117-10**  
**File Name pcdTallProperties.doc**  
**Description Approving the four year partial real estate property tax abatement and waiver of building permit fees pursuant to Section 272-9 of the Middletown Code of Ordinances for Tall Properties Development Co. for the construction of two 12,685 square foot, two store Leed Certified Office Condominium buildings on Industrial Park Road.**

**(AMENDED AND APPROVED)**

WHEREAS, Tall Properties Development Co. (TPDC) submitted an application under the Tax and Business Incentive Program (Reference: Section 272-9 of Middletown Code of Ordinances) requesting a four (4) year partial real estate property tax abatement, and

WHEREAS, TPDC will construct two 12,685 square foot, two story LEED Certified Office Condominium buildings on Industrial Park Road Map 05 Lot 0019 two, and

WHEREAS, the development will add \$1,890,000 to the Grand List and generate \$66,781 in taxes per year and bring a hundred new job opportunities in the City, and

WHEREAS, at the August 9, 2010 Meeting of the Economic Development Committee (EDC) the Committee voted unanimously to recommend assisting Tall Properties Development Co. by recommending the four (4) year partial tax abatement and waiver of building permit fees for Tall Properties Development Co. for the two building described above.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That the tax abatement and waiver of building permit fees for the two buildings, is approved pursuant to Section 272-9 of the Middletown Code of Ordinances

FISCAL IMPACT: To encourage the construction of LEED Certified buildings, the Tax and Business Incentive Program provides a 4 year \$189,000 tax abatement and waiver of \$36,000 in building permit fees and payment of \$78,124 in taxes during the first four years. The development will generate \$478,814 taxes over 10 years.

**Agenda Item 11-12**

This item was removed at the beginning of the meeting.

**Agenda Item 11-13**

Councilman Streeto reads and moves for approval agenda item 11-13; his motion is seconded by Councilman Pessina. Seeing no discussion indicated, the Chair calls the vote. The matter passes unanimously with eleven aye votes. The Chair states the matter passes with eleven in favor and one absent and not voting.

**Resolution No. 118-10**  
**File Name pcdPanuzioGiordano10-11.doc**  
**Description Approving the retention of Panuzio & Giordano to represent the City for an additional 12 months from July, 2010 to June, 2011 to ensure delivery of the various funding and to secure additional funding for Middletown; approving a transfer of \$24,000 from the Economic Development fund into line item 4330-14000-99200-0000-35150, Panuzio Giordano Parking & Transportation; and authorizing the Mayor to sign all documents for their services not to exceed \$2,000 per month.**

**(APPROVED)**

WHEREAS, the city has recently received \$190,000 in federal HUD funding, \$400,000 in federal EPA assessment funding and \$214,000 in federal Department of Energy funding, and \$400,000 in EPA cleanup funding, and is in line to receive \$250,000 in federal funding for the Remington Rand building, and \$1 million in funding for the Country Club Road waterline; and

**WHEREAS**, Panuzio & Giordano Public Affairs has assisted in applying for and receiving these federal funds and will be critical in working with Middletown's congressional delegation and their staff to receive extensions and approvals to utilize said funds and to secure the former Nike site on Mile lane and assist with the Omo Manufacturing Superfund site; and

**WHEREAS**, at the August 9, 2010 meeting of the Economic Development Committee (EDC) the Committee voted unanimously to recommend the retention of Panuzio & Giordano to represent the City of Middletown for an additional 12 months from July 2010 to June 2011 to ensure the delivery of the funding to the City and to secure additional federal funding associated with the federal government's stimulus program and to lobby for and against, as appropriate, legislation affecting Middletown.

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

That a transfer of \$24,000 from the Economic Development Fund be made to line item 4330-14000-99200-0000-35150-0000-000 Panuzio Giordano Parking & Transportation, and

**BE IT FURTHER RESOLVED:** That the Mayor is authorized to sign all documents to effectuate an agreement with Panuzio & Giordano Public Affairs LLC for a period of 12 months at a rate not to exceed \$2,000 per month.

FISCAL IMPACT: No impact to the General Fund. The fees are paid by the Economic Development Fund.

**Agenda Item 10-14**

Councilwoman Kasper reads and moves for approval agenda item 11-14; her motion is seconded by Councilman Pessina. Seeing no discussion indicated, the vote is called. The matter passes with ten aye votes by Council Members Serra, Loffredo, Klattenberg, Pessina, Daley, Bibisi, Santangelo, Kasper, Streeto, and Kleckowski; and one abstention vote by Councilman Faulkner. The Chair states the matter passes with ten affirmative, one abstention by Councilman Faulkner, and one absent and not voting.

**Resolution No.  
File Name  
Description**

**119-10  
pcdCDBGreprogramming.doc  
Approving the reprogramming of \$10,000 CDBG stimulus grant funds from Soup Kitchen Relocation to the renovation of the new food pantry at 16 Stack Street and \$5,630 from Eddy Shelter Tile Floor installation to renovation of the disabled accessible bathroom at 1 Labella Circle.**

**(APPROVED)**

**WHEREAS**, the City of Middletown receives Community Development Block Grant (CDBG) funds from the U.S. Department of Housing & Urban Development (HUD) as an entitlement community; and,

**WHEREAS**, the Common Council and the Citizens' Advisory Committee approved the use of \$10,000 in 2008 CDBG Stimulus funds for St. Vincent Depaul for a study to relocate the Soup Kitchen off of Main Street ; and,

**WHEREAS**, the Common Council and the Citizens' Advisory Committee approved the use of \$5,630 in 2010 CDBG Entitlement funds for The Connection Inc install a new tile floor at the Eddy Shelter ; and,

**WHEREAS**, St. Vincent Depaul is expecting to renovate and open its new Food Pantry at 16 Stack Street, has requested that the \$10,000 be reprogrammed for renovation activities; and  
**WHEREAS**, The Connection Inc experienced a plumbing emergency that damaged their only handicapped accessible bathroom, has requested that the \$5,630 be authorized for use to repair the handicapped accessible bathroom; and

**WHEREAS**, the Citizens' Advisory Committee recommended approving both requests at its regular meeting of August 18, 2010; and,

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** That the \$10,000 in CDBG stimulus funds grant for Soup Kitchen Relocation be authorized and applied towards the renovation of the new food pantry at 16 Stack Street, Middletown, Connecticut; and,

**THEREFORE FURTHER RESOLVES:** That the \$5,630 in 2010 CDBG Entitlement funds grant for Eddy Shelter Tile Floor Installation be authorized for the repair and renovation of the handicapped accessible bathroom at 1 Labella Circle, Middletown, Connecticut.

**FINANCIAL IMPACT:** This request is a modification to existing projects and will not result in any additional financial obligation by the City of Middletown. Both projects are funded with Federal Community Development Block Grant funds. Staff time to oversee these projects are funded with an \$80,000 reimbursement to the City through the CDBG program.

**Agenda Item 11-15**

Councilman Daley reads and moves for approval agenda item 11-15; his motion is seconded by Councilman Pessina. The Chair recognizes Councilman Faulkner who asks if WIFI will work in here. The Chair states we are hardwired in here. There is a router in my office and if I move it, it picks up another signal. You get the feeds in the building and if you don't have a password, you can't get in.

**Point of Information**

Councilman Daley states the bulk of the money that was allocated for expanding cable to the businesses was never used. There were businesses that requested this and since then, not as many businesses have used it as projected. We can use that money for this instead.

The Chair calls for the vote. It is unanimous to approve with eleven aye votes. The Chair states the matter passes with eleven affirmative votes and one absent and not voting.

**Resolution No.**  
**File Name**  
**Description**

**120-10****pcdMainStWiFi.doc**

**Approving to assist in the funding of the expansion of WIFI on Main Street at a cost of \$14,050; establishing a new line item in the Economic Development fund entitled Main Street WIFI Grant, 4330-14000-xxxx; approving a transfer of \$12,233.37 from the Industrial Park Road line item 4330-14000-99200-35172 and \$1,716.63 from the Economic Development fund balance into the new line item; and authorizing the Mayor to sign all documents for this expansion.**

**(APPROVED)**

**WHEREAS**, the Downtown Business District (DBD) has proposed spending \$7,695 of DBD funds to update, repair and improve the existing WIFI service to the DBD portion of Main Street.

**WHEREAS**, The DBD has submitted a proposal to request the City of Middletown assist in expanding and establishing new WIFI service beyond the DBD district boundaries from 20 Main Street to 728 Main Street at a cost of \$14,050.00.

**WHEREAS**, at the August 9, 2010 meeting of the Economic Development Committee (EDC) the Committee voted unanimously to recommend assisting in funding the WIFI expansion by transferring \$12,233.37 from Industrial Park Road line item 4330-14000-99200-35172-0000-000 to a new line item Main Street WIFI Grant 4330-14000-99200-xxxx-xxx and transfer \$1,716.63 from the Economic Development Fund to the new Main Street WIFI Grant line item.

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

The City of Middletown agrees to assist in the funding of the expansion of WIFI on Main Street beyond the boundaries of the DBD from 20 Main Street to 728 Main Street at a cost of \$14,050.00, and

**BE IT FURTHER RESOLVED:** That a new Line Item Main Street WIFI Grant 4330-14000-99200-xxxx-xxxx-xxx be established and that \$12,233.37 from Industrial Park Road line item 4330-14000-99200-35172-0000-000 and \$1,716.63 from the Economic Development Fund be transferred to the new line item.

**BE IT FURTHER RESOLVED:** That the Mayor is authorized to sign all documents to effectuate this agreement.

**FISCAL IMPACT:** No impact to the General Fund. The \$12,233.37 is being transferred from a previous similar project and the \$1,716.63 is being transferred from the Economic Development Fund.

**Agenda Item****11-16**

Councilman Santangelo reads and moves for approval agenda item 11-16; his motion is seconded by Councilman Bibisi. Hearing no discussion, the Chair calls for the vote. It is unanimous to approve with eleven aye votes. The Chair states the matter passes with eleven affirmative votes and one absent and not voting.

**Resolution No.**  
**File Name**  
**Description**

**121-10****fdkochekhosebidwaiver2010.doc**

**Approving waiving the competitive bidding requirement in accordance with Section 78-8 for the Fire Department to purchase name brand Kochek hose from Coastal Fire systems at a total cost of \$9,332.**

**(APPROVED)**

**WHEREAS**, the Standardization Committee has met and approved the request for a bid waiver to enable the Fire Department to purchase brand specific Kochek hose to maintain the hose in current use for reasons of safety and training; and

**WHEREAS**, the Kochek hose is sold through a proprietary vendor, Coastal Fire systems.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** That in accordance with Section 78-8, of the Middletown Code of Ordinances, that the Competitive Bidding Requirement be waived for the Middletown Fire Department to purchase brand specific Kochek hose, through the proprietary vendor , iCoastal Fire Systems, i at a total cost of \$9,332.00.

**Fiscal Impact:** The funds for the Hose are included in the previous CNR which we have requested approval to carry forward with the new CNR Plan; if that is approved no additional funding is needed.

**Agenda Item** 11-17

Councilman Santangelo reads and moves for approval agenda item 11-17; his motion is seconded by Councilman Pessina. Seeing no discussion indicated, the Chair calls for the vote. It is unanimous to approve with eleven aye votes. The Chair states the matter is approved with eleven affirmative votes and one absent and not voting.

**Resolution No.**  
**File Name**  
**Description**

**122-10**  
**pdHarleyDavidsonCNRPurchaseBidWaiver.doc**  
**Approving waiving the competitive bidding requirement in accordance with Section 78-8 of the Middletown Code of Ordinances for the Police Department to purchase two 2011 Harley-Davidson FLHTP motorcycles from Yankee Harley-Davidson of Bristol for a total cost not to exceed \$30,000.**

**(APPROVED)**

**Whereas**, the Middletown Police Department has properly submitted necessary paperwork to the City's Purchasing and Standardization Committee, which has approved the requested Bid Waiver with a 3-0 vote on August 10, 2010; and

**Whereas**, the Committee interviewed representative of the Police Department Acting Chief Patrick T. McMahon regarding the purchase of two (2) new 2011 Harley- Davidson motorcycles; and

**Whereas**, the Police Department is seeking to purchase, with properly allocated CNR funds, that are already set aside for this purchase, two (2) 2011 Harley- Davidson FLHTP motorcycles to replace the older outdated BMWs that are currently owned by the department; and

**Whereas**, the Police Department has researched and discovered that Yankee Harley-Davidson of Bristol is the only local dealership with a service and sales department that is open seven (7) days a week; and

**Whereas**, Yankee Harley-Davidson has offered us substantially more for trade-in values on our BMWs bringing the cost per bike to \$2600.00 less than the current State Contract vendor; and

**Whereas**, Yankee Harley-Davidson has two (2) motorcycles matching our requirements and specifications in stock which eliminates the lengthy ordering process and would allow the Police Department to deploy these motorcycles during the current calendar year.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** That a bid waiver, in accordance with Section 78-8 of the Middletown Code of Ordinances, be approved to purchase two (2) 2011 Harley-Davidson FLHTP motorcycles from Yankee Harley-Davidson of Bristol --- at a cost not to exceed \$30,000.

**FISCAL IMPACT STATEMENT:** This bid waiver will save the Police Department over \$2600.00 per bike.

**Agenda Item** 11-18

Councilman Klattenberg reads and moves for approval agenda item 11-18; his motion is seconded by Councilman Bibisi. Seeing no discussion indicated, the Chair calls for the vote. It is unanimous to approve with eleven aye votes. The Chair declares the matter passes with eleven affirmative and one absent and not voting.

**Resolution No.**  
**File Name**  
**Description**

**123-10**  
**pdAdminCopierBidWaiverFy11.doc**  
**Approving the waiving of the competitive bidding requirement in accordance with Section 78-8 of the Middletown Code of Ordinances to enter into a Municipal Lease Agreement with the Office Works, Inc., for a Color Toshiba E-Studio 5520ct digital copier and authorizing the Mayor, Sebastian N. Giuliano, to execute the 48-month lease for the monthly payment of \$242.94 plus \$.0068 per black and white copies and \$.058 per color copies based on the number of copies made each month.**

**(APPROVED)**

**Whereas**, the Middletown Police Department has properly submitted necessary paperwork to the City's Purchasing and Standardization Committee, which has approved the requested Bid Waiver with a unanimous vote on August 24, 2010; and

**Whereas**, it is necessary and desirable and in the best interest of the City of Middletown Police Department to enter into a Municipal Lease Agreement (iLease) for a 48 month period with The Office Works, Inc., with payment being made to a third party, for the lease of a Color Toshiba E-Studio 5520ct digital copier; and

**WHEREAS**, funds are already appropriated in the Police Department budget to meet the yearly obligation of the City under the lease for the monthly amount of \$242.94 plus the cost of service maintenance, which is based on the number of copies made each month and billed at \$.0068 per copy for black and white and \$.058 per copy for color; and

**WHEREAS**, the Police Department currently leases a Toshiba copier from The Office Works, Inc. which is located in and utilized by the Records Division; and

**WHEREAS**, leasing another copier of the same manufacturer from The Office Works, Inc. will allow the Police Department greater networking and overflow capabilities.

**NOW, THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** That the Mayor is hereby authorized and directed to execute and deliver on behalf of the City the Lease and such other instruments and documents (including, but not limited to any consents to assignment of the Lease by the lesser to an assignee deemed acceptable by him/her) in such form and incorporating, without limitation, such changes in the terms and conditions of the Lease and the terms and conditions of such other documents, instruments and agreements as may be required, not inconsistent with the tenor and purport thereof, as shall be approved by him, such approval to be conclusive evidence of the necessity, appropriateness or desirability thereof; and

**BE IT FURTHER RESOLVED:** That section 78-8 of the Middletown code of Ordinances be waived to allow the Police Department to lease this copier from The Office Works, Inc. at the price represented in this resolution.

**FINANCIAL IMPACT STATEMENT:** The Police Department will be saving over \$4,000.00 per year over our current lease over the next four (4) years.

**Agenda Item** 11-19

Councilman Streeto reads and moves for approval agenda item 11-19; his motion is seconded by Councilman Santangelo. Seeing no discussion Indicated, the vote is called. It is unanimous to approve with eleven aye votes. The Chair states the matter passes with eleven affirmative votes, none in opposition, and one absent and not voting.

**Resolution No.** 124-10  
**File Name** pwtraxcavatorbidwaiver.doc  
**Description** Approving waiving the competitive bidding requirement in accordance with Section 78-8 of the Middletown Code of Ordinances for the Public Works Department to purchase a traxcavator from the federal government General Services Administration bid list at a cost of \$211,779.59.

**(APPROVED)**

**Whereas,** the Public Works Department has properly submitted the necessary paperwork to the City's Purchasing and Standardization Committee, which has approved the requested Bid Waiver with a 3-0 vote on August 30, 2010; and

**Whereas,** the Committee interviewed representatives of the Public Works Department including Director Bill Russo and Chief Mechanic Jeff Harvey regarding the proposed purchase of a Traxcavator to replace the existing one that is nearly twenty years old; and

**Whereas,** the Public Works Department has located a John Deere 624K four wheel drive loader on the federal government General Services Administration (GSA) bid list at a cost of \$159,376.05; and

**Whereas,** additional accessories in the amount of \$64,403.54 are necessary to outfit the equipment as needed for the City's operation; and

**Whereas,** John Deere will only warranty the equipment if parts and accessories have been installed by their approved vendors; and

**Whereas,** the vendor will provide a \$12,000 trade-in for the City's old Traxcavator; and

**Whereas,** this expenditure will be from the Bulky Waste Fund.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** That a bid waiver, in accordance with Section 78-8 of the Middletown Code of Ordinances, be approved for the full installation and delivery of a traxcavator with all the specifications as approved by the Public Works Chief Mechanic at a total cost of \$211,779.59

**FINANCIAL IMPACT STATEMENT**

The Bulky Waste fund will be used for this expenditure. This purchase will not be necessary in next year's budget.

**Agenda Item** 11-20

Councilman Streeto reads and moves for approval agenda item 11-20; his motion is seconded by Councilman Pessina. Seeing no discussion Indicated, the vote is called. It is unanimous to approve with eleven aye votes. The Chair states the matter passes with eleven affirmative, none in opposition and one absent and not voting.

**Resolution No.** 125-10  
**File Name** pwlighnignloaderbidwaiver.doc  
**Description** Approving waiving the competitive bidding requirement in accordance with Section 78-8 of the Middletown Code of Ordinances for the Public Works Department to purchase a lightning loader from Peterson Industries to be installed on a cab/chassis owned by the Department for the cost of \$50,316.

**(APPROVED)**

**Whereas,** the Public Works Department has properly submitted the necessary paperwork to the City's Purchasing and Standardization Committee, which has approved the requested Bid Waiver with a 3-0 vote on August 30, 2010; and

**Whereas**, the Committee interviewed representatives of the Public Works Department including Director Bill Russo and Chief Mechanic Jeff Harvey regarding the proposed purchase of a Lightning Loader to replace the existing one that is over ten years old; and

**Whereas**, the Public Works Department purchased the last Lightning Loader directly from Peterson and has the opportunity to again purchase directly from Peterson Industries, in Florida, rather than go through their distributors in Connecticut, at a significant cost savings; and

**Whereas**, the Lightning Loader will be installed on a cab/chassis the Public Works Department acquired from State of Connecticut surplus property sale; and

**Whereas**, Petersen will pick up the cab/chassis and haul it back on semi trailer to the plant in Florida for the installation of the Lightning Loader and return it upon completion; and

**Whereas**, this expenditure will be from the Bulky Waste Fund.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** That a bid waiver, in accordance with Section 78-8 of the Middletown Code of Ordinances, be approved for the full installation and delivery of a Lightning Loader with all the specifications as approved by the Public Works Chief Mechanic at a cost of \$50,316.

**FINANCIAL IMPACT STATEMENT**

The Bulky Waste fund will be used for this expenditure. This purchase will not be necessary in next year's budget.

**Agenda Item 11-21**

Councilman Faulkner reads and moves for approval agenda item 11-21; his motion is seconded by Councilman Pessina. The Chair states agenda item 11-21 has been moved and seconded and calls for discussion. Hearing none, he calls for the vote. It is unanimous to approve with eleven aye votes. The Chair states the matter passes with eleven affirmative votes, none in opposition, and one absent and not voting.

**Resolution No.  
File Name  
Description**

**126-10  
ccc2010-11EducationalIncentiveAward.doc  
Approving the recommendations from the Youth Services Advisory Board for disbursement of grant funds for programs under the Educational Incentive Challenge Grant which are listed in the resolution.**

**(APPROVED)**

**WHEREAS**, a powerful and growing body of evidence demonstrates that programs outside the school day keep youth out of trouble and improve their prospects for the future; and

**WHEREAS**, studies find that programs outside the school day improve graduation rates and academic achievement; and

**WHEREAS**, many extended day programs across the country are facing funding shortfalls so severe that they are being forced to close their doors and turn off their lights; and

**WHEREAS**, the Common Council recognized the significant need for extended day programming in Middletown by approving the inclusion of the Educational Incentive Challenge Grant initiative in the adopted budget for fiscal year 2010-11; and

**WHEREAS**, the Common Council approved the Challenge Grant guidelines authorizing the Youth Services Advisory Board to release a Request for Proposals and make recommendations for program funding on August 7, 2006.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** That the following appropriations are hereby approved:

ORGANIZATION	PROJECT	AMOUNT
Charter Oak Amateur Boxing Academy	Lionis Den/COBA Champions of Life Boxing	\$8,000
Green Street Arts Center	Afterschool Arts and Science Program	\$8,000
Oddfellows Playhouse	Neighborhood Troupes for At-Risk Youth	\$10,000
Parks and Recreation	Jazzy Dancers	\$2,500
Rushford Center	Best Practice: Cougars in Action & Rams in Action	\$5,000
Spencer School	Extended Day Academy	\$3,500
Wesleyan /Public Schools Collaborative	Prospect Math/Science Initiative	\$8,000
YMCA	Kidis Korner at Macdonough School	\$10,000
<b>TOTAL APPROPRIATION</b>		<b>\$55,000</b>

**AND BE IT FURTHER RESOLVED:** That the citizens of Middletown are urged to ensure that every child has access to a safe, engaging place where students extend their learning day through enrichment and academic activities by supporting programming outside the school day.

**Agenda Item 11-22**

Councilman Serra reads and moves for approval agenda item 11-22.

**Noted for the Record**

Councilman Santangelo leaves the chamber at 8:40 p.m.

Councilman Streeto seconds the motion. The Chair asks for discussion; seeing none indicated, he calls for the vote. It is unanimous to approve with

ten aye votes. The Chair states the matter is adopted with ten affirmative votes; none in opposition; and two absent and not voting

**Resolution No.** 127-10  
**File Name** cdlocipwireless2010.doc  
**Description** Authorizing the Mayor to sign a LoCIP application with the State of Connecticut in the amount of \$23,298 for a wireless network for Central Communications to improve public safety communication between its 911 Center and remote sites; approving establishing a new Capital Improvement line item entitled Wireless/Microwave Project in the amount of \$23,298; and approving a transfer from the general fund into the new line item to be repaid upon receipt of LoCIP grant funds.

**(APPROVED)**

Be It Resolved by the Common Council of the City of Middletown: That Mayor Sebastian N. Giuliano be authorized to sign an application to the State of Connecticut for \$23,298 from the Local Capital Improvement Program (LOCIP) to purchase and install a wireless network which would improve public safety communications between the City's 911 Center and its remote communications sites.

BE IT FURTHER RESOLVED: That a loan from the General Fund in the amount of \$23,298 is hereby authorized and that said loan be repaid from LOCIP grant receipts; and

AND BE IT FURTHER RESOLVED: That a new Capital Improvement line item entitled Wireless/Microwave Project, in the amount of \$23,298 be added.

**Noted for the Record**

Councilman Santangelo resumes his seat in the Chamber.

**Agenda Item** 11

**Description** Mayor's Appointments:  
**(Approved)**

The Chair reads the appointments for the Resource Recycling Committee and asks for a motion to approve. Councilman Serra so moves and his motion is seconded by Councilman Pessina. The Chair, hearing no discussion calls for the vote. It is unanimous to approve with eleven aye votes. The Chair states the matter is approved with eleven affirmative votes, none in opposition, and one absent and not voting.

**Resource Recycling (establishing term expirations):**

Appointment of Rebecca Maclachlan to April 22, 2012  
 Appointment of Matthew Ramsey to April 22, 2012  
 Appointment of Eric Frederickson to April 22, 2012.  
 Appointment of Stacy Barka to April 22, 2013  
 Appointment of Monica Belyea to April 22, 2013  
 Appointment of Julita Isdro to April 22, 2013  
 Appointment of Harold Panciera to April 22, 2013  
 Appointment of Alison Johnson to April 22, 2014  
 Appointment of Debbie Stanley to April 22, 2014  
 Appointment of Krishna Winston to April 22, 2015  
 Appointment of Brooke Carta to April 22, 2015

The Chair reads the Long Hill Estate Authority appointment and asks for a motion to approve. Councilman Serra moves it for approval and his motion is seconded by Councilman Pessina. The Chair calls for the vote and it is unanimous to approve with eleven aye votes. The Chair states the matter passes ten in favor, one abstention, and one absent and not voting. The Chair states the appointment is confirmed with eleven affirmative votes, none in opposition, and one absent and not voting.

**Long Hill Estate Authority:**

Reappointment of Augusta Mueller to August 31, 2013.

**Agenda Item** 11

**Description** Contingency Fund Transfers

The Chair states there are no contingency fund transfers to announce at this time.

**Agenda Item** 12

**Description** Questions to Directors on Nonagenda Items

The Chair states Councilman Loffredo asked for information and I provided information in your mailbox. Councilman Loffredo responds I asked the Mayor for the full report the City was provided by the outside agency to do a professional review and analysis of the various final candidates for the Chief of Police and we were given a part of that report and not the total report. I believe we have the right to see the entire report. We received two pages of the final report of the score of the candidates. He reads the result of the report of the four candidates. He states the table states 4, exceptional; 3, significantly acceptable; 2 moderately; and 1 not able to assume. The other information I asked for and I received from the Personnel Director; 466 is

currently in negotiations and they are proceeding with them and if they are at a point where matters can't be resolved they may seek an outside venue possible arbitration and the police midstream bargaining, that matter was referred to arbitration and the City has not received back on that matter. Councilman Loffredo did ask for the Chief to come forward; he states at the Public Safety meeting we had some discussion on how complaints would be handled about officers. The interim discussion came to everyone's attention, in the newspaper of August 9, a Letter to the Editor regarding a charge of police mishandling of medical calls and he asked the Chief to explain how the Chief would proceed with such a charge. Chief McMahon states it was the August 9 Press, a letter signed by Bill Perkins and involved medical issues. He wrote that he felt the police personnel reacted inappropriately. Perkins did not file a complaint and wrote a letter to the paper. This did not trigger a civilian complaint for an internal investigation. As I assured Public Safety, we do quality control. I read the article when it came out and the patrol commander reviewed the incident and the information by Perkins is not correct. That residence had been flagged by us and was flagged by Central Communication. Our primary function is to arrive safely and speaking and reviewing the tape and report and found we did nothing wrong. Mr. Perkins was offered the opportunity to file a complaint and he hasn't done so. They do not ignore things like the letter. He meets weekly with the command staff and they review situations. This was addressed. And Mr. Perkins can file a complaint and they did not wait for the complaint and we did review this. The information was inaccurate and we did nothing wrong. Councilman Daley states I presume and I received e-mails, concerning the incident on the evening news questions surrounding the incident at the high school. What, if any, reviews have been done of that incident. The last thing I would want to develop is a feeling that it is not being reviewed since there is significant concern as to what occurred. Acting Chief McMahon states he will be happy to respond if allowed to. Councilman Daley asks if there is a review being done. Acting Chief McMahon states any use of force triggers a review. We have been in touch with Dr. Frechette. Unlike some of the information out there, he was tased because he was fighting a police officer.

**Point of Information**

Councilman Bibisi states this is an on-going case and it is inappropriate to discuss this at this time.

Acting Chief McMahon states what you are being given what was released today because he felt it was prudent to have both sides of the story available to the public. The short answer is yes, every use of a taser is reviewed. I support the resource officers in the school. I have no problem with what was done after it was reviewed. We are looking at footage from the school. The 17 year old chose to fight a police officer.

Councilman Pessina states as you have done in the past did the press release go to the Public Safety Committee. The Acting Chief states yes.

Acting Chief McMahon states at the last Public Safety Committee, they addressed looking for the lost 15 year old who is disabled. Councilman Loffredo states the City has the ability if necessary when need be, if there are situations that require the community at large, to ask for their assistance, they have reverse 911. Central Communications can do reverse 911 to hard lines; this was a special case of a disabled 15 year old, the Acting Chief states they activated it and citizens were upset because of the time of day; they received calls and 65 were inappropriate calls after that happened. The public should be aware that this exists. Councilman Loffredo states this worked very well and the child was found because someone received the call and found him at the side of the road. Councilman Serra states it was two months ago. Acting Chief McMahon states he is discussing this because it came up at a Public Safety meeting. Councilman Daley states he has some involvement and knowledge of the system at the State level and Middletown is at the forefront in using it. It is made available by the State Department of Homeland Security. You can go on and add additional numbers. Acting Chief McMahon states it worked well and he will bring those calls to the Telecommunication Committee in the future.

Councilwoman Kleckowski states she had questions on the format of the resolutions and she did not know if there is a format; some did not have what Committee they came from and who presents a resolution and it was not presented from someone from the committee. She states Councilman Klattenberg mentioned not all had a financial impact statement and also the vote of the Advisory Committee and if there was any recommendations from the committee. That is her question and is there a place for it and we know where it was originated. Councilman Serra states through the Chair it is the Chair person of the commission that the resolution was vetted from and if it comes from an individual that person can read it and if there are many coming from a committee, we disperse them through the caucus.

The Chair states the vote of the committee should be on the resolution; it seems things come from committee and there is nothing out there. The committee should present a recommendation. Councilman Serra states a commission can choose to send it to the Council or add that it was an affirmative vote. The Chair states that committees are advisory. Councilman Klattenberg states Finance and Government sends them on even if there is not an affirmative vote.

**Motion to Adjourn**

Councilman Pessina moves to adjourn and his motion is seconded by Councilman Klattenberg. There is no discussion and the vote is called. It is unanimous to adjourn and the Chair declares it at 9:04 p.m.

ATTEST:

MARIE O. NORWOOD  
Common Council Clerk